Agenda

Planning Commission - Regular Meeting
City and Borough of Juneau
Ben Haight, Chair

October 24, 2017
Assembly Chambers
7:00 PM

I. ROLL CALL

II. APPROVAL OF MINUTES

- **A.** September 26, 2017 Draft Minutes - Committee of the Whole
- **B.** September 26, 2017 Draft Minutes - Regular Meeting

III. WRITTEN AGENCY AND PUBLIC COMMENTS POST DEADLINE

- **A.** Additional Materials Received Post-Deadline

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

V. PLANNING COMMISSION LIAISON REPORT

VI. RECONSIDERATION OF THE FOLLOWING ITEMS

VII. CONSENT AGENDA

- **A.** USE2017 0010: A Conditional Use Permit to allow marijuana manufacturing
- **B.** USE2017 0011: A Conditional Use Permit to allow marijuana retail
- **C.** USE2017 0012: A Conditional Use Permit to allow marijuana cultivation
- **D.** USE2017 0022: A Conditional Use Permit for a marijuana cultivation facility
- **E.** USE2017 0025: A Request for an Extention to the Conditional Use Permit for Riverview Senior Community

VIII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

- **A.** AME2016 0016: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

XI. BOARD OF ADJUSTMENT

XII. OTHER BUSINESS

XIII. DIRECTOR'S REPORT

XIV. REPORT OF REGULAR AND SPECIAL COMMITTEES

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVI. ADJOURNMENT

Agenda
Planning Commission
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
September 26, 2017

I. ROLL CALL

Ben Haight, Chairman, called the Committee of the Whole meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 5:36 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Nathaniel Dye, Dan Hickok, Dan Miller, Carl Greene, Kirsten Shelton

Commissioners absent: Michael LeVine, Percy Frisby

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Allison Eddins, Planner I

Assembly members: Loren Jones, Debbie White

II. REGULAR AGENDA

AME2016 0016: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

Lemon Creek Steering Committee Members		
Stephen Johnson, Chair	Wayne Coogan	Mark Pusich
Michael Lukshin, Vice Chair	Sandra Coon	Patrick Quigley
Tom Chard	Susan Erben	Michael Short
Daniel Collison	Dave Hanna	Paul Voelckers (P.C. Liaison)

Ms. Maclean told the Commission that the Comprehensive Plan identifies the need for area plans throughout the borough. She said that Lemon Creek and Switzer Creek are identified as one area. The plan itself focuses predominantly on Lemon Creek and Switzer Creek, she told the Commission. This plan is a step in the Borough strategy to introduce change in this area, she said. This plan identifies the projects and vision to move this forward, she said.

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In 2015, the Assembly tasked the Community Development Department (CDD) with undertaking the Lemon Creek Area Plan, said Ms. Maclean. In 2016 the Planning Commission endorsed guidelines for the development or update of community-based neighborhood plans, said Ms. Maclean. The CDD staff solicited interest from the community, and provided information on the planning process, she noted. In April of 2016 the Planning Commission appointed the steering committee which included residents, property owners, and business owners, said Ms. Maclean. This was preceded by an open house held in March to solicit interest from the community, provide information on the planning process, and request applications for interested people to serve on the steering committee, said Ms. Maclean. Subsequently the Commission appointed 12 people to the Steering Committee, she added.

Throughout the month of June, 2016, CDD conducted six focus group meetings including: infrastructure and transportation, natural resources and recreation, business and economic development, human services, history and cultural resources. In September, 2016, the Steering Committee began holding regularly scheduled public meetings, said Ms. Maclean. The Steering Committee was presented with background information on the Comprehensive Plan and other relevant CBJ plans, zoning and land use, housing needs, and feedback received from the open house and focus groups, she said.

This information combined with chapters drafted by CDD planners and other relevant CBJ staff allowed the Steering Committee to formulate informed goals and actions for each chapter of the plan, explained Ms. Maclean. Public testimony was also taken at each Steering Committee meeting, and considered as decisions were voted upon, she said. The Steering Committee approved each goal and action through a consensus-building process resulting in a majority vote of the committee, she explained.

The boundaries for this area plan include parts of Switzer Creek, but does not include Salmon Creek, said Ms. Maclean. It is south around the Pioneer Home and Tamarack condominiums, going all the way to Hidden Valley and north past Fred Meyer, she noted. They wanted the boundary to extend past Fred Meyer so that the shopping center closest to the residents would be included in the plan, she noted, for the purpose of transportation and shopping needs being met for the community.

The area combines two Comprehensive Plan area use maps, noted Ms. Maclean. The draft Lemon Creek Area Plan makes several rezoning recommendations in Sub-Area Five, and these recommendations are compliant with the Land Use Designations of Map G, said Ms. Maclean. Public testimony was welcome at each public meeting as they developed the chapters, she said. Upon the completion of a chapter, the Steering Committee would vote on the chapter before they moved forward to the next, she said. They approved each goal and the actions by consensus, not necessarily always unanimous, said Ms. Maclean.

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A public design workshop was conducted on February 4, (2017) with MRV Architects and other CBJ staff from the Engineering Department, said Ms. Maclean. This was held to seek public input primarily on recreation and bicycle and pedestrian connectivity throughout lemon Creek, she said. MRV Architects created an illustration which they are calling the Area Plan Design Goals, said Ms. Maclean. This is an overarching design concept accepting the input from four different tables that participated in this workshop with about 30 people present, she noted. They ranked the concepts according to how often they occurred amongst the groups participating, said Ms. Maclean. The goals illustrate the community's vision of how the area should develop over the next 20 years, she explained. The features include the preservation of the Switzer Creek area, paths connecting the Lemon Creek area to the other areas within the community, trails connecting to the Mendenhall State Game Refuge and potential new streets in the commercial and industrial areas.

Ms. Maclean noted there has been conversation about how specific the design is. Proposed paths and new streets are in color in contrast to the existing routes, she said. Some proposed new housing is also displayed, she said. This is where the public would like to see some housing development, she said. This is a 20-year plan, noted Ms. Maclean. Some of the proposed new routes and housing are aspirational and to be used as a guide, she added.

The draft plan was submitted for public comment for two weeks in mid-July, said Ms. Maclean. They combined the recommendations coming out of these meetings and provided them to the Steering Committee, said Ms. Maclean. The Steering Committee voted on whether to amend the plan based upon public comments, and to recommend the final draft to the Planning Commission for its consideration, said Mr. Ms. Maclean. The public comments, the staff recommendations and the subsequent action of the Steering Committee are all within the action plan document, said Ms. Maclean.

The Lemon Creek Steering Committee kept Its rezone requests to its' area only, said Ms. Maclean. The draft plan is compliant with the land use designations on Map H, which encompasses the majority of the Lemon Creek study area, said Ms. Maclean. The Salmon Creek area is not a part of this planning process, she noted.

Sub-Area Five guidelines and considerations includes fifteen guidelines, said Ms. Maclean. Guideline one is to:

> *Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for the residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian and bicyclist related safety improvements, such incompatible uses related to air quality*

(noise, dust, fumes, odors), public safety and natural resource protection.

The draft Lemon Creek Area Plan makes several rezoning recommendations in Sub-Area Five, and these recommendations are compliant with the Land Use Designation of Map G, noted Ms. Maclean.

If adopted, the Lemon Creek Area Plan would be an addendum to the Comprehensive Plan. The Lemon Creek Area Plan provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability, said Ms. Maclean. Where the Lemon Creek Area Plan and the Comprehensive Plan conflict, or where the Lemon Creek Area Plan is more specific, the Lemon Creek Area Plan supersedes the Comprehensive Plan, noted Ms. Maclean.

The staff recommends that the Planning Commission Committee of the Whole review and consider the draft Lemon Creek Area Plan and schedule it for a public hearing before the Planning Commission on October 24, 2017, said Ms. Maclean.

Commission Comments and Questions
Mr. Voelckers said he would like to review the process by which the Commission will review this plan.

Ms. Maclean said she is open to suggestions from the Commission as to how it would like to proceed with its review of the draft plan. She said she felt Chapter 8 would be the most useful to the Commission, which is the implementation chapter, she said. This addresses the goals and actions and is a combination of all of the goals and actions from each chapter, she explained.

Mr. Dye asked if the end result was to have all of the geographic areas of Juneau in some sort of plan. He asked, for example, if the Twin Lakes area would eventually have its own plan.

Ms. McKibben said the Comprehensive Plan specifically addresses Auke Bay, Lemon Creek, downtown Juneau and Douglas. At this point it does not specifically address other areas in Juneau, she said. The Economic Development Plan and the Housing Action Plan address more neighborhoods within the community, she said.

Mr. Dye asked for what examples of potential conflicts between the Lemon Creek Area Plan and the Comprehensive Plan may be.

Ms. Maclean said she has no specific instances of this occurring within the Lemon Creek area, but that this issue has arisen within Auke Bay so this was written within the plan to address any unforeseen conflicts, she said.

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Mr. Voelckers suggested that the Commission review the Steering Committee priority actions outlined at the beginning of the report. He said he felt this may be a good approach to provide some context for the plan.

Ms. Maclean said as part of the executive summary they covered some of the major themes heard from the public, via the open house and focus group meetings which were conducted, as well as the Steering Committee meetings:

- Ensure that land use decisions and transportation projects promote neighborhoods and create or enhance buffers between different land uses and/or zoning districts (Chapter 2: History and Community Character).

- Identify an appropriate future location(s) for the landfill or transfer facility (Chapter 3: Land Use).

- Improve Capital Transit bus schedules and routes through Lemon Flats and near anchor businesses that support shift work schedules (Chapter 7: Economic Development).

- Pursue and foster projects that "knit" the Lemon Creek area together such as greenways, pedestrian bridges over Lemon Creek, and the creation of public parks (Chapter 2: History and Community).

- Develop housing targets for the Lemon Creek area, as recommended by the Housing Action Plan, consistent with recommended zone changes identified in this plan (Chapter 4: Neighborhoods and Housing).

- Allow for industrial and commercial growth in strategically located areas (Chapter 3: Land Use).

- Protect resource extraction as a critical industry and educate the public on its benefits to the community, such as lower development costs and flood protection (Chapter 6: Natural Resources and Recreation).

- Pursue making CBJ gravel and organic waste disposal resources in the Lemon Creek area available to the private sector (Chapter 7: Economic Development).

- Advocate for the extension of Glacier Highway to Egan Drive at the McNugget intersection (Chapter 5: Transportation and Infrastructure).

- Preserve, protect, and enhance the Switzer Creek watershed; specifically ensure that Switzer Creek stream buffers remain undisturbed (Chapter 6: Natural Resources and

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Recreation).

Mr. Dye asked how the decisions were made in the setting of the area boundaries.

The decisions were made in concert with public input, said Ms. Maclean. They showed the public a map of the general area with no boundaries set. At the open house the majority of the individuals who provided input wanted one of the boundaries set on Glacier Highway past Fred Meyer. Hidden Valley was included for development potential and for natural resources, because whatever development happened in that area would be experienced downstream. Egan Highway and the Mendenhall Wetlands comprise a natural barrier, and that side of the area and mountainside estates was perceived as separate from the general Lemon Creek area, said Ms. Maclean.

Mr. Voelckers said he felt there were one or two issues related to intersections and public safety that helped to drive the extent of the boundaries. He said just about 95 percent of the comments in the specifics of the plan place the boundaries at Switzer Creek or a bit further.

Land Use
Action: Promote mixed-use zoning as a business and neighborhood development tool for underutilized sites i.e. the former Walmart location and Grant's Plaza.

Mr. Voelckers said he was a little confused as to if this mixed-use zoning referred to the term distinguishing Mixed-Use zoning, or if it referred to the general concept of mixed zoning.

Ms. Maclean said she believed it was more a general term about the zoning, not a reference to the specific Mixed-Use zone.

Neighborhoods and Housing
Mr. Voelckers said on page 25 of this chapter that the reference to Housing First need no longer be in the future tense because it has been accomplished. He said as a general comment that on page 25 through pages 27 that it was a little inconsistent in defining the underlying zoning in the housing blocks.

Mr. Hickok asked how directly involved the City and Borough of Juneau would be in the development of some of these Lemon Creek areas. He added that the implementation of some of these ideas takes a large amount of funds.

The Steering Committee with input from the public did discuss tax incentives for economic development and redevelopment within this area, said Ms. Maclean.

Mr. Steedle said there is new state legislation which would enable the CBJ to provide incentives for the economic development of properties. That item will be taken up at some point by the Assembly, he added. The Commission also has its role to utilize in making recommendations for the Capital Improvement Program, (CIP) said Mr. Steedle. The Commission would also have input on any public land or programs, he added.

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Mr. Voelckers said on page 31 of the draft under the paragraph called "Housing Mix" the draft stops just short of an implied action or a remedy to the Lemon Creek housing situation. He said it might be advantageous to add what those future options might include.

Transportation and Infrastructure
Mr. Voelckers said on page 46 which is the first page of the goals and action items that he could not recall what the difference was between the first two items.

Action: Enhance pedestrian/recreational linkages connecting the residential neighborhoods to Dzantik'i Heeni Middle School.

Action: Advocate for pedestrian, bicycle, and if warranted, an emergency vehicle access only across Lemon Creek (the water body) connecting the neighborhoods to the commercial uses.

During committee and public hearings, the topic came up often that access was wanted back to the industrial commercial area to help alleviate the traffic along Glacier Highway and Anka Street, which resulted in the first action, said Ms. Maclean. It was an update to the access study and what it evaluated, she said. The second action is focused more on the larger area of industrial and commercial traffic, and the patterns and the uses that occur there, she added.

Mr. Hickok asked if in reference to the transit system if there had been any discussion regarding the addition of shuttles within the area to help alleviate the transportation problems.

This committee did not look at shuttles, said Ms. Maclean. They were more focused on the existing transit opportunities within the routes that they take, especially the snow routes in the winter, when workers have to walk further, and also the timing of the runs. Public transit does not currently run to Home Depot and to Costco, noted Ms. Maclean.

Mr. Voelckers said the Committee wanted it stipulated in the plan that there is a large, currently unserved need for public transit to various areas within Lemon Creek.

Chairman Haight said it appeared to him that this was tied to the economic development of the area. Limitations to transportation lead to limitations for economic development, he added.

Natural Resources and Recreation
Mr. Voelckers said on page 51 within this section that Parks and Recreation is implementing a borough-wide Parks and Recreation plan. They made it clear there would be quite a bit of value placed upon the results of this study, he said. He said he thought there was a perception that perhaps Lemon Creek has been a little under-served compared to other communities within Juneau with recreational amenities.

Economic Development
Mr. Voelckers commented that the goal to action within this section might be expanded a bit. He said there was a lot of conversation and concern expressed about commercial creep in industrial zones and weighing the value of industrial and the value of commercial vitality.

Ms. Eddins stated this was also addressed in the History and Community Character chapter. It addressed knitting communities together and enhancing buffers where they were needed.

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Mr. Voelckers asked if the portion of the chapter addressing uses specifically allowed in Industrial zones was to promote greater flexibility within Industrial zones or if it was to rein in how the zone was being used.

Ms. Maclean said she thought it was to rein in how the zone was currently being used. She added that it was felt that our industrially zoned land has a lot of what could be considered general commercial use within the industrial zones. Home Depot and Costco are already located on industrially zoned land and it was felt there was the need to protect the amount of industrially zoned land that is available, she said.

Mr. Dye asked if the uses were tightened what would happen to the businesses that would then be in nonconformance.

Ms. Maclean said it could also be used to look at the development of the land on the north side of Home Depot that is owned by the CBJ and is still vacant. There could be the emphasis placed that the land be used for industrial purposes, she added. Moving into Hidden Valley they could work to make sure that land was used for industrial purposes with no commercial businesses creeping into it, she said.

Chairman Haight asked how much of this action promoted rezoning certain parcels within the area, to how it is actually being used.

Ms. Maclean said she felt they were careful in their wording to state that they would review and update this portion of the plan, and that it was not a blanket statement to address the entire area that is currently zoned Industrial. It will need careful review in the future, she said. She said she would also shy away from implementing changes based upon what exists today since this plan looks 20 years into the future. She said the Comprehensive Plan looked at what was on the ground at that time, but it did not look into the future. Existing zoning may not be of the best use, and existing owners may wish their land be zoned differently, she added. If zone changes to the area are recommended, it would be important to bring in the existing property owners, said Ms. Maclean.

Mr. Dye said he could understand the process better if rezoning of any areas was requested by the property owners themselves.

Ms. Maclean said she was not sure how they could change the wording to make it more open.

Mr. Voelckers asked if the expectation was that as the Planning Commission made recommendations at the regular meeting concerning this draft, if the draft would go back to the committee, or come back to the Commission and then be forwarded to the Assembly.

Mr. Steedle said this would stay at the Planning Commission level. The Steering Committee has made its recommendations, he said. The Planning Commission will be making its recommendation to the Assembly, he added.

Implementation

Ms. Maclean explained that the idea of this chapter was that it could be more of a work plan that could be relied upon rather than have having to review the entire plan each time. This portion is to identify the goals and actions, identify the lead party, the potential advocates, with the short mid-and long-term actions, said Ms. Maclean. It was also thought that this could feed into the CIP process as well, she added. This condenses all of the chapters into one section of the plan, said Ms. Maclean.

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There are actions that are repeated in different chapters, said Ms. Maclean. These actions were repeated purposefully so that they would not be missed, said Ms. Maclean.

Mr. Voelckers asked that the action on page 80 be explained further under "Neighborhoods and Housing" which reads, "Action: Consider rezoning Churchill Mobile Park to D-10-SF, which would be more compatible with the D-5 zoning of the adjacent Pinewood Park subdivision. "

Ms. Maclean said in general she feels like those in the Lemon Creek area feel that they carry a lot of the affordable housing for the community. They would like to see more of an equitable distribution throughout the community of affordable housing. They discussed Churchill Mobile Park which had been commented upon with concern about it being zoned specifically D-10 SF, said Ms. Maclean. In the plan it does say that rezoning could be considered, said Ms. Maclean. Churchill Park would be conforming; they would not do anything which would make it nonconforming, she added. Potential rezoning could make that area a good transition area, said Ms. Maclean, to neighboring zones.

Mr. Dye asked if the plan operated under the assumption that the landfill would remain in Lemon Creek.

Ms. Maclean said that it did not operate under that assumption.

Mr. Dye asked if the Lemon Creek plan was going to try to tell the rest of the borough how to deal with its recycling. He asked if this was going outside the boundaries of the plan.

Ms. Maclean said they tried to remain within the boundaries, but that some items had consequences outside of the designated area for the plan.

Mr. Voelckers said that there really is both a factual basis and the perception that Lemon Creek has shouldered more than its share of community operations. You can't get away from methane gas, said Mr. Voelckers. The landfill itself and the secondary issues arising from its existence in the area are placing a shadow over the neighborhood, said Mr. Voelckers. They wanted to go on the record supporting that the City pursue other long range alternatives for the landfill, he added.

Mr. Dye said there are sewage treatment plants in other neighborhoods which will not be moved because their location is permanent. He said it was difficult for him to see where the boundary was in all of the action items if they were not consistently applied.

At the request of Mr. Voelckers, Ms. Maclean said there was discussion about the gravel extraction and the work that is done upstream. It was posited that it may have the beneficial effect of creating a lack of flooding downstream, she said. The committee wanted it mentioned in the report that the gravel extraction was not just a negative for the community, but carried some potential positive effects for the area as well, said Ms. Maclean.

Mr. Voelckers said there was another action item as well encouraging the Borough to focus on a FEMA reassessment in Lemon Creek because there was the thought that there would be substantial insurance premium reductions to reflect the possibility of less flooding, he said.

Mr. Hickok asked if there had been any discussion of recycling the methane gas.

Mr. Voelckers said representatives from the City and Waste Management discussed this topic which was raised. The representative from Waste Management said they are inventing a process in Juneau which

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is not used anywhere else in the country because of Juneau's relatively mild climate, said Mr. Voelckers. This results in a super aggressive methane production, he added. They dilute the methane before it is released which reduces the smell, said Mr. Voelckers. However, they said it was not reusable methane, said Mr. Voelckers.

Mr. Dye asked if Goal 4 on page 82 which states, "Action: Reduce impacts of dust on surrounding uses, bicyclists, and pedestrians by requiring and enforcing dust control methods on industrial and commercial vehicles" should be listed under the Planning Commission and Community Development and JPD authority or if it should instead be under the provenance of the Assembly and Manager's Office, since it involved a change outside of Title 49.

Mr. Steedle replied that it would involve a change outside of title 49.

Mr. Dye suggested that they change the lead responsible party for that action.

Mr. Dye also suggested that the abbreviations be identified somewhere within the document in a key so that everyone would know what they meant.

Chairman Haight said he has noticed that he is not hearing much discussion about the corrections facility within the Lemon Creek area. He asked if there had been discussion about the correction facility's impact on the adjacent neighborhoods.

Ms. Maclean said there was some discussion about the shooting range, but that it did not make it to the level of an actionable item. What did make it to an action concerning the correctional facility was the desire to rename it so that Lemon Creek may not have a negative perception because it was associated with the correctional facility.

On page 84 Mr. Dye identified the action: "…mitigate the impacts of resource extraction and eliminate unnecessary water pollution and erosion." He asked if it was not general engineering that reviewed all of the building permits and the storm water protection plans.

Mr. Steedle said that is correct.

Mr. Dye asked if some of these items, therefore, were review of practices the City is already doing.

Ms. Maclean said this is true, but that they could be encouraged to do it better.

Mr. Dye asked if this is the case, should they not identify those items which could be done better.

Chairman Haight said it seemed to him that noting these items in this Lemon Creek Plan helps the City to better promote them in the CIP when it comes before the Commission for review.

Mr. Voelckers said Mr. Dye's exact point did come up during conversation, but that there were items which were not currently being properly addressed, so they wished to highlight some of these items.

Mr. Dye said if the action was to eliminate "unnecessary" water pollution, then they were stating that water pollution was acceptable at some level.

Mr. Voelckers suggested that it could read, "Provide greater scrutiny with compliance of water standards."

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Mr. Voelckers said it might be appropriate to have a memo from the Planning Commission accompany the draft Lemon Creek Area Plan as it is passed to the Assembly.

Mr. Steedle said the Lemon Creek Area Plan and the recommendations on the CIP are happening parallel to each other. He said he felt it was entirely appropriate for the Planning Commission to express its views on the Plan as it goes to the Assembly. They will be discussing the Commission's CIP ideas on the same night they will be taking action on this plan, said Mr. Steedle. They should be separate documents with separate comment from the Planning Commission, he said.

Mr. Hickok asked if the Auke Bay Plan has a 20 year forecast as well and asked if CIP projects for Auke Bay would have priority over Lemon Creek projects because the Auke Bay Plan was done first.

Mr. Steedle said that although the Auke Bay plan was developed first, it does not have priority over the Lemon Creek CIP items.

III. OTHER BUSINESS - None

IV. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

V. ADJOURNMENT

The meeting was adjourned at 6:44 p.m.

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Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
September 26, 2017

I. ROLL CALL

Ben Haight, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:02 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Nathaniel Dye, Dan Hickok, Dan Miller, Carl Greene

Commissioners absent: Michael LeVine, Percy Frisby, Kirsten Shelton

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Jill Maclean, Senior Planner

Assembly members: Debbie White, Loren Jones

II. APPROVAL OF MINUTES

August 8, 2017 Draft Minutes - Committee of the Whole Meeting

August 8, 2017 Draft Minutes - Regular Planning Commission Meeting

MOTION: *by Mr. Dye, to approve the August 8, 2017, Committee of the Whole and Regular Planning Commission meeting minutes with any minor alterations by staff or Commission member.*

The motion passed with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Assembly Liaison to the Planning Commission Debbie White reported that the Assembly has only met once since the last Planning Commission meeting. Their last meeting was opened by a musical group called Juneau Alaska Music Matters. They have opened lot four and five of the Renninger subdivision with the idea of putting it out to bid first, followed by over-the-counter

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sale if bids were not made on the lots, reported Ms. White. The ordinance was also introduced to sell Lot 2 of Renninger subdivision to the Alaska Housing Development Corporation, she reported. They also received correspondence from a former Planning Commission member regarding a resolution supporting enforcement of the boundary water stream of the Southeast Alaska Northwest British Columbia Transboundary Region. A new master plan is being developed for Rotary Park with a check in the amount of $9,939 presented by the Juneau Rotary Club. There was a bid award for replacing cast iron water mains and other infrastructure down Sitka Street to the side of Cordova Street in Douglas, said Ms. White.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA - None

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

Item AME2017 0012 was withdrawn from the agenda.

~~**AME2017 0012:** A Rezone Request from D5 to D10 at 8485 Forest Lane~~
~~**Applicant:** Errol Champion~~
~~**Location:** 8485 Forest Lane~~

X. BOARD OF ADJUSTMENT

Chairman Haight adjourned the Planning Commission and convened the Board of Adjustment.

ADP2017 0001: An Alternative Development Permit for a reduced side yard setback to accommodate additional living space at the second- and third-story levels. This property is located within the downtown Juneau Alternative Development Overlay District (ADOD).
Applicant: Pagan Hill & Rob Roys
Location: 315 W. 11th Street

Staff Recommendation

It is recommended that the Board of Adjustment adopt the Director's analysis and findings and deny the requested Alternative Development Permit for a reduction to the side yard setback.

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Background
Ms. Maclean told the Commission that this is the first Alternative Development Permit request to come before the Planning Commission under the recently created Alternative Development Overlay District (ADOD).

This is for a reduced side yard setback to accommodate additional living space for the second and third story levels, she said. The property is located at 315 West 11th Street. This property is located near Cope Park, she said. The site is approximately 3,600 square feet and the comprehensive land use designation is for Medium Density Residential (MDR), said Ms. Maclean. It is zoned D-5 single family duplex. It is currently a single family dwelling with an accessory apartment, said Ms. Maclean. This property is surrounded by single and multi-family dwellings, she said. There is also an alley on the southern side of the property, she noted.

Title 49 currently has some exceptions written into it to accommodate certain encroachments into the setback, said Ms. Maclean, such as bay windows, garden windows and chimneys, and other similar structures which do not increase the floor area of the building, she noted. There are also exceptions for substandard lots, she said.

The property owners received a building permit on October 11, 2016, said Ms. Maclean. This was for a new, single-family residence, she noted. The building permit was accompanied by two conditions, said Ms. Maclean:

1. They were to receive a conditional use permit for the accessory apartment and
2. The second and third story structure bump outs were not approved

The property owner and architect were informed of these conditions on September 28, (2016). The note indicates that any design of the bump out had to raise the base of the window above floor height, said Ms. Maclean. The permit was approved for zoning compliance on September 28, (2016). The zoning compliance assured that the proposed location height met zoning requirements and the foundation setback verification form was issued on that day as well, said Ms. Maclean.

On November 10, 2016, the property owners received a Conditional Use Permit for an accessory apartment on an undersized lot, said Ms. Maclean. On November 14, 2016, CDD staff reminded the architect and applicants of the need to submit revised plans for the bump out. On December 12, 2016, the architect emailed a proposal for a plan showing a revised bump out which had an exterior face that extended the full height of the second and third stories. This significantly differed from the guidance previously provided regarding bay windows. The architect explained that significant construction had already occurred on the unpermitted bump out and revising the exterior face would require costly structural revisions, said Ms. Maclean.

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On December 14, 2016, CDD agreed to the proposed revision of the plans if there was a condition on the building permit that the bay windows are never able to provide usable space, and also if someone were motivated to use that space in the future, then they would be in violation of the approved building permit, said Ms. Maclean. The agreed-upon plan removed the cabinets for the wet bar and studio desk from the bump out area. Furthermore, it was decided that an agreement would be signed stating that if the desk or wet bar were removed and the bump was accessible, a window seat would be added to ensure the space in the bump out did not become usable floor space, she said.

Subsequently, an additional modification to the agreed-upon plan was requested. For various reasons, the nature of this request was not clear to CDD until February. The proposed modification would allow a refrigerated piece of equipment to use the floor space in the bump out which previously was agreed to not be usable floor space, she said. The storage of the kegerator would increase this space and eliminate the void. This negates the previously agreed-to modifications, which allow the bump out to remain in the setback, said Ms. Maclean.

The owners were informed that information would be made available to them should they wish to seek a variance, and that CDD would keep them apprised of the progress of the new alternative development permit, which at the time had not been drafted or adopted.

The application does not meet the requirements for a de minimis variance, said Ms. Maclean. The de minimis variance states that the infraction was not the result of a deliberate effort to evade the dimensional requirement, said Ms. Maclean.

Commission Comments and Questions
Mr. Hickok asked how the CDD discovered that the bump out was inappropriately constructed.

Ms. McKibben said her understanding is that the plans were submitted prior to construction. There were notes very clearly notated by the reviewer that the bump out needed to be revised because it encroached into the setback, she said. Through one of the inspections it was discovered that it had been constructed without being revised, she added.

Mr. Greene asked if there was a window seat under the space that it would not count as usable space, but if a kegerator was installed then it would count as usable space?

Typically, even the window seat would not be allowed, said Ms. Maclean. It would typically be considered usable space, she said. However, since it had already been constructed without the appropriate permit, they tried to work with the applicant and filling in the space with a window seat would be filling in that void, she said.

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Ms. McKibben said it is her understanding that a kegerator has not been installed in the space. If the ADOD were to be approved, then the applicant could seek to amend the plans to install the kegerator, she said.

Alternative Development Overlay District (ADOD)
Under the ADOD, the Board of Adjustment has the authority to reduce the side yard setbacks by averaging the corresponding side yard setbacks of residential buildings within a 150 foot radius as determined by the Director, said Ms. Maclean. In this instance, the applicant is seeking a reduction of the side yard setback of five feet to 4.475 feet, explained Ms. Maclean. Based on the average of residences within a 150-foot radius, a side yard setback of 3.8 feet may be granted through the Alternative Development Permit, she said.
The stated purpose of the ADOD is to:

> *Provide adequate minimum standards and procedures for the construction of new residential buildings and the expansion, restoration, or repair of existing residential buildings, while providing time to implement new zoning regulations. This article is intended to provide for the development of housing, preserve the character of the neighborhood and promote the restoration of blighted buildings.*

Per the Commission's deliberations, the knowledge gained through ADOD applications is intended to guide new zoning standards for the downtown neighborhoods. The subject parcel is located within this historic neighborhood, which has been surveyed and documented in the report of the *Casey-Shattuck Neighborhood Historic Building Survey* completed in 2004. Casey-Shattuck subdivision was platted in 1913. The subdivision targeted working-class miners and fishermen of the region, and the dwellings are predominantly one and two stories in height, said Ms. Maclean.

Currently, residential development has a height of 35 feet, noted Ms. Maclean. ADOD permits will guide revisions in the downtown area for the remaining months that it is in effect, said Ms. Maclean.

The ADOD was developed and adopted with the intent to provide the Board of Adjustment flexibility when reviewing residential development in downtown Juneau and Douglas until new zoning regulations are adopted. Ms. Maclean said there had been concern expressed from the public during public testimony that the overlay would allow property owners to construct "McMansions" that would be out of character to the Casey-Shattuck flats neighborhood, that would be higher than existing structures, and would change the existing flavor of the neighborhood, said Ms. Maclean.

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The CBJ Assessor had no opinion regarding whether the construction has an impact on the neighborhood at this time, said Ms. Maclean. The CBJ Building Department had no issues with this project, and they did receive one phone call from an abutter who is opposed to this project, said Ms. Maclean. In addition, four comments were received from the public, three of which live within 500 feet of the dwelling, all in favor of the development, said Ms. Maclean.

This application is for a residential development that has been constructed without the necessary approvals, said Ms. Maclean. Should the alternative development application be accepted for after-the-fact construction and per the discussion that spurred the adoption of the overlay districts the permit applications are intended to guide and direct new zoning for downtown neighborhoods while maintaining the existing character, she said.

Existing residential zoned buildings have a maximum height of 35 feet, said Ms. Maclean. Does the height represent the built environment of the flats neighborhood in this instance, she asked. There are different neighborhoods within the overlay district itself, said Ms. Maclean. While one height may be appropriate for the flats, it may not be appropriate for other neighborhoods, she said. For example, she said, Gastineau Avenue has three-story buildings, where other neighborhood areas do not. The character in this area is composed of one and two story single-family residences, said Ms. Maclean.

Was it the intent of the Commission when it approved the ADOD to "max out" the existing D-5 zoning while at the same time benefiting from the overlay district, said Ms. Maclean.

The Board of Adjustment is to consider:

1. Whether the proposed development is appropriate according to the alternative development overlay district;
2. Whether the application is complete; and,
3. Whether the development as proposed will comply with the other requirements of this title.

Of the six findings for this ADOD permit request, the staff could not support number five; *"Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?"* The staff found the development is not in harmony with the neighboring properties.

The staff also could not find compliance with number six*; "Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?"* The staff found that the development is in general conformity with Title 49, but the requested encroachment does not conform to the 2013 Comprehensive Plan.

The staff could find compliance with findings one through four.

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Commission Comments and Questions
With the recent ADOD adoption, the Commission focused on setbacks, lot coverage and vegetative cover, said Mr. Dye. He said they did not deal with height at all. He said he was curious why the height of the structure was continuously mentioned.

Ms. Maclean answered this is because the purpose of the ADOD is to preserve the character. The overlay covers all of downtown Juneau where the heights vary from neighborhood to neighborhood, she said. What may apply on the flats may not be applicable to Gastineau Avenue for example, she said. The Commission wanted flexibility when addressing these permits, and the key was that they wanted to preserve the qualities of each neighborhood, said Ms. Maclean. In this case the maximum story of the surrounding residences are one or two stories in height, she answered. The applicants would be getting the maximum benefit from the D-5 zoning while benefitting from the ADOD as well, said Ms. Maclean.

Mr. Dye said the Commission did not put anything in code that stipulates that only one or the other could be used. He said the ADOD rests on top of the underlying zoning. He said he assumed that character was being based upon criteria other than those defined by the ADOD, which is lot coverage, setbacks and vegetative cover.

Ms. Maclean said the ADOD states that its intent is to preserve and maintain the existing historic character. It was not more specific than that to give the Commission maximum flexibility, she added.

Chairman Haight said this home was constructed based upon a permit issued last fall prior to the ADOD adoption. At that time the permit was within the zoning allowances, other than the bump out, he said. Chairman Haight said it appears they are talking specifically about the bump outs.

Applicant
Home owner Rob Roys told the Commission that it is confusing to them that the CDD staff finds the home not in character with the neighborhood since the overlay report states it is to suit a "variety in house styles and size." Everything about this new home was designed to fit right there on that block, next to those mountains and among those neighbors, said Mr. Roys. They spent two years in the design phase, and a big factor was not to block the views or light of the immediate neighbors, he said. It was because of those choices that they ended up going up in height, he said. To be told that their home design would bring down property values and destroy the character of the neighborhood is very distressing to them, he said.

The report shows a poor understanding of the project and timeline, and includes numerous items that simply do not make sense, said Mr. Roys. The plans were reviewed twice before construction commenced and only after irreversible building had been done were they told

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there would be an issue, said Mr. Roys. The only reason they applied for this ADOD permit is because they had been threatened with withheld occupancy, he said. They will be happy if this permit is approved so they can move on with their project, he said. However, said Mr. Roys, they should not even need a variance, because it is completely allowed under CBJ code.

The report stated that they had made a deliberate effort to evade dimensional requirements, said Mr. Roys. This is completely untrue, he said. They put a bay window on their house based upon their understanding of CBJ code, and with confirmation from two, separate city planners, he said. Bay windows are allowed to project into the over-air setbacks, said Mr. Roys. Their bay window projects less than the allowable projection, he said. They planned for built-ins based upon their understanding, which was later reinforced by a CDD planner, that a bay window may not have usable floor space or standing space, said Mr. Roys. If a window seat can be installed, which is a typical use for a bay window, then there is no reason why built-in cabinetry would not be allowed as well, he said. They both prevent usable floor space while at the same time making themselves useful, he said. If they had any idea that their structure would have been out of compliance, then they would have constructed it differently, said Mr. Roys. All of the sleepless nights and all of the stress over this house construction have been due to working with the CDD planners which should not have been an issue, he said.

Commission Comments and Questions
Mr. Voelckers confirmed with Mr. Roys that his point was that the original plans were approved and that it was only subsequently that the bay window became a concern.

Architect for the project Travis Miller said that he and his wife were hired over two years ago for this project. To build compactly on this small lot including an apartment required them to go up vertically, said Mr. Miller. This zoning ordinance allowed them to go under 35 feet in height, he said. They presented their plans to the City on August 28, (2016) for the first time, he said. They requested to build closer to the alley way, he said. The planner at the time said this would not be possible, and that it had to be constructed within the setback, said Mr. Miller. He pointed out the bay window in the design as an architectural feature and according to code a bay window can project up to four inches a foot into the setback, he said. They said that would not be a problem.

When they met with the department again to obtain an early start building permit they again raised the issue of the bay window as an architectural feature, said Mr. Miller. He said they misread the code, but that no one had told them that they were incorrect. In these two meetings with CDD staff, they were never told anything about the height of the building, or that it was out of character with the neighborhood, said Mr. Miller. There are no design standards in place, said Mr. Miller. How can they design for something for which there are no standards, he queried. The first time they heard anything about the character of the neighborhood was on Friday, September 22, 2017, he said. None of these points were raised with them prior to this, he said. It is like the City moves the goal post on them every time, he said.

They got an early start permit and began pouring concrete in September, (2016) he said. They were notified by a planner on September 28, (2016) that the bay window did not meet their interpretation of the standards, said Mr. Miller. Mr. Miller said he moved ahead thinking that he could solve the problem. He finally submitted the proposal on December 14, basically after the house was already framed up and all of the structure was in place, he said.

The ADOD came along in early spring, and the planner they were working with thought it was a reasonable approach, said Mr. Miller. At the ADOD meeting they discussed the bay window, said Mr. Miller, and what was originally a 15-inch intrusion into the setback, became a 7.5 inch intrusion, he said.

The kegerator is inside a cabinet, said Mr. Miller. He added he is a little perplexed as to why they are focusing on the bay window, when the reason for not approving their permit was because of the character of the neighborhood, said Mr. Miller. This is something they had never even heard about until this past Friday, he said. Mr. Miller pointed to pictures of homes in the neighborhood that are as tall as the home they are constructing.

They question the findings of the CDD, said Mr. Miller. This has been a frustrating experience for their client and it has been difficult for them to pin down, he said. The communication problems were compounded because all communication was via email with various planners at different times, said Mrs. Miller. Face to face meetings would have been a lot more productive, she said. People wanted a variety of housing styles and sizes, said Mr. Miller, quoting a letter from a CDD staff member in May.

They also disagree with the CDD staff's negative findings for five and six, said Mr. Miller. It says the house is not in conformance with the 2013 Comprehensive Plan, he said. They believe it is in conformance, he said. It is a small footprint and they maximized green space, he said. They make sure that all the parking fit on the property so that it would not have a negative impact on the neighborhood, he said.

They never should have reached this point, said Mr. Miller. To modify the bay window 7.2 inches would result in thousands of dollars' expense to the owners, he said. There was never any attempt to deliberately evade the dimensional standards, said Mr. Miller. They believe this home is consistent with the ADOD plan, said Mr. Miller.

Commission Comments and Questions
Commissioner Miller asked Mr. Miller about the thickness of the wall of the structure.

Mr. Miller said it is about nine inches thick.

Commissioner Miller asked for clarification on the encroachment request.

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They are asking for an encroachment of 7.2 inches, said Mr. Miller. Mr. Miller confirmed that the 7.2-inch measurement is from the exterior face of the siding.

Public Comment
Neighborhood resident Caleb Stewart said he is happy his neighbor is building his home and following his dream. The structure is in place, and he said he did not see where a six-inch extension over a story off the ground would cause any problems.

Ms. Maclean said she has never referred to this structure as an "eyesore". She said she thinks it is a cool looking house. She said she has referred to housing as a mix, but that she was referring to the entire downtown Juneau area, with a mix between the different neighborhoods. This was to allow for the mix downtown within each neighborhood to which she was referring, she said. Ms. Maclean said the applicant was correct that before them this evening is not the staff report. This is the presentation which is given to the Commission, she said, not the staff report. The information in this presentation came either from the staff report or from the application, noted Ms. Maclean. The applicant applied in the fall of 2016, and the ADOD was not even a possibility until spring of this year, noted Ms. Maclean.

The Commission had a variance application before it for a dwelling on 12th Street which was difficult to deny, because the dwelling did meet the character of the neighborhood, said Ms. Maclean. It was the denial of that application which spurred the creation of the overlay district, said Ms. Maclean. The applicant did not have the opportunity for an ADOD permit during its application because the ADOD did not exist at that time, said Ms. Maclean.

Commission Comments and Questions
Mr. Hickok asked if there were any negative comments about this item.

None that were submitted for the record, said Ms. Maclean.

MOTION: *by Mr. Voelckers, to move ADP2017 0001 with several alternate findings. That "yes" is changed to a "no" on Finding Five and that "no" is changed to a "yes" on Finding Six.*

(Finding Five: Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?)
In support of his motion, Mr. Voelckers said that he did not think the proposed bay window issue that is being discussed would substantially decrease the value or be out of harmony with the neighborhood.

(Finding Six: Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?)
Mr. Voelckers said he believed the answer to finding six is "yes".

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Mr. Voelckers said he is troubled and a little depressed that this issue has gotten to this point which really should or could have been resolved months ago. Mr. Voelckers said when the Commission developed the ADOD that it was to create flexibility and simplicity for working with these existing neighborhoods. The focus was on lot and vegetative cover as well as setbacks, he said. It is a little problematic that the height of the structure was inserted late in the process when it was actually a non sequitur, said Mr. Voelckers. He added he felt it was very difficult to legislate what is good design or "in character". The community has specific zoning laws, and if you follow them, you follow them, he added.

Speaking in favor of the motion, Mr. Dye said he agreed with the comments of Mr. Voelckers. The purpose statement when it talks about the neighborhood character, said Mr. Dye, in his opinion, referred specifically to items that the ADOD addresses. That is the character that is trying to be preserved, he added.

Roll Call Vote:

Yeas: Miller, Dye, Greene, Hickok, Voelckers, Haight

Nays:

The motion passed by unanimous vote.

Chairman Haight adjourned the Board of Adjustment and reconvened the Planning Commission.

XI. OTHER BUSINESS

Chairman Haight said there is an APA Conference coming up in November. He would like three Commission members to attend this year's conference. Commission members who would like to attend that conference are to notify either Mr. Steedle or Chairman Haight.

Mr. Steedle said at the conference this year that Ms. Boyce and Ms. Maclean will be presenting on ADOD's, and that three CDD staff will be attending the conference as well.

Mr. Miller and Mr. Hickok said that they would attend the conference.

XII. DIRECTOR'S REPORT

Mr. Steedle said the Rules Committee meets on Friday, September 29, at noon in the large conference room on the fourth floor of the Marine View building. Commissioners Dye, Greene and Voelckers are on this committee, said Mr. Steedle, adding that all commissioners are

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welcome to attend.

On October 24, (2017) there will be a Committee of the Whole meeting of the Commission. This will be the CIP discussion headed by Ms. McKibben, said Mr. Steedle. Mr. Steedle proposed that on November 28, 2017, they have a Committee of the Whole meeting of the Commission to review the work plan for the coming year.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Title 49 met about a week ago and delved into nonconforming uses. There may be one more meeting, prior to bringing it before the Committee of the Whole.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Voelckers verified that the staff is actually expecting results on the CIP from the Commission on the October 24, 2017 meeting.

Mr. Steedle said this is correct. He said the Commission will be receiving more CIP information from the staff this week.

Mr. Voelckers said his office had received a call on a Comprehensive Plan amendment for the Diocese property. He asked if Mr. Steedle had further information on this topic.

Mr. Steedle said there is no process for updating the land use maps in the Comprehensive Plan. This results in procedural confusion, he noted. He said there had been a motion by the Planning Commission to request change to the land use designation for the City block upon which the Diocese sits. Mr. Steedle said he saw this request going directly to the Assembly for action, and that Mr. Palmer felt that the rezone request could accompany the land use designation change when they went to the Assembly for action.

Ms. Boyce and Ms. McKibben felt there could be more room for public participation on this item, said Mr. Steedle. Residents in this area feel that the block is rightfully designated Medium Density Residential and that there is no need for a land use change, said Mr. Steedle.

Reviewing the minutes from the meeting at which this was discussed, it seemed clear that the Commission expected this to go directly to the Assembly, said Ms. McKibben. However, she said, it does specify in numerous locations within the Comprehensive Plan the importance of reaching out to the neighborhood, she said. If it does come back to the Commission with a staff report and analysis then it would be noticed to the public, said Ms. McKibben. If it goes straight to the Assembly, the only notice that takes place is the regular notice, she said. There would be

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no outreach to nearby property owners, she said.

Mr. Miller said it seemed to him that there is a lot more value to the zone change than there is the map amendment. The zone has already been changed, he said. The map amendment is more like a house-keeping item, said Mr. Miller. If it happens independent of a zone change then it should be given the same public process as a zone change, said Mr. Miller.

Mr. Steedle said the concern of Ms. McKibben is if they modify the maps of the Comprehensive Plan every time they do a rezone then the Comprehensive Plan takes on no value.

On the St. Anne's property it was designated as publicly owned land and the property never was publicly owned land, said Ms. McKibben.

Mr. Dye said he felt the public process was well documented and that the public felt the Comprehensive Land Use Maps should change as well. He added that he is sure there are times when the staff does not necessarily agree with some of the rulings that the Planning Commission makes and how it arrives at its decisions. He said it was evident that the intent of the Commission was that this went directly to the Assembly without coming back to the Commission. He said he did not feel it was the position of the staff to disagree with the rulings of the Planning Commission which is composed of appointed officials.

Mr. Steedle said the staff is really looking for direction from the Commission. If the Commission feels that the case for modifying the Comprehensive Plan land use maps would be better presented directly to the Assembly, then that would be the simplest course of action.

XV. ADJOURNMENT

The meeting was adjourned at 8:29 p.m.

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Additional Materials

Regular Planning Commission Meeting

Assembly Chambers
7:00pm
Meeting Date: October 24, 2017

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1. **USE2017 0022:**
    a. Public Comment from Todd Araujo on behalf of his clients, Granite Mountain Properties LLC, received 10/24/17
    b. Memo from Chrissy McNally, Planner II
    c. CBJ Assessor Comments, 2/12/16
    d. CBJ Assessor Comments, 5/22/17

2. **AME2016 0016:**
    a. Public Comment from Kay Gray, received 10/24/17

LAW OFFICES OF
SIMPSON, TILLINGHAST, SORENSEN &SHEEHAN, P.C.

ONE SEALASKA PLAZA, SUITE 300 ▪ JUNEAU, ALASKA 99801
TELEPHONE: 907-586-1400 FAX: 907-586-3065

October 24, 2017

Via email only: pc_comments@juneau.org

Chrissy McNally, Senior Planner
Community Development Department
City & Borough of Juneau

Re: Case No.: Application for Conditional Use Permit (File No. USE2017 0022)
Parcel No.: 5B1201330160

Ms. McNally:

My firm represents Granite Mountain Properties Limited Liability Company ("GMP"). This letter provides GMP's objection to the issuance of a conditional use permit for a marijuana cultivation facility located at 2005 Anka Street, Juneau, Alaska.

As you are aware, one potential basis for denial of a conditional use permit is if the proposed development will substantially decrease the value of neighboring property. CBJ 49.15.330(d)(5)(B); 49.15.330(f)(2). Pursuant to CBJ 01.50.070(a)(1), the applicant and ultimately the Planning Commission, is required to establish that the decision in this regard, among others, is supported by "substantial evidence." And "substantial evidence" means "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." CBJ 01.50.010.

As relevant here, the Director's staff report in this case recites as follows: "There is no evidence to suggest that use will have impact on property value . . ." (Staff Report, pg. 7.).[1] There is no indication in the report what steps were taken or analyses performed, if any, to arrive at that conclusion. A court is not required to choose between competing inferences, but a court must "determine whether such evidence exists . . ." *Keiner vs. City of Anchorage*, 378 P.2d 406, 411 (Alaska 1963). And while substantial evidence is certainly not an onerous threshold to achieve, there is simply zero evidence provided, cited, or otherwise revealed in the staff report supporting the Director's conclusion.

The Director's recommendation appears to be based on mere factual speculation, and remarkably, the Director does not share those or any facts in his report. The Director's conclusion regarding property diminution is unsupported by any evidence and certainly does not amount to "substantial evidence" sufficient to meet the necessary burden for approval. Given the importance of property value diminution in the scheme of the review process, the Director was at least required

[1] The staff report also concludes that "[t]he proposed marijuana cultivation facility is not expected to decrease the value of or be out of harmony with property in the neighborhood." (Staff Report, pg. 9.).

to proffer some reasonable basis for his conclusion instead of some unsupported and unsubstantiated expectation.

The Director's, and ultimately the Planning Commission's, determination must be supported by substantial evidence. In this case, the Director's recommendation is not supported by substantial evidence or any evidence whatsoever. The absence of any factual basis for the Director's conclusion relative to property diminution does not permit a reasonable mind to reach the conclusion in question – that the proposed development will not substantially decrease the value of the neighboring area.

For the foregoing reasons, GMP urges the Planning Commission to reject the Director's analysis and findings and deny the requested conditional use permit.

Sincerely,

SIMPSON, TILLINGHAST, SORENSEN & SHEEHAN, P.C.

Todd J. Araujo

Cc: Rorie Watt, City Manager (Rorie.Watt@juneau.org)
Rob Steedle, CDD Director (Rob.Steedle@juneau.org)
Beth McKibben, CDD Planning Manager (Beth.McKibben@juneau.org)

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
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www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

MEMO

Date: October 24, 2017,

From: Chrissy McNally, Planner II

To: Planning Commission

Case No: USE2017 0022

Proposal: Conditional Use Permit for a Marijuana Cultivation Facility

RESPONSE TO PUBLIC COMMENT

CDD staff has received comments from Robin Potter, CBJ Assessor, in regard to impacts to property values from marijuana cultivation businesses. They are attached.

In summary, the CBJ Assessor has indicated that with appropriate conditions there is no evidence indicating that the proposed business will have a negative impact on property values.

Christine,

The cultivation of marijuana should have little to no impact on neighboring property values as long as the cultivation and production does not infringe on the following;

- **Traffic** – Will it increase the amount of traffic significantly? Street noise and quantity of vehicles coming and going particularly during off peak hours, can have an adverse effect.
- **Noise in general** – Will the cultivation process create loud noise?
- **Crime** – Will the cultivation process attract potential criminal activity? Signage, or other means to indicate what is being cultivated could increase potential for criminal activity.
- **Odor –** Bothersome odor can affect neighboring residents. Will there be odor controls imposed on the cultivation to eliminate the problem?
- **Litter or Deterioration of the structures** – Will the property be well maintained without causing visual blight of any type?

Please note these are considered nuisances that adversely affect neighborhoods, regardless of the source. As long as controls are in place to minimize or eliminate these type of problems, the cultivation of marijuana should have no adverse impact on neighboring property values.

Robin

_____

Robin Potter ACAA III
Assessor, Finance Department
City & Borough of Juneau
155 S. Seward Street
Juneau, AK 99801
907.586.0333
http://www.juneau.org/financeftp/assessor_main.php

From: Christine Steadman
Sent: Monday, February 01, 2016 3:16 PM
To: Robin Potter
Subject: Marijuana Cultivation and Property Value

Hi Robin,
I am reviewing an application for a marijuana cultivation facility in the D-1 zoning district located at 8393 North Douglas Highway. As you know, one criteria we analyze in a Conditional Use Permit is the proposed use's effect on neighboring property value. I would like to include any analysis from the Assessor's Office of the potential impact this use may have on neighboring property values, if any.

Please let me know if there is any additional information I can provide. Thank you for any assistance you can provide.

Regards,
Chrissy Steadman, Planner II
ph 907.586.0761
Community Development Department
City & Borough of Juneau

This is what I received back in May. However, this MJ case is currently being appealed.

From: Robin Potter
Sent: Monday, May 22, 2017 1:07 PM
To: Laura Boyce
Cc: Beth McKibben
Subject: RE: Request for comments regarding proposed marijuana cultivation use in Industrial District

Good morning Laura,

My comments are directed toward the impact grow facilities have in real estate values.

As Juneau is still in it's infancy where marijuana grow facilities are being established and because Alaska is a non-disclosure state where sales prices are voluntary, there is no historical local data to support the impact marijuana grow facilities have on surrounding property. There are substantial findings on the impact to real estate values from other states and that is what I will base my comments on. Please note there are two different real estate markets; residential real estate and the commercial/industrial real estate. As Juneau does not allow commercial grow facilities in residential real estate, I am focusing on commercial zoned areas only.

1**) A Real Estate Boom, Powered by Pot By DAVID GELLES APRIL 1, 2017**
https://www.nytimes.com/2017/04/01/business/a-real-estate-boom-powered-by-pot.html

> *Denver has emerged as America's de facto pot capital. Since Colorado legalized marijuana for recreational use in 2012, hundreds of stores selling pot have opened, and enormous growing operations have set up shop. Legal cannabis sales topped $1 billion in the state last year. The impact on the local real estate market has been equally big.*
>
> *From 2009 to 2014, 36 percent of new industrial tenants were marijuana businesses, according to the report on the city from CBRE Research, a commercial real estate company. Nearly four million square feet of industrial space was being used for cultivation in 2015, according to the report, about 3 percent of the city's warehouse space. Warehouse vacancy rates in Denver fell to just 3.7 percent in 2015, down from 7.5 percent in 2010.*
>
> *The industry has taken especially deep root among the low-slung warehouses in north Denver. Buildings used for growing marijuana are easy to spot — many are distinguished by extra lights and security cameras. But "I wouldn't have to point it out," said Brian Vicente, a partner at Vicente Sederberg, a Denver law firm that specializes in marijuana issues. "You can smell it."*

Retail spaces are just as hot. By 2015, there were upward of 200 marijuana stores in Denver, occupying high-end storefronts and former gas stations.
The spike in demand has been good for landlords, who often charge two to three times market rates for spaces used for cultivation or sales.

2) **The Marijuana Business Is Really the Real Estate Business By Will Yakowicz**
https://www.inc.com/will-yakowicz/the-big-opportunity-in-marijuana-is-real-estate.html

Since 2013, many cannabis entrepreneurs have seen their warehouse rents skyrocket after they'd spend tens of thousands of dollars to convert the space into a marijuana growing operation. Owning your real estate lets you avoid that financially crippling scenario entirely, says Patti Zanin, an independent real estate agent in Denver who serves weed clients.

Zanin says buildings zoned as "light industrial" that have been vacant for years are now the most valuable properties in the area thanks to the marijuana industry. Properties go so quickly, Zanin says, that a secondary market has blossomed--well-heeled companies will buy a property, get a license, and sell the whole package to smaller businesses.

After spending over $1 million to build out the 40,000-square-foot warehouse Medicine Man rented on Nome Street near the Denver airport, Vander Veer and her brothers Andy and Pete Williams decided to buy it. The brothers and sister got it for $2.5 million in 2014 and it's now worth $6 million (they recently sold it).

"It's the green boom here in Colorado and real estate is at a premium," Vander Veer says. "If you own a building that is zoned properly, not including any improvements, it's worth millions."

3) **Oregon marijuana growers vie for real estate as they prepare for recreational market. By Noelle Crombie (The Oregonian, Jan. 20, 2015).**
Oregon marijuana growers vie for real estate as they prepare for recreational market (link is external),

Growers estimate that it costs between $400 and $1,000 to produce a pound of cannabis, which sells for between $2,100 and $3,000 per pound on the retail market.
Longtime medical marijuana growers who've quietly tended plants in their basements say they're looking to upgrade to warehouses. Producers already in warehouses plan to expand.
They're snapping up real estate, in some cases competing with each other for the same locations. Real estate agents say growers are paying well above market price to lease buildings, particularly in the Portland area, essentially reserving space until the Oregon Liquor Control Commission crafts rules for cannabis cultivation.
Six years ago, when Mike Anderly, 37, moved his plants out of his basement and into a commercial warehouse in St. Johns, the rent was $1,100 a month. Today the same space goes for $2,500. He spends about $6,000 a month renting two commercial spaces.
"There is such limited commercial space, especially in Multnomah County – and Multnomah County is the sweet spot – people are paying exorbitant rates," said Anderly, whose marijuana production business is called Cloud City Gardens.

4) **Will Legal Marijuana Give Home Prices a New High? By Yuiqing Pan and Clare Trapasso (Realtor.com Real Estate Opportunities Nov 7 2016)**

http://www.realtor.com/news/trends/legalizing-marijuana-gets-housing-prices-high

How pot gets home valuations higher *.The prospects of employment—as well as the desire to legally grow, buy, enjoy, and otherwise self-medicate with weed—have led to an increased demand for housing. Simply put, more people seem to move to states with legalized marijuana, boosting home prices."The legalization affects both the demand and the supply in the residential housing market," says University of Mississippi economics professor Cheng Cheng, one of the authors of a study on how legalizing retail marijuana in Colorado has given a lift to local real estate. Areas where it's legal are "going to attract more home buyers, including marijuana users as well as entrepreneurs and job seekers."*

Legal marijuana draws transplants to Colorado. *Since the first shops opened their doors on Jan. 1, 2014, the median home sale price in the state has shot up from $248,000 in the first half of 2014 to $298,000 in the first half of 2016, according to the realtor.com analysis. That's partly due to the state's population surge, rising 1.9% from July 1, 2014, to July 1, 2015, according to the U.S. Census. That makes it the second-fastest-growing state in the nation, just behind North Dakota. There's no direct evidence tying the legalization of the drug to the population boom, but real estate agents say more of their clients are relocating to the state because of it."About 60% to 70% of my clients are buyers coming in from out of state," says real estate broker Rona Hanson, of Need Room to Grow Realty in the Denver suburb of Lakewood, CO. She specializes in selling homes where buyers can grow their own cannabis.Home prices tend to be higher in the roughly 60 Colorado cities and towns where cannabis is legal than the more than 200 where it's not. For example, where cannabis is legal, the median sold price was $302,500 in the second quarter of 2016, according to the realtor.com analysis. That's 13% higher than the $267,200 median sold price in the more than 200 localities where the green stuff is illegal.In addition, homes have been appreciating by 12% annually since 2014 where it's legal. That's compared with just 9% in areas where it's illegal.*

Why small towns can get the biggest highs T*hey can give sorely needed economic support to struggling small towns.In Colorado's rural Clear Creek County, a local mine that has provided the bulk of the county's tax revenue plans to close within the next few years. However, some of that money is being replaced by the marijuana industry, which kicked in more than $125,000 this year through August, according to the state's Department of Revenue. "We have more tax revenue for schools," says area Realtor Joshua Spinner, of Clear Creek Realty Colorado. "There are people moving to our county because it is more rural and they do want to grow." Another big beneficiary is Edgewater, just 15 minutes outside Denver. The tiny town has about a half-dozen dispensaries that stay open hours later than those in Denver. Could it be a coincidence median sold home prices in Edgewater have jumped 18% annually since 2014, compared with 13% in Denver?*

In summary, I was unable to find any information to support legal grow facilities having a negative impact upon surrounding commercial properties. There is some evidence where illegal commercial grow facilities in residential neighborhoods have lowered values, mainly due to odors and mold in uncontrolled environments. If anything commercial grow facilities have caused an upsurge in demand, values and economic benefits.

Robin Potter ACAA III

Assessor, Finance Department
City & Borough of Juneau
155 S. Seward Street
Juneau, AK 99801
907.586.0333
http://www.juneau.org/financeftp/assessor_main.php

From: Laura Boyce
Sent: Friday, May 19, 2017 4:41 PM
To: Robin Potter
Cc: Beth McKibben
Subject: Request for comments regarding proposed marijuana cultivation use in Industrial District

Good afternoon, Robin,

As discussed, attached is the application for the proposed marijuana cultivation use in the Industrial district. The property is 1758 Anka Street. The public hearing is scheduled for this Tuesday, May 23rd, beginning at 7 p.m. If you have something general we can provide in writing, it would be greatly appreciated. Also, if you'd like to attend the public hearing and speak to this issue in person, you are more than welcome to!

Thank you and I will follow up with you on Monday,

Laura

Laura A. Boyce, AICP
Senior Planner

Community Development Department
City and Borough of Juneau
907.586.0753

laura.boyce@juneau.org

From: Kay Dilg
Sent: Tuesday, October 24, 2017 2:42 AM
To: Renee
Subject: Lemon creek plan

CBJ
Lemon Creek Area Plan
Planning

Dear Commission

Medical conditions have me out of town at this time. I have been too sick this last year to grasp just what has been going on with your Lemon Creek Plan. The post card and the web sight were very difficult to understand and obtain just what your plan is and the web sight map was way too small to read, as was the post card map.

I am against the new land fill idea where you place the sight in the Lemon Valley area up the valley closer to the glaciers. We who live in the area are aware of the winds that come off the glaciers. At this time the land fill is in front of most of our homes so the winds from the glacier blow the bad air towards the channel. Placing a new land fill up the valley behind our homes will cause the bad air to effect all of our homes and lower our land value.

It is difficult to see where the bike path goes because your maps on line and in the post card are so small. City employees or servayers have told me that a bike path is planned to end across the street from my property at 4900 Glacier Hwy.

This is a bad idea for both bikers and bears. There are 5 bears that cross my property twice daily on there way back and forth to the landfill and a bike path on that side of the road closes to the land fill will cause problems for the bears and the bikers. Also having the bikers cross glacier Hwy to continue up Vanderbilt hill from the landfill side of the Hwy has them in the middle or at the side of a busy Hwy waiting for cars on all sides of them to go there way and be clear for them to cross. Now they take the bike path on the mountain side of the Hwy and do not have to encounter the traffic. This is safer for all and especially the children and seniors.

Sincerely,
Kay Gray
4900 Glacier Hwy
Juneau, Alaska 99801

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 17, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP, Senior Planner
Community Development Department

RE: **AME 2016-16 Additional Materials Public Comments**

Attached please find comments received from the public regarding the draft Lemon Creek Area Plan.

From: PC_Comments
To: Jill Maclean
Subject: FW: AME20160016 Lemon Creek Area Plan
Date: Thursday, September 28, 2017 11:46:01 AM

From: Weatherell, Heather L (DNR) [mailto:heather.weatherell@alaska.gov]
Sent: Wednesday, September 20, 2017 11:38 AM
To: PC_Comments
Cc: Griffin, David W (DNR)
Subject: AME20160016 Lemon Creek Area Plan

Ms. Maclean,

Thank you for the invitation to comment regarding text amendment AME20160016 Lemon Creek Area Plan.

As a land owner in this area, our intention is to dispose of Trust parcels through residential or commercial land sales to fulfill our fiduciary responsibility. The Trust Land Office (TLO) is a unit within the Department of Natural Resources that is contracted exclusively by the Mental Health Trust Authority to manage approximately one million acres of Trust land and other non-cash assets to generate income. The TLO generates revenue through land leases and sales; real estate; timber sales; mineral and energy exploration and development; and material sales. The TLO manages Trust lands prudently, efficiently, and with accountability to The Trust and its beneficiaries, protecting the inherent value of The Trust's real property portfolio for today's development opportunities and into perpetuity. Although not in the Lemon Creek area, the TLO is offering one parcel for sale in the 2017 Fall Statewide Land Sale on the North Douglas Highway on Douglas Island.

Please contact Southeast Lands Manager David Griffin David.Griffin@alaska.gov for questions or comments regarding Trust lands in Southeast Alaska. Thank you for this opportunity to comment.

Sincerely,

Heather Weatherell
Lands Specialist II
Alaska Mental Health Trust Land Office
2600 Cordova Street, Suite 100
Anchorage, AK 99503
(907) 269-8661 direct
(907) 269-8658 main
heather.weatherell@alaska.gov

From: PC_Comments
To: Jill Maclean
Subject: FW: Lemon Creek Area Plan
Date: Thursday, September 28, 2017 11:45:49 AM

From: alaskaseafoodco@wildak.net [mailto:alaskaseafoodco@wildak.net]
Sent: Wednesday, September 13, 2017 1:42 PM
To: PC_Comments
Subject: Lemon Creek Area Plan

Hi Jill

Thank you for listen. I only have one comment at this time.

We have been forced into purchasing flood insurance because the Federal government seems to have difficulty overseeing their job. Our property sets approx. 1+ inches above the 24 ft. flood zone. They want us higher than that. According to the R&M engineering surveyors that established our property elevation, we are probably higher than that because of the land rise from Glacial retreat in our area. The monument that is used as a standard is supposed to be checked every five years or so by the Federal government. According ours has not been checked in excess of 10 or twelve.

I would like to ask the Planning commission to look into having "correct" standards to work with before going too far forward adopting a "Comprehensive Plan" for Lemon Creek area. If we don't know how the ground is above sea level, it will be difficult to give proper elevations. It would seem to be a difficult to build a roof over something if we don't even know where the foundation is. My background is Marine Engineering, but at least I know you have to have a keel under your boat before you put the deck on.

Your attention to this detail would be appreciated. If I can be of further assistance, please contact me.

Regards

Dick Hand, President

Alaska Seafood Company
5731 Concrete Way
Juneau, Alaska 99801
907-780-5111

From: PC_Comments
To: Jill Maclean
Subject: FW: lemon creek plan
Date: Thursday, September 28, 2017 11:46:08 AM

From: Kurt Rieselbach [mailto:krieselbach@yahoo.com]
Sent: Saturday, September 23, 2017 9:37 AM
To: PC_Comments
Subject: lemon creek plan

I support the plan as drafted. I participated in a planning meeting and I'm pleased to see that many ideas shared by participants are included in the plan. I have come to expect more low income housing projects and every NIMBY project in Juneau being shunted to Lemon Creek, so it's a relief not to see anything like that in the plan. Those responsible for drafting the plan have done an excellent job. Please do not alter it.
Kurt Rieselbach
6014 Lund St.

Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF DECISION

Date: October 26, 2017
File No.: USE2017 0010

Forget Me Not, Inc.
8505 Old Dairy Road
Juneau, AK 99801

Proposal: A Conditional Use Permit for a marijuana manufacturing establishment in the General Commercial zoning district

Property Address: 8505 Old Dairy Road

Legal Description: Field Meadows Lot 23A

Parcel Code No.: 5B1501010080

Hearing Date: October 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 13, 2017, and approved the Conditional Use Permit for a marijuana manufacturing establishment in the General Commercial zoning district to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. All CO2 enrichment processes, plant extraction processes, fumigation, and the use and storage of pesticide, fungicide, miticides, and thermal insecticide fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.

2. The CO2 generator shall have an automatic shut off.

3. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.

4. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.

5. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

6. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail), and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022, unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Attachments: October 13, 2017 memorandum from Teri Camery, Community Development Department, to the CBJ Planning Commission regarding USE2017 0010.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, October 24, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or April 24, 2019 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Conditional use permits issued to marijuana establishments under CBJ chapter 49.65.1245(e) shall be subject to review by the commission every five years from the date of issuance. Such review shall be subject to CBJ 49.15.330 except that the commission may only amend or add conditions if necessary to ensure compliance with this title.

Project Planner: _____ _____

Teri Camery, Senior Planner
Community Development Department

Benjamin Haight, Chair
Planning Commission

_____ November 3, 2017

Filed With City Clerk

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 13, 2017

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

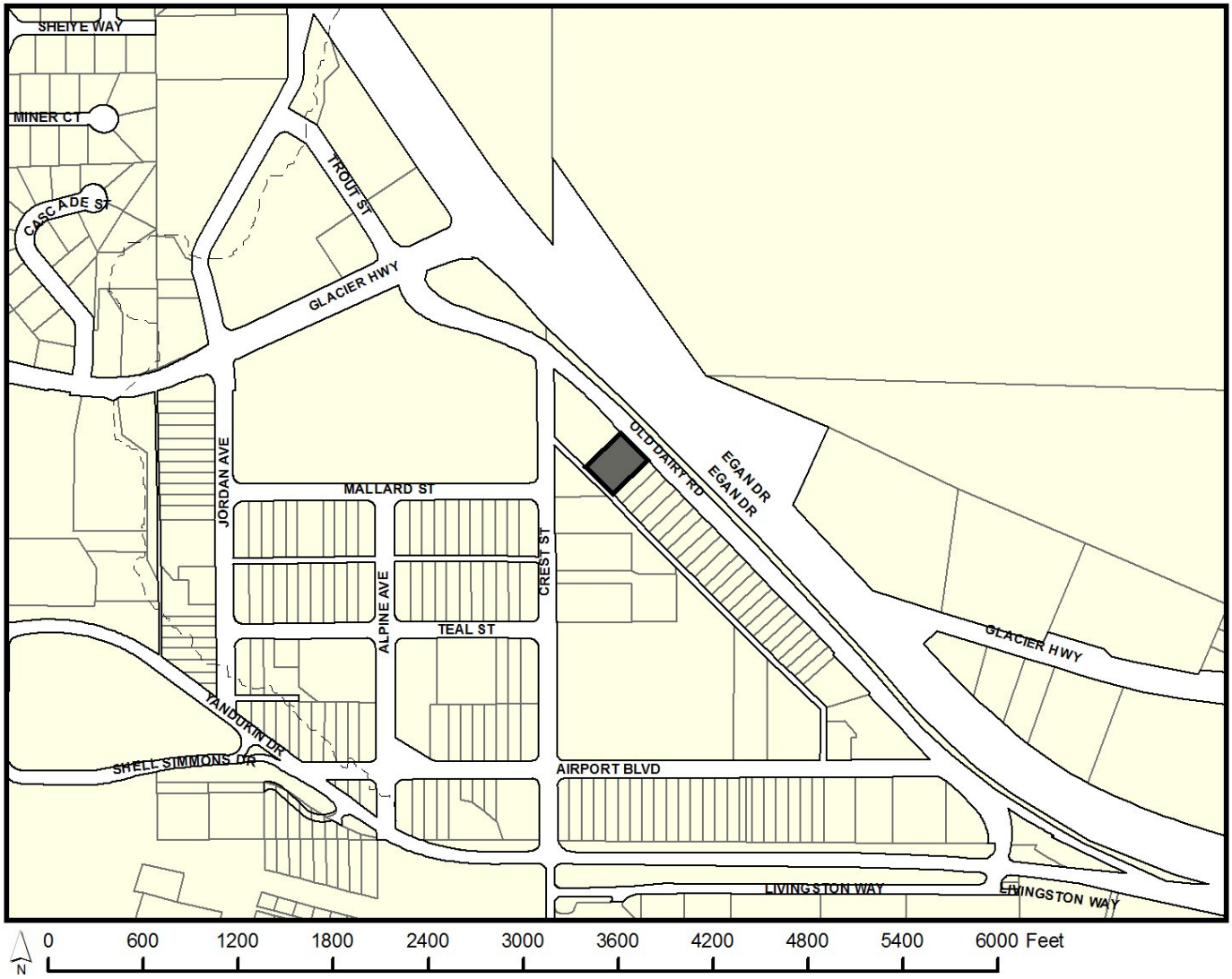
FILE NO.: USE2017 0010

PROPOSAL: A Conditional Use Permit for a marijuana manufacturing establishment in the General Commercial zoning district

GENERAL INFORMATION

Applicant:	Forget Me Not, Inc.
Property Owner:	Juneau Rental Space, LLC
Property Address:	8505 Old Dairy Road
Legal Description:	Field Meadows, Lot 23A
Parcel Code Number:	5B1501010080
Site Size:	19,402 sq. ft.
Comprehensive Plan Future Land Use Designation:	Commercial
Zoning:	General Commercial (GC)
Utilities:	CBJ Water and Sewer
Access:	Old Dairy Road
Existing Land Use:	Medical Clinic
Surrounding Land Use:	North - Old Dairy Road; General Commercial South - Valley Lumber; Industrial East - Valley Lumber; General Commercial West - Juneau Fly Fishing; General Commercial

Vicinity Map



ATTACHMENTS

Attachment 1	Development Permit Application
Attachment 2	Conditional Use Permit application
Attachment 3	Project Narrative
Attachment 4	Project Narrative email supplement 10/2/17
Attachment 5	Manufacturing floor plan
Attachment 6	CO2 Extraction System
Attachment 7	Property survey
Attachment 8	Lower level floor plan
Attachment 9	Upper level floor plan
Attachment 10	Parking and vegetative cover site plan
Attachment 11	Parking count summary
Attachment 12	Valley Lumber Parking Agreement
Attachment 13	Alaska Department of Transportation and CBJ Engineering parking correspondence
Attachment 14	Drainage and Vegetative Cover Plan Details

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a marijuana manufacturing establishment in the General Commercial zoning district at 8505 Old Dairy Road. The applicant is also requesting Conditional Use Permits for marijuana retail and cultivation, which are under review separately as USE20170011 (retail) and USE20170012 (cultivation).

BACKGROUND

The applicant has submitted an application with the State of Alaska Marijuana Control Board and will obtain a CBJ Marijuana License if both the state license and this Conditional Use Permit are approved. The inspection required for the CBJ marijuana license will ensure that the applicant is held to the plans proposed, to special use requirements found in CBJ 49.65.1200, and to any conditions required by this permit.

According to CBJ 49.65.1245(e), an approved Conditional Use Permit for marijuana establishments is subject to review by the Commission every five years from the date of issuance.

INTERNAL REVIEW AND PUBLIC COMMENT

No public comments have been received at this writing.

An agency review period was conducted from July 5-16. No comments were received from Alaska Electric Light and Power (AEL&P), Capital City Fire & Rescue (CCFR), CBJ Streets, or the CBJ Assessors Office.

CBJ Engineering commented that, "No discharge from plant watering or other growing uses may be discharged into the public wastewater system. The discharge shall be treated, free of contaminants and disposed into an approved storm drainage system." This issue relates to marijuana cultivation and will be addressed in the review of USE2017 0012.

The Alaska Department of Environmental Conservation (DEC) Air Compliance Program commented that, "The applicant is proposing carbon filter odor controls for CO2 extraction process and hydroponic grow operations. Division of Air Quality has no comment or concern provided that the CBJ Conditional Use permit calls for use and maintenance of these odor controls." This issue relates to both marijuana cultivation and manufacturing, and will be addressed in the Analysis section.

The Alaska Department of Transportation and Public Facilities (ADOT/PF) requested additional review of the driveway and parking lot design. Staff met with ADOT/PF, CBJ Engineering, and the applicant on July 13, 2017 at the site, and followed up with phone meetings and email correspondence to develop a final parking and vegetative cover plan. This plan is addressed in the Analysis section of this report under traffic/parking.

ANALYSIS

Project Site – The subject site is located at 8505 Old Dairy Road, next to Valley Lumber. The building was constructed in 1984 and has legally non-conforming setbacks of 0 feet on the rear and side property lines. The front yard setback is approximately 20 feet to the building entrance, which exceeds the minimum front yard setback requirement of 10 feet in the General Commercial zoning district.

Other uses will continue to operate on the property. As noted earlier, the applicant is applying for marijuana retail, manufacturing, and cultivation in three separate Conditional Use Permits.

Project Design – The building is undergoing extensive internal renovations, with authorized CBJ Building Permits, to accommodate the marijuana retail, cultivation, and manufacturing in conformance with state and local marijuana regulation requirements. The site plans in Attachments 5, 8, and 9 show all three marijuana uses, in addition to the existing medical clinic.

The applicant has provided a complete analysis of uses and associated parking requirements for the building, included in Attachment 11. Staff has reviewed this analysis and confirmed that it addresses all CBJ Code requirements.

The manufacturing portion of the building will be located on the first floor in the southwest corner of the building. The manufacturing and cultivation entrance is shared, while the retail entrance and medical clinic entrances are each separate. The manufacturing floor plan is shown in Attachment 5. Attachment 8, the lower level floor plan, shows the clinic, warehouse, and cultivation uses adjacent to the retail area.

The applicant states that the manufacturing facility will be operational with limited hours, with most work done during regular business hours. The business will have five employees total among the marijuana retail, cultivation, and manufacturing businesses combined.

State and local regulations require that no marijuana products be visible from a public right-of-way. In Attachment 4, Project Narrative Supplement, the applicant has explained that the manufacturing and cultivation areas will be located in a warehouse space without windows. The windows of the retail store will be opaque so that the interior cannot be seen from the outside. There will be one sign over the entrance that will not be visible from the public right-of-way.

CBJ 49.65.1245 identifies additional submittal requirements for marijuana establishments. Those items to be reviewed are detailed below.

Ventilation & Filtration/Odor – CBJ 49.65.1245(a)(6) requires a ventilation and filtration plan for marijuana cultivation, but not for manufacturing or retail.

The Alaska Department of Environmental Conservation Air Compliance Program commented that, "The applicant is proposing carbon filter odor controls for CO2 extraction process and hydroponic grow operations. Division of Air Quality has no comment or concern provided that the CBJ Conditional Use permit calls for use and maintenance of these odor controls."

Page 3 of the Project Narrative (Attachment 3) states that the facility will use carbon dioxide in the manufacturing process; CO2 emissions will be monitored throughout the facility for safe levels.

Staff recommends the following conditions, which apply to marijuana cultivation as well as manufacturing:

1) All CO2 enrichment processes, plant extraction processes, fumigation, and the use and storage of pesticide, fungicide, miticides, and thermal insecticide fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.

2) The CO2 generator shall have an automatic shut off.

Security – According to CBJ 49.65.1245(a)(2), applicants are required to submit a security plan. State regulations require exterior lighting, alarm systems, video monitoring, and commercial grade door locks.

Pages 2-3 of the Project Narrative (Attachment 3) describe security procedures, including the alarm system, camera placement, and lighting.

Waste disposal – Pages 1-2 of the Project Narrative (Attachment 3) describe waste management procedures in conformance with state law and CBJ Code 49.65.1245(a)(3). Waste management will include both composting and landfill disposal. Staff recommends the following condition:

3) All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ Landfill.

Screening – CBJ 49.65.1245(a)(4) prohibits marijuana product being visible to the public from the right-of-way. As noted earlier, the applicant has explained that the manufacturing and cultivation areas will be located in a warehouse space without windows. The windows of the retail store will be opaque so that the interior cannot be seen from the outside. There will be one sign over the retail entrance that will not be visible from the public right-of-way (Attachment 4).

CBJ 49.15.330(g) identifies the general items that staff reviews for all Conditional Use Permits. Those items are detailed below.

Traffic – Traffic to and from the site will consist of customers, employees, and supply delivery. The applicant anticipates a total of five employees for the full operation of marijuana retail, cultivation, and manufacturing. The applicant expects 3-5 cars per hour for retail, and 1-2 cars per day for marijuana manufacturing and cultivation combined (Attachment 4).

CBJ 49.40.300 states that a traffic impact analysis is not required when a development is projected to generate less than 250 average trips in a day. Further, the expected traffic generated is considerably less than typical uses in the General Commercial zoning district.

Parking and Circulation – Other uses, including medical clinic, office, and warehouse space, will continue to operate in the building, and the applicant is proposing marijuana cultivation and retail as well as manufacturing. The applicant has provided a complete analysis of uses and associated parking requirements for the building, included in Attachment 11. Staff has reviewed this analysis and confirmed its accuracy and conformance with CBJ 49.40.210 and 49.40.220.

Staff met with Alaska Department of Transportation and Public Facilities (ADOT/PF) staff, CBJ Engineering staff, and the applicant at the project site to review the proposed parking plan for

public safety impacts. The parking area is not currently delineated and has no defined separation from Old Dairy Road, which may pose safety concerns.

Staff worked with ADOT/PF, CBJ Engineering, and the applicant over a period of months to develop a revised parking plan that addresses safety concerns and also addresses CBJ vegetative cover requirements. The final revised plan is included in Attachment 10. ADOT/PF and CBJ Engineering email correspondence has been included in Attachment 13 for reference.

ADOT/PF has accepted the revised plan contingent on approval of a driveway permit, which the applicant has applied for. CBJ Engineering accepted the revised plan after receiving additional information regarding vegetation and drainage. These details are included in Attachment 14.

Staff recommends two conditions to address the parking plan, as follows:

4) Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.

5) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete parking lot striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

Finally, staff notes that the final parking plan is dependent on a parking agreement with the adjacent property owner to the west, Valley Lumber, because the proposed parking spaces cross over the property line onto Valley Lumber property. This parking agreement, provided as Attachment 12, expires on August 22, 2022. According to CBJ 49.65.1245(e), an approved Conditional Use Permit for marijuana establishments is subject to review by the Commission every five years from the date of issuance, which, will be October 24, 2022 if the Commission approves the Conditional Use Permit at the scheduled hearing. To address the parking agreement expiration date, staff recommends the following condition:

6) USE20170010 (Manufacturing), USE20170011 (Retail) and USE20170012 (Cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Noise – Surrounding uses include Valley Lumber, Juneau Flyfishing Goods, and a pawn shop, zoned General Commercial and Industrial. There are no residences in the vicinity. Noise from the proposed facility will be generated only from traffic. Noise impacts are therefore expected to be typical of the General Commercial zoning district.

Public Health or Safety – Attachment 3, the Project Narrative, provides a detailed explanation of product handling methods, security measures, and the extraction process. With implementation of these protocols, no evidence indicates a risk to public health or safety.

Habitat – No habitat regulated by Title 49 is affected by this proposal.

Vegetative Cover – CBJ 49.50.300 requires that ten percent of the site be maintained with live vegetative cover in the General Commercial zoning district. The subject parcel is 19,402 square feet, therefore 1,940 square feet of vegetative cover is required. The proposed site plan, included in Attachment 10, meets this requirement with 1,948 square feet of vegetation. The parking section of this report includes a recommended condition which also addresses vegetation, repeated below:

5) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete parking lot striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

Property Value or Neighborhood Harmony – Adjacent existing uses in the neighborhood include Valley Lumber retail to the west; Valley Lumber storage to the south; and Juneau Flyfishing Goods and a pawn shop to the east. Old Dairy Road and Egan Drive are north of the parcel.

The proposed marijuana manufacturing establishment will generate traffic typical of any retail establishment in a General Commercial zone. The applicant will comply with screening requirements, odor control, and waste management in conformance with CBJ Code. There is no evidence to suggest that the use will have an impact on property value or be out of harmony with the neighborhood.

Conformity with Adopted Plans – The subject site is located in Subarea 4, Map G, of the 2013 Comprehensive Plan and has a land use designation of Commercial (C).

Page 148 of the Comprehensive Plan describes the Commercial land use designation as “Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or other large employment centers. Mixed retail/residential/office uses are allowed and encouraged.”

The proposed marijuana manufacturing use, along with the marijuana retail and cultivation uses proposed and under review in cases USE20170011 and USE20170012, are compatible with this designation.

Staff further reviewed the 2013 Comprehensive Plan for policies that may be relevant to the proposal:

POLICY 5.1. TO DEVELOP AND SUSTAIN A DIVERSE ECONOMY, PROVIDING OPPORTUNITIES FOR EMPLOYMENT FOR ALL RESIDENTS.

POLICY 5.10 TO ENCOURAGE RESIDENTS AND BUSINESSES TO "LOOK LOCAL FIRST" FOR PURCHASES OF GOODS AND SERVICES.

POLICY 5.11 TO ENCOURAGE THE LOCATION AND GROWTH OF LOCALLY-BASED SECTOR INDUSTRIES THAT PROVIDE YEAR-ROUND, FULL-TIME EMPLOYMENT AND PROVIDE TAX REVENUES THAT SUPPORT PUBLIC SERVICES

POLICY 5.18. TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.

The proposed development would help to diversify the economy and is a new business as encouraged by these policies.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ 49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. Staff finds the application contains the information necessary to conduct a full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.220 for the General Commercial zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter as well as CBJ 49.65.1245. Public notice of this project was provided in the October 13, 2017 and October 20, 2017 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public right-of-way.

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

No. Based on the preceding analysis and application materials, the applicant has proposed a surveillance and security system that meets the minimum state and local regulations. No evidence indicates that the proposed development will endanger the public health or safety.

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

No. Based on the preceding analysis, the proposed marijuana retail facility is not expected to decrease the value of or be out of harmony with property in the neighborhood. The proposed use is surrounded by General Commercial and Industrial zoning districts with retail and lumber storage uses and will have impacts typical of the General Commercial zoning district.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The development of private businesses in Juneau is supported by the Comprehensive Plan. Further, the Commercial land use designation supports retail uses.

Per CBJ 49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

N/A

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana manufacturing establishment in the General Commercial zone. The approval is subject to the following conditions:

1) All CO2 enrichment processes, plant extraction processes, fumigation, and the use and storage of pesticide, fungicide, miticides and thermal insecticide fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.

2) The CO2 generator shall have an automatic shut off.

3) All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.

4) Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.

5) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

6) USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received:
USE 2017-0010		5/30/17

Project Name (City Staff to Assign Name)

PROJECT / APPLICANT INFORMATION

Project Description
Marijuana Manufacturing

PROPERTY LOCATION

Street Address	City/Zip
8505 Old Dairy Rd	Juneau, Alaska 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)
Lot 23A of Field Meadows Subdivision of US Survey 1195
FIELD MEADOWS LT 23A

Assessor's Parcel Number(s)
5B1501010080

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
Juneau Rental Space, LLC	Adam Gray	907-419-0094
Mailing Address	**Home Phone:**	**Fax Number:**
8505 Old Dairy Rd Juneau, Alaska 99801	907-780-4111	907-780-3111
E-mail Address	**Other Contact Phone Number(s):**	
agray@jrsak.com		

LANDOWNER/ LESSEE CONSENT

****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X _____ Landowner/Lessee Signature — Date: 5/24/17

X _____ Landowner/Lessee Signature — Date: _____

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT

If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name	Contact Person:	Work Phone:
ForgetMeNot, Inc dba Southeast Essentials	Roland Gray	907-500-3886
Mailing Address	**Home Phone:**	**Fax Number:**
8505 Old Dairy Rd	907-419-0094	
E-mail Address	**Other Contact Phone Number(s):**	
agray@forgetmenotak.com		

X _____ Applicant's Signature — Date of Application: 5/24/17

----------OFFICE USE ONLY BELOW THIS LINE----------

STAFF APPROVALS

✔	Permit Type	***SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/30/17	USE 17-010
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe) _____			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
	Forget Me Not	USE 17-010	

TO BE COMPLETED BY THE APPLICANT

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)

☒ Use Listed in §49.25.300 (Table of Permissible Uses) (USE)

Please list the Table of Permissible Uses Category: *4.220 Marijuana Manufacturing*

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

Manufacture of Marijuana Products

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES – Case # _____

CURRENT USE OF LAND OR BUILDING(S): *GC-General Commercial zoned. B-Occupancy; Single Clinic & Warehouse/Storage.*

PROPOSED USE OF LAND OR BUILDING(S): *Modify zone of building to add M-1 Occupancy Marijuana Retail Store*

UTILITIES PROPOSED: WATER: ☐ Public ☒ On Site SEWER: ☐ Public ☒ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot *19,402* square feet Total Area of Existing Structure(s) *17,500* square feet

Total Area of Proposed Structure(s) *186* square feet

EXTERNAL LIGHTING:

Existing to remain ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☒ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- ☒ Site Plan
- ☒ Floor Plan of proposed buildings
- ☒ Elevation view of existing and proposed buildings
- ☒ Proposed Vegetative Cover
- ☒ Existing and proposed parking areas (including dimensions) and proposed traffic circulation
- ☒ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 350.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50.00			
Pub. Not. Sign Deposit	$ 100.00			
Total Fee	$ 500.00	1597	cdd934	5/30/17

NOTE: MUST BE ACCOMPANIED BY* DEVELOPMENT PERMIT APPLICATION *FORM

Site Plan and Location Narrative
ForgetMeNot, Inc
Owner - VC Enterprises, LLC
8505 Old Dairy Road
Juneau, AK 99801
Dairy Road Building
General Commercial Zoning

Scope: We plan to operate a marijuana product manufacturing facility in a portion of a leased warehouse space on Old Dairy Road that will also house a standard marijuana cultivation operation.

Area: Our building is zoned General Commercial and its use code is Warehouse. We are located between Valley Lumber and RH Development. Our operation will not increase the level of noise in the area.

Existing physical features: We are not aware of any hazard, drainage or habitat areas on this property.

Construction: A Secure Office and Storage Room will be constructed within the proposed space. A mezzanine of approximately 400 square feet will also be constructed.

Hours of operation: The manufacturing facility will be operational limited hours, with most work done during regular business hours.

Sign: Aside from those required by law, this facility will not be designated with a sign.

Odor management: The facility will use central RC-48 carbon filter and fan system before exhausting air from the space. This should be effective in filtering organic particles and other airborne materials in addition to mitigating odors. (Appendix B)

Vegetative Cover: ForgetMeNot, Inc is leasing an interior warehouse space and therefore has no input on the landlord's exterior vegetative cover.

Waste management: ForgetMeNot, Inc has a disposal plan for all marijuana that does not meet state testing requirements or the company's internal quality standards due to mold, infestation, mishandling, or improper practices. All marijuana marked for disposal will be stored in a secured bin, separated from all other products, until it can be disposed of. Marijuana waste must be rendered unusable before disposal to ensure that marijuana and marijuana products are safely kept away from the public. The company will ensure that all marijuana is rendered unusable prior to leaving the facility by grinding and incorporating the marijuana waste with either non-compostable or compostable solid wastes so that the resulting mixture is at least fifty percent (50%) non-marijuana waste. Non-compostable solid wastes include paper waste, plastic waste, cardboard waste, and soil. Compostable solid wastes include food waste, yard waste, and vegetable-based grease or oils. Management will ensure that the resulting mixture is composed of no more than fifty percent (50%) marijuana by volume, and will log the composition of the mixture in the disposal log. Management will maintain the log on the status of all marijuana waste, tracking the type, date of

disposal, date it was rendered unusable, and date that it was delivered to waste disposal site. Once rendered unusable, marijuana will be securely stored in locked containers located on the premise. All locks will comply with the highest UL standards, and the disposed marijuana will not be stored outside the facility at any time.

Twice a week, the waste will be delivered to the Juneau Waste Disposal Site Only authorized personnel will have access to the keys that lock and unlock the disposal containers. To ensure accurate tracking and that no diversion occurs, the daily manager will collect a signature and name from the person delivering the waste to the Juneau Waste Disposal Site, the date, time, and the type of marijuana waste being collected. This information will be entered into a disposal log by the manager, which will be securely stored and will be available for review.

Security: Exterior security lighting will be installed to illuminate a 20 foot radius around each exterior door to provide sufficient lighting for surveillance cameras. Because we are located in an commercial/industrial area, ambient lighting from other buildings will allow for surveillance cameras to have sufficient lighting beyond the prescribed 20 foot radius.

The alarm system will be activated on all exterior doors when the licensed premises is closed for business. Motion detection alarms will be installed throughout interior of the facility. These alarms will notify the security monitoring company, law enforcement and the owners if any intruders are detected during non-business hours. Exterior doors will have contact sensors that are activated when the facility is closed for the night.

In the event of a breach of security during non-business hours, a designated manager or owner will assist the local law enforcement agency and provide access to security footage requested. In the event of an incident while the facility is open, employees will attempt to evacuate any visitors and themselves and alert authorities. All security breaches will be logged with an incident report.

Cameras will be placed at each entrance throughout the premises (Appendix C), inside the secured room and throughout the grow area. Cameras will also be placed outside the building adjacent to building lights to ensure any activity within 20 feet of the building is captured. Security cameras will also be accessible for off-site monitoring via the internet.

Official logs and records will be kept in a secured cabinet within the security room. Only owners and one trusted employee will be able to access the security room and secured cabinet. These people are the only ones authorized to escort law enforcement or an agent of the board to the secured cabinet for inspection. The cabinet will be made of metal and will have a secure lock.

No loitering signs, and other signs as required by law, will be posted near each entrance. Employees will be trained to recognize and disperse loiterers.

All visitors must show ID, proving that they're 21 or older. Each guest will sign in on a log noting the date, their age, time of arrival and time of departure. Each visitor will be issued a visitor identification badge upon approval by a manager or owner.

No more than five visitors will be admitted per marijuana handler certified employee. All logs will be secured within the security room for safekeeping.
Visitors to the facility will be subject to approval by an owner or manager. No one will be allowed into the facility without owner or manager approval, a valid identification and they must be accompanied by an approved, permitted employee.

Employees/Traffic: To start, only the one to two employees will work in the facility. When the facility is at capacity we expect to hire 2-3 more employees.

Parking: We have 1 parking spots (1 per 1,000 sq. ft.) as part of our lease. Additional parking may be available from the building landlord.

Extraction Process: ForgetMeNot, Inc will use a Supercritical Co2 extraction process using equipment similar to that described and pictured in Appendix A. Co2 extraction is an industry accepted method of cannabis extraction. The Supercritical CO2 extraction process creates phase changes in carbon dioxide utilizing temperature and pressure. CO2 is known as a "tunable solvent" making it extremely versatile for creating a multitude of end products by controlling temperature and pressure. These phase changes create an environment to drop out differing weights of components in the plant material. CO2 is efficient, inexpensive and is a "tunable" solvent. The ability to "tune" the extraction process cannot be overstated - especially with a system that will separate constituents during an extraction. CO2 is also a sanitizing agent, prolonging shelf life and with the proper system and environment, yields food and medical grade oils.

Products: The facility will produce a variety of products using the materials obtained from the above extraction processes. Primarily cannabis based oils and other non-edible consumables will be produced for resale. We are not currently planning to produce edible marijuana products but may do so in the future. If at some point ForgetMeNot, Inc decides to manufacture cannabis based edible food products we will meet all applicable State and CBJ requirements for a commercial kitchen.

Carbon dioxide: Our facility will use carbon dioxide in the manufacturing process. The emission of CO2 gas will be electronically monitored to control ppm throughout the facility to keep it within ideal and safe levels. Our CO2 use will be in compliance with all applicable regulations.

We will utilize CO2 in tanks. There will be CO2 detectors set to alarm at 5,000 ppm in each area utilizing the gas and a master control valve to shut off the gas at the source. This system will comply fully with the Fire Marshal's recommendations.

Chemicals, pesticides and fertilizers: Cleaning supplies to be used include the following: bleach, hydrogen peroxide, vinegar, alcohol, and Simple Green.

Chemicals used in the extraction processes will be limited to those described above.

From: Adam Gray
To: Teri Camery
Subject: Re: traffic estimates and hours of operation
Date: Monday, October 02, 2017 8:57:28 AM

Hi Teri,

Please see the responses in red below. Please let me know if you need anything else. Thanks!

Adam

On Sun, Oct 1, 2017 at 1:51 PM, Teri Camery <Teri.Camery@juneau.org> wrote:

> Hello Adam,
>
> As I delve into the final details of the staff report, I have found a few missing bits of information. Here is a quick list:
>
> 1) Please provide the hours of operation for each use: retail, manufacture, and cultivation: The hours of operation for the Cultivation and Manufacturing operations will be 8:00 AM to 5:00 PM M-F and 9:00 AM to 5:00 PM on Saturday. Both will be closed on Sunday.. The hours of operation for the retail store will be 7:00 PM to 11:00 PM M-F and 5:00 PM to 11:00 PM Sat and Sunday. THe hours of operation for the retail store will be after Juneau Urgent Care closes each day.
>
> 2) Please provide a description of the traffic associated with each use, retail, manufacture, and cultivation. You have listed the number of employees, but not traffic. For example, how many truck supply deliveries do you expect per day or per week for each of the three uses? What other types of traffic would this use generate? There isn't any concern here, it's just something we are obligated to address under code requirements. We expect 3 to 5 cars per hour for the retail and no more than 1 to 2 cars per day for the cultivation and manufacturing combined.
>
> 3) Screening. Code requires that marijuana retail, cultivation, and manufacture cannot be visible from the public right of way. Please describe how you will meet this requirement. The manufacturing and and Cultivation will be located in a non-windowed warehouse space. There will be one non-descript sign on the entrance door that will not be readable from the right of way. The windows of the retail store will be opaque so that the interior can not be seen from outside. There will be one sign over the entrance that again will not be readable from the public right of way.
>
> 4) CBJ staff reports often include a statement about the status of the applicant's other licenses and permits. Have you submitted an application for the State of Alaska Marijuana Control Board, and has Jonathan obtained a final driveway permit from DOT? We have completed our license applications for all three operations. They are currently under review. We expect to be on the agenda for

the November AMCO board meeting. I spoke with Jonathan and he expects the driveway permit to be issued this week.

I would appreciate your quick response to these questions, which is why I have added the obnoxious high importance exclamation point to this email. Hopefully they're easy. I may have a few more before I complete my reports.

Thanks very much,

Teri

Teri Camery, Senior Planner

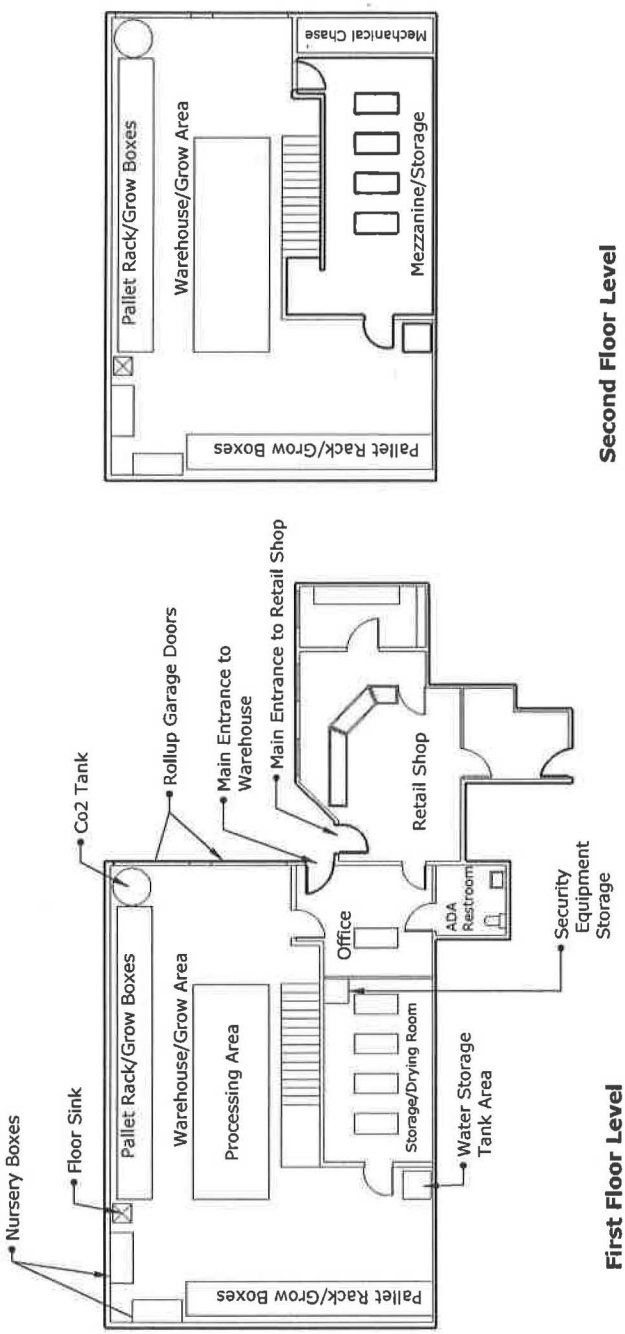
City and Borough of Juneau

Community Development Department

155 S. Seward

Juneau, AK 99801

(907) 586-0755



Attachment - Manufacturing floor plan

5L 2K

CO2 EXTRACTION SYSTEM

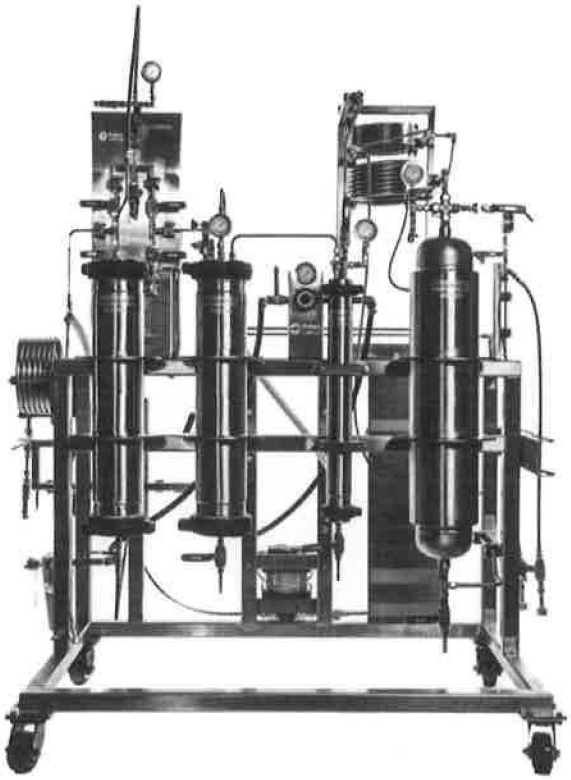
5L 2K

CO2 EXTRACTION SYSTEM

The 5L2K Hi-Flo model is our entry-level, commercial production system that is designed to get your extraction business off the ground. With a maximum extraction pressure of 2000 psi, the 5L2K Hi-Flo offers the producer a range of extraction parameters, while balancing the need for operational efficiency. This system is also a great R&D companion to our larger systems! The 5L2K can process up to 2.5 pounds of dried plant material in 3 to 5 hours.

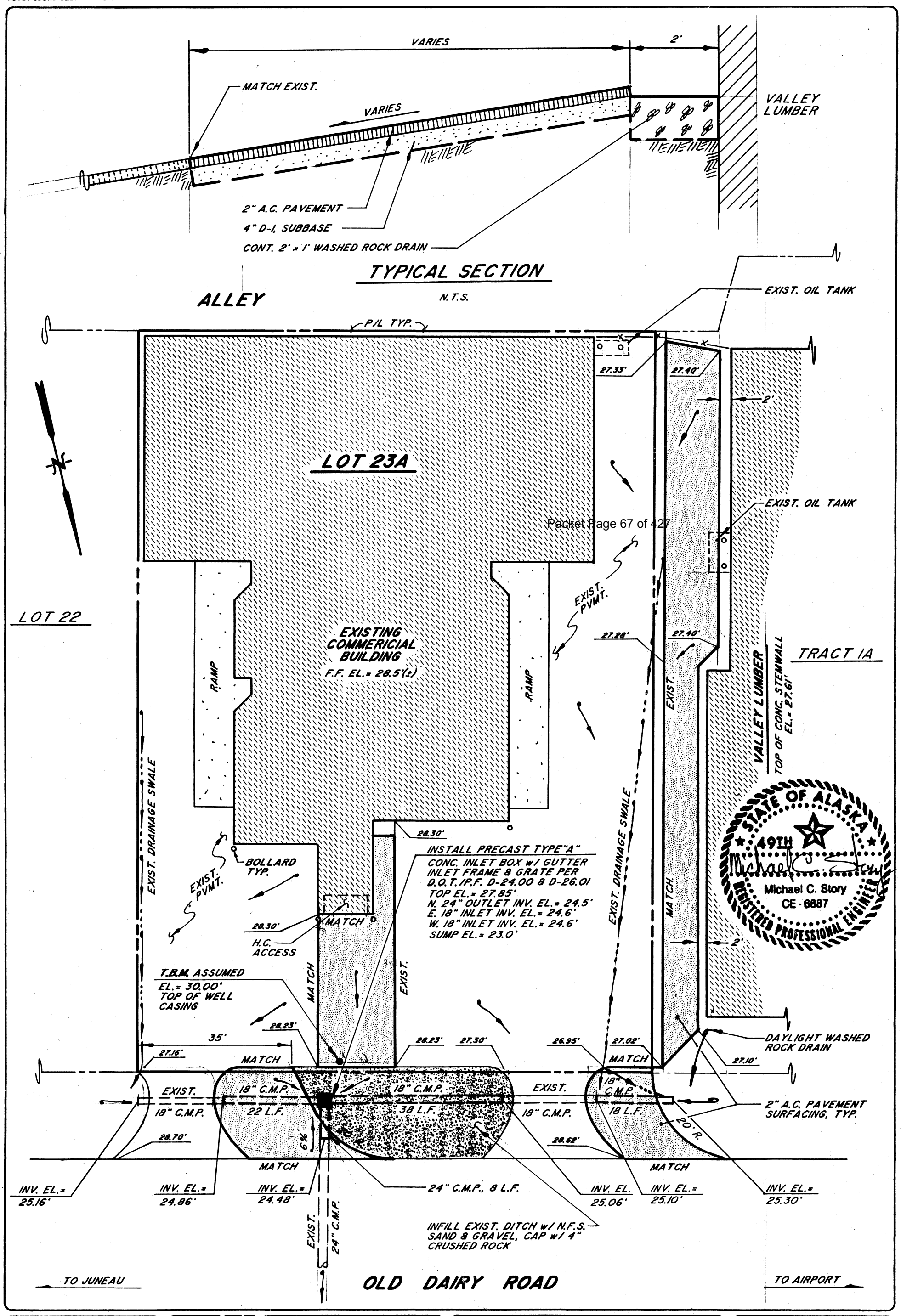
PERFORMANCE OVERVIEW & ROI

- **Capacity[a]:** 3 lbs
- **Run Time:** 3-5 hours
- **Max Runs:** 6 per day
- **Yield[b]:** 15-20 %
- **Yield/Run:** 170-227 grams
- **Yield/Day:** 1,022-1,362 grams
- **Revenue/Day*[c]:** $20,430-$27,240



Attachment 6 - CO2 Extraction System

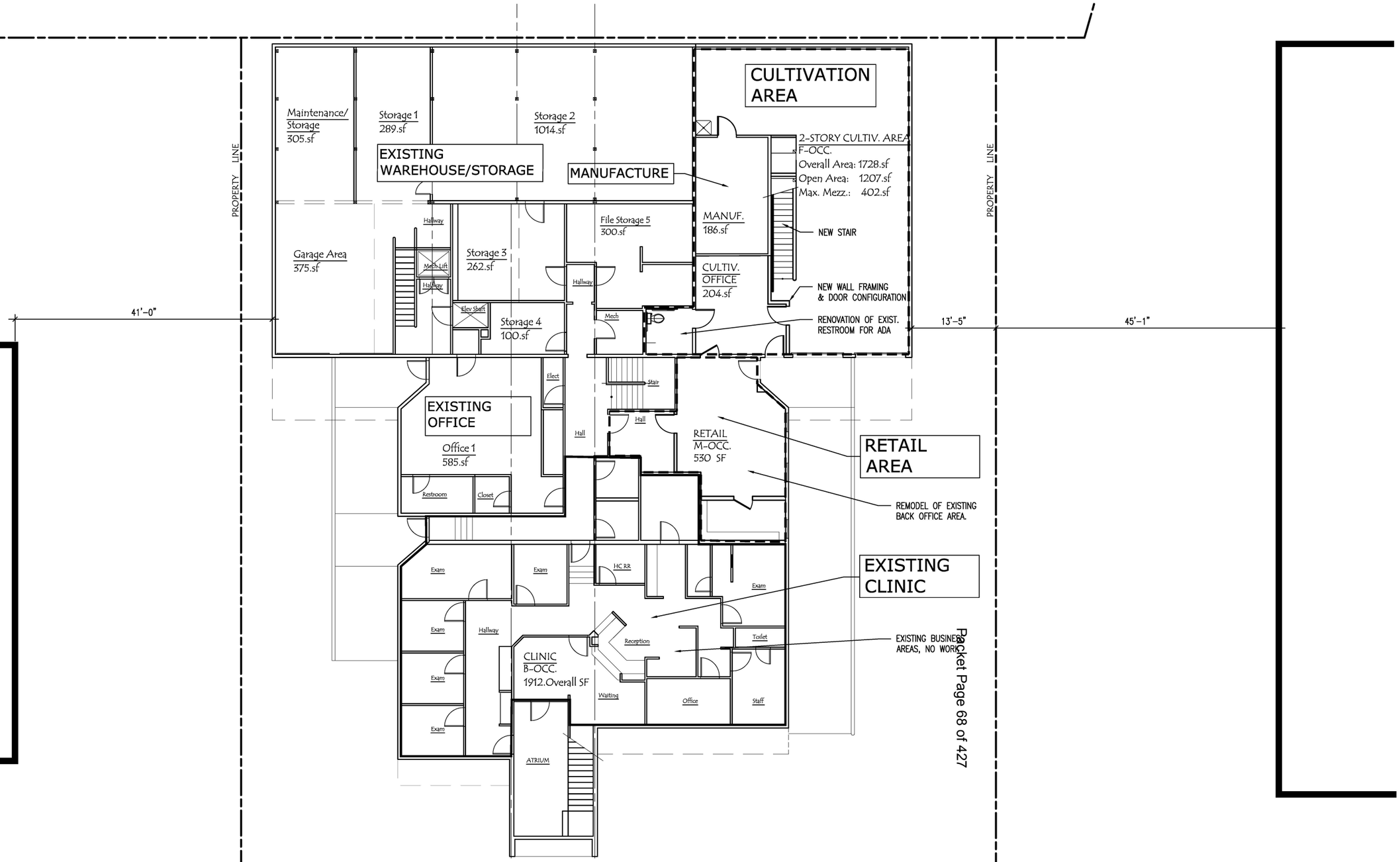
PUGET SOUND BLUEPRINT CO.



Packet Page 67 of 427

DES: M.L.P.	R&M ENGINEERING, INC. ENGINEERS GEOLOGISTS SURVEYORS	PAVEMENT IMPROVEMENT PLAN FOR LOT 23A FIELD MEADOW SUBDIVISION CITY & BOROUGH OF JUNEAU, ALASKA	DWG. NO. 1 OF 1
CKD: M.A.M.			SCALE: 1" =20'
DWN: M.L.P./F.M.			DATE: 8-24-92
CKD:			PROJ. NO. 921363
APPD: L.P.			GRID: FILE:

Attachment 7 - Property Survey



Lower Level

1 FIRST FLOOR - CODE AREA PLAN
1/16" = 1'-0"

4' 8' 16' 32'

© GOTSCHALL + ASSOCIATES ARCHITECTS, LLC - ALASKA
GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
07/18/2017

G+A Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

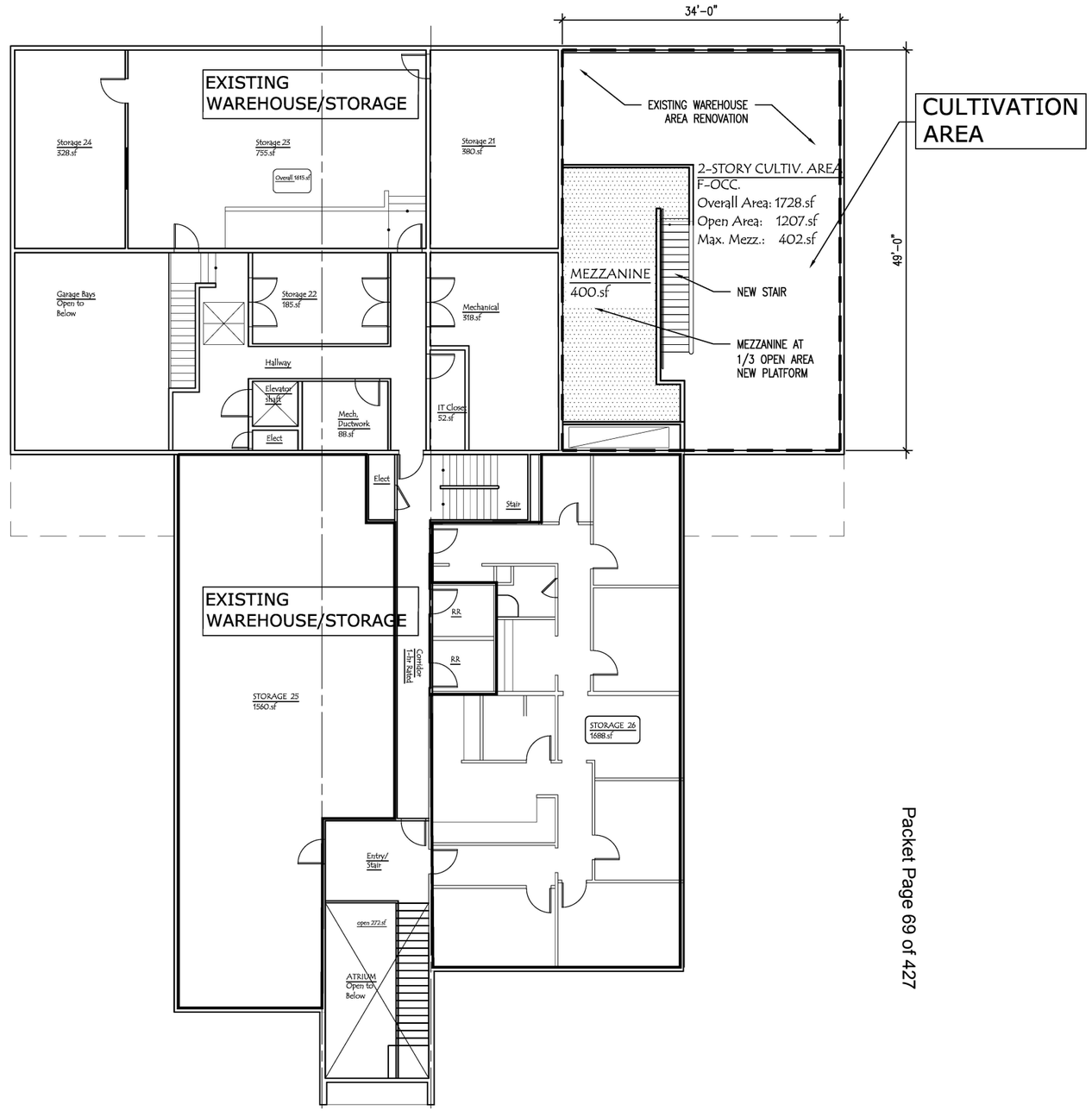
CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

REVISIONS
UPDATED: 02/09/2017 SF AREAS
UPDATED: 05/02/2017 ROOM DESIGNATIONS
UPDATED: 07/1802017 TITLES

SHEET TITLE:
CODE PLAN
LOWER LEVEL

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET #
C-1



Upper Level

Overall floor area
9029.gsf

2 SECOND FLOOR - CODE AREA PLAN
1/16" = 1'-0"

4' 8' 16' 32'

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GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

STATE OF ALASKA
49TH
GERALD R GOTSCHALL
A-9185
REGISTERED PROFESSIONAL ARCHITECT
07/18/2017

G+A
Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

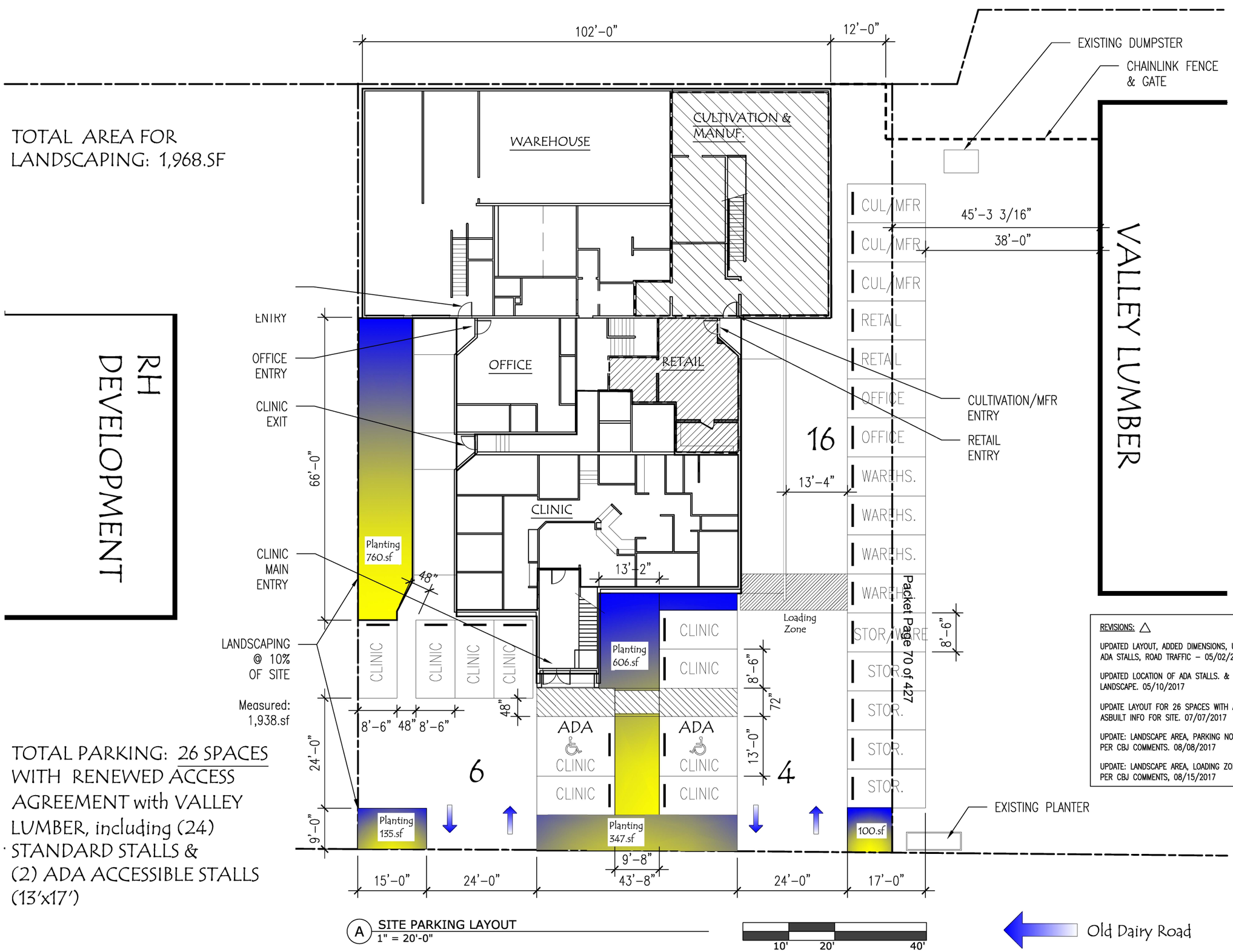
CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE:
CODE PLAN
UPPER LEVEL

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET #
C-2

REVISIONS
UPDATED: 02/09/2017 SF AREAS
UPDATED: 05/02/2017 ROOM DESIGNATIONS
UPDATED: 07/18/2017 TITLES



RH DEVELOPMENT

TOTAL PARKING: 26 SPACES WITH RENEWED ACCESS AGREEMENT with VALLEY LUMBER, including (24) STANDARD STALLS & (2) ADA ACCESSIBLE STALLS (13'x17')

A SITE PARKING LAYOUT
1" = 20'-0"

10' 20' 40'

REVISIONS: △

UPDATED LAYOUT, ADDED DIMENSIONS, UPDATED ADA STALLS, ROAD TRAFFIC – 05/02/2017

UPDATED LOCATION OF ADA STALLS. & LANDSCAPE. 05/10/2017

UPDATE LAYOUT FOR 26 SPACES WITH ADD'L ASBUILT INFO FOR SITE. 07/07/2017

UPDATE: LANDSCAPE AREA, PARKING NOTES PER CBJ COMMENTS. 08/08/2017

UPDATE: LANDSCAPE AREA, LOADING ZONE REV. PER CBJ COMMENTS, 08/15/2017

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
08/17/2017

G+A Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE: SITE PARKING LAYOUT <REVISED>

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET # P-1

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GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

G+A Gotschall + Associates Architects, LLC

Parking Count

8505 Old Dairy Road
Juneau, AK

Issue Date: 7/18/2017 Updated
Prepared: G+A Arch GRG
Per CBJ Title 49

Room	Area (sf)	Area Type	Parking Ratio		Required Spaces
1st Floor					
Warehouse/Storage - Left Side (Maint. Stor, Stor 1, 2, 3, 4, 5)	2610	Storage	1/1000	0	2.61
CULTIVATION Area (Reno)					
Manuf. - Cultivation & Manuf.	1524	**Manufacturing**	1/1000	0	1.52
Manufacturing - Mezz.	400	**Manufacturing**	1/1000	0	0.40
Manufacturing - Office	204	Office	1/300	0	0.68
Office 1	585	Office	1/300	0	1.95
CLINIC Area	1912	Clinic, Outpatient	1/200	0	9.56
RETAIL Area (Reno)	530	Office	1/300	0	1.77
Area:	7765				
Overall Lower Level gross area (9,078.gsf), less areas above:	*1313*	*Warehouse*	*1/1000*	*0*	*1.31*
2nd Floor					
Storage 21	380	Storage	1/1000	0	0.38
Storage 22	185	Storage	1/1000	0	0.19
Storage 23	755	Storage	1/1000	0	0.76
Storage 24	328	Storage	1/1000	0	0.33
Storage 25	1560	Storage	1/1000	0	1.56
Storage 26	1688	Storage	1/1000	0	1.69
Area:	4896				
Overall Upper Level area (9,078.gsf - floor openings 2,602.sf), MINUS areas above:	*1580*	*Warehouse*	*1/1000*	*0*	*1.58*
Parking Summary Total					26

Common areas such as hallways, stairs are counted at Warehouse rate of 1/1000. Assumption is that the 'majority' of the building is 'Warehouse' and so is counted as 1/1000.

Parking Rates Per Title 49.40.210

Offices	1/300
Medical Clinics	1/200
Warehouse/ Storage	1/1000
Manufacturing	1/1000

Attachment 11 - Parking count summary

8300 North Douglas Hwy, Juneau, AK 99801
907.723.8257 | AK Business #308165

VALLEY

"We're Your Home Team"

LUMBER & BUILDING SUPPLY

8525 OLD DAIRY ROAD JUNEAU, ALASKA 99801

907 789-7500 FAX: 907 789-4049
1 800 770-7500

May 9, 2017

Dear Tim Felstead,

I am writing this letter to you to confirm that the original parking agreement with Juneau Urgent Care dated September 3rd, 1992, is still in effect. It will continue to be in effect through August 22, 2022. If you have any questions, please give me a call at 789-7500.

Sincerely,

Dan Graves

Dan Graves

Urgent Care Parking Lease

5 years option to renew

LEASE

This lease dated the 3 day of September, 1992, by and between Valley Lumber, Inc. hereinafter called "landlord," and Dr. Louis Packer and Ellen Varosi, hereinafter called the "tenant."

WITNESSETH:

In consideration of the mutual covenants and agreements contained in this lease, Landlord and Tenant agree as follows:

1. TERM. The term of this lease shall commence on the 1st day of September, 1992, and shall continue for a period of ten years, ending on August 31, 2002.

2. RENT. During the term of the lease, Tenant shall pay to Landlord as basic monthly rent ONE HUNDRED AND EIGHTY DOLLARS ($180.00), plus any applicable tax, on or before the first calendar day of each month, in advance, at the Landlord's address, without demand and without any deduction or set-off whatsoever.

3. LEASED PREMISES. Landlord leases to Tenant, two thousand two hundred (2200) square feet more or less of contiguous space located adjacent to 8505 Old Dairy Road, more particularly described as Lot 1A, of the replat of Lots 23 and 24, of Tract 1, Field Meadow Subdivision, Juneau Recording District, Alaska, for the purpose of a parking lot. The premises are leased to

Jonathan Daniel - 907 419 0954
Yazzie.

Tenant in an "as is" condition.

4. CONDEMNATION. If all or a substantial portion of the leased premises is taken through the exercise of eminent domain, or by negotiated purchase in lieu of eminent domain proceedings by a public or quasi-public entity, this lease agreement shall terminate at the time possession is taken by the public or quasi-public entity. In the event of termination under this paragraph, the Tenant shall be entitled to repayment of a proportional amount of the rent paid for the remainder of the calendar month when the lease terminates. Tenant shall also be entitled to a proportional share of any awards or payments made or received in any eminent domain proceeding, or sale in lieu of such proceeding as compensation for Tenant's improvements, betterments and Tenant's leasehold interest.

5. ASSIGNMENT AND SUBLETTING. Tenant shall not assign or in any manner transfer this lease or any interest therein, nor sublet the leased premises or any part or parts thereof without the prior written consent of the Landlord, such consent not to be unreasonably denied by landlord. Landlord understands the and agrees that the purpose of the lease is for betterment to Tenant's property adjacent to the leasehold, and that transfer of Tenant's interest in the adjacent property necessarily contemplates transference of the leasehold. Any

assignment, sublease or other transfer of this lease or any interest therein without the Landlord's approval is void.

6. ENCUMBRANCE AND TRANSFER OF LEASE INTEREST. Landlord reserves the right to sell, transfer, assign or otherwise convey or encumber Landlord's interest in this lease, subject to the terms and conditions of the lease and reservation of the Tenant's rights created thereunder.

7. INSTALLATIONS, ALTERATIONS AND IMPROVEMENTS, MAINTENANCE AND REPAIR. Tenant shall be responsible for all installations, alterations, maintenance and repair to the leased premises. All alterations, additions, improvements and fixtures installed upon the leased premises shall become the property of the Landlord and shall remain upon and be surrendered with the leased premises at the termination of this lease. Tenant shall not be responsible for maintenance, repair or cleanup associated with the oil tank situated in part on the leased premises and which services the Landlord's business.

8. MECHANICS AND MATERIALS LIENS. Tenant shall not allow any mechanic or material lien to be filed against the leased premises by reason of any work or materials furnished to the leased premises. If a mechanic or material lien is filed, Tenant shall immediately cause the same to be discharged,

but Tenant shall have the right to contest any such liens. If Tenant fails to cause a mechanic or material lien to be discharged within 30 days of the notification of the filing of said lien and before judgment and sale thereunder, then Landlord may discharge the lien and the amount paid by Landlord shall be immediately due and payable by the Tenant to the Landlord. Nothing contained in this lease shall be construed as a consent on the part of the Landlord to subject the Landlord's estate in the leased premises to any lien.

9. SURRENDER OF POSSESSION. At the expiration or earlier termination of the term of this lease, Tenant shall surrender the leased premises in good condition and repair except for reasonable wear and tear, and repairs specifically required herein to be performed by the Landlord. In the event Tenant remains in possession of the leased premises after the expiration of the term of this lease and without the execution of a new lease, but with the acquiescence of the Landlord, Tenant will be deemed to be occupying the leased premises as a month-to-month tenant, at the monthly rental rate applicable at the expiration of the lease, and subject to all the other terms and conditions of this lease.
the term of this lease.

10. INTERFERENCE WITH USE AND OCCUPANCY. In the event that the leased premises or any part thereof become unusable or prevent the Tenant

from occupancy as a result of any cause, Tenant shall give prompt written notice thereof to Landlord, and Landlord shall immediately undertake repairs to remedy the condition specified in the notice. Unless the condition limiting use and occupancy resulted from Tenant's intentional, reckless or negligent actions, Landlord shall pay for the costs of repairs and Tenant's rent shall be reduced in proportion to the limitation on use and occupancy experienced by the Tenant.

11. INDEMNIFICATION. Tenant agrees to indemnify Landlord against any claim, expense, loss or liability incurred as a result of any occurrence on or about the leased premises, or occasioned in whole or part by the use and occupancy of the leased premises, or from any breach or default under this lease, or from any act or omission or negligence of Tenant, his agents, employees, sublessees, concessionaires, licensees, invitees or customers.

12. INSURANCE. Tenant shall obtain and maintain comprehensive general liability insurance with a minimum liability of $100,000 per person for injuries, including death, $300,000 per accident, and $100,000 for damage to property.

13. DEFAULT BY TENANT. Any of the following events shall constitute default by the Tenant under this lease:

a. If this lease is assigned or the leased premises are sublet, either

voluntarily or by operation of law, except as expressly provided herein;

b. If Tenant fails to pay when due, any rent or additional payments required under the terms of this lease, except that default on nonpayment of rent will not occur until ten days after the rent is due;

c. If Tenant fails to operate the leased premises as required herein, and such failure is not cured within fifteen days after written notice is provided by Landlord;

d. If Tenant fails to comply with any other provision of this lease, and does not cure such failure within thirty days after written notice is provided by the Landlord specifying the default;

e. If Tenant abandons the leased premises; or

f. If proceedings are instituted for the reorganization, liquidation, or involuntary dissolution of Tenant, or for its adjudication as bankrupt or insolvent, or for the appointment of a receiver of the property of Tenant, and said proceedings are not dismissed and any receiver, trustee or liquidator appointed is not discharged within 30 days of the institution of such proceedings.

In the event of default, Landlord may elect to cancel and terminate this lease, or to reenter and take possession of the leased premises and terminate

Tenant's right to possession of the leased premises.

In the event of default, Landlord may elect to cure the default at Tenant's expense. Tenant shall reimburse Landlord for all amounts expended in connection with curing the default, including attorney fees and incidental costs. Such amounts, together with interest accruing at the rate of 10% per year from the date of expenditure, shall be deemed additional rent due and payable when the installment of rent immediately following the expenditure is due.

Failure by Landlord to declare Tenant in default and to terminate this lease does not operate as a waiver of any provision of this lease preventing Landlord from declaring Tenant in default and terminating the lease for a further default of the same or similar nature.

The remedies conferred upon Landlord by law and the remedies conferred upon Landlord under this lease are cumulative, and no remedy shall be deemed to exclude any other remedy. Each remedy may be exercised from time to time, as often as occasion arises.

14. DEFAULT BY LANDLORD. Should Landlord be in default under the terms of this lease, Landlord shall have a reasonable time of not less than thirty days after receipt of written notice of the default from Tenant to cure the default.

15. OPTION TO RENEW. Landlord hereby gives and grants to Tenant

an option to renew this lease for two additional ten year periods, commencing September 1, 2002, under the following conditions:

a. Tenant must notify Landlord of their intent to exercise this option for the first ten year period in writing after September 1, 2001 and before December 31, 2001;

b. Tenant must notify Landlord of their intent to exercise the option for the second ten year period in writing after September 1, 2011 and before December 31, 2011;

c. No default of this lease by the Tenant exists at the time the options are exercised;

d. Landlord has not, prior to receipt of Tenant's notice under subparagraph (a), sold, entered into an agreement of sale or placed the property on the market for sale to a third party; and

e. The terms and conditions of this lease shall apply during the option period year.

16. MISCELLANEOUS.

a. The provisions of this lease are binding upon and inure to the benefit of the devisees, legatees, heirs, legal representatives, successors

and assigns of the parties.

b. No amendment to this lease is effective unless expressed in writing and executed by the parties to this lease.

c. No delay or omission on the part of the parties in exercising any of their respective rights under this lease shall operate as a waiver of such right, or any other right.

d. Any demand or notice made or given by either party is effective when mailed, postage prepaid, or delivered to the address at which the party customarily communicates with the other.

e. Time is of the essence for the performance of any of the covenants of this agreement and for the fulfillment of any conditions or obligations hereunder.

f. The laws of the State of Alaska shall govern the validity, performance and enforcement of this lease.

g. The invalidity or unenforceability of any provisions contained in this lease shall not effect or impair the validity or enforceability of any other provisions of this lease.

h. The headings of the several paragraphs contained herein are for convenience only and do not define, limit or construe the contents of such

paragraphs.

i. Landlord to have access from time to time to do repairs or maintance or accept delivery of goods as needed.

DATED: 9/2/92

Dr. Louis Packer, Tenant

Ellen Varosi, Tenant

DATED: 9/2/92

Valley Lumber, Inc.

From: Teri Camery
To: Teri Camery
Subject: DOT and CBJ Engineering correspondence regarding Forget Me Not Marijuana
Date: Monday, October 02, 2017 11:45:00 AM
Attachments: image002.png

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Monday, September 11, 2017 2:55 PM
To: Teri Camery; Ron King
Cc: Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I received the information I needed to finalize a comment. DOT&PF is okay with the parking plan, provided the property owner receives a driveway permit. The design waivers have been approved; however, DOT will include a stipulation reserving the right to reconsider the waivers and/or the permit site plan if the operation of the lot requires the reconsideration.

Additionally, from the GIS site, it appears there is a right-of-way in the rear of the lot. We are not requiring it to be used at this time but it might be something the property owner should look into if traffic into this lot is drastically increased. Or, possibly, an agreement with Valley Lumber to utilize their closest driveway.

I will email the applicant directions to apply for the permit.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Thursday, September 07, 2017 3:56 PM
To: Haynes, Emily R (DOT); Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hello Emily and other DOT folks,

We need to wrap up this review and receive DOT's final response. Emily wrote in the email below, last Friday, "To summarize, I do not yet have a complete answer for you on the new design or if we need modifications and, if so, what those would be. I wish I had more of a solid response for you today."

I sent you the square footage as requested. Please tell me what your expected timeline is to complete your review, so I may inform the applicant.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward

Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Friday, September 01, 2017 10:26 AM
To: 'Haynes, Emily R (DOT)'; Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks for your reply, Emily.

I do have this information from the applicant in response to your question:

The square footage of the urgent care clinic is 1,900 sqft and the marijuana cultivation facility is 1650 sqft.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, August 31, 2017 4:12 PM
To: Teri Camery; Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I identified a lot of design waivers we would have to issue for the driveway permit which will require further input from DOT staff to approve. As it would be, "August Madness" is happening right now and most of our staff are working overtime to meet federal deadlines so I haven't been able to receive that necessary input.

Here are the design waivers we would have to consider to approve the plan, which are substantial considerations:

1. Distance between driveways (43'-8")
   a. Per PCM Table 1190-3, with over 10 vph, they do not have space to have two access points
   b. Within the same table, they would still need 50' between driveways even if it was less than 10 vph
2. Edge clearance (15'-0" on south, appox 10'-0" on north)
   a. Per PCM 1190.5.8, the edge clearance (distance from property line) is equal to the return radii
   b. With a commercial driveway, we would normally require 40' radii; however, because the primary vehicles accessing will be passenger vehicles, we may reduce to 20' radii

Of course, we are taking into account CBJ's requirements as well which adds to the property owner's limitations to design to meet everyone's standards.

I haven't been able to figure out our specific authority on requiring a sidewalk for this property. The sidewalk would be located in the right of way and I believe we can require its construction if we have justification but whether or not this action necessitates that requirement, I'm still not sure. My initial opinion would be that would can only encourage its construction.

I have just realized I should ask you what the square footage of the Urgent Care will be and the square footage of the marijuana retail/cultivation facility. We need these to determine the expected traffic for this lot.

To summarize, I do not yet have a complete answer for you on the new design or if we need modifications and, if so, what those would be. I wish I had more of a solid response for you today.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 30, 2017 11:38 AM
To: Haynes, Emily R (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks very much, Emily.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Wednesday, August 30, 2017 11:35 AM
To: Teri Camery; Ron King
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

Thanks for bringing this one back up and I'm following-up with my request for comments. I will have those for you before noon on Friday.

Great point about the sidewalk requirement authority – I will need to look into that further and will include that in our response.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 30, 2017 11:28 AM
To: Ron King; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hello Ron, Emily, and Marie,

I have looked through my email messages since I returned from my trip, but I am not clear on DOT and CBJ Engineering's position and recommendations regarding the proposed parking and landscaping plan.

Specifically:

1) Do you have the information you need regarding property boundaries from the survey that Jonathan Yazzle sent, and have you accepted those property boundaries? Is any other information needed to complete the review?
2) What requirements will CBJ Engineering have, and do those requirements need to be a condition of the Conditional Use Permit, or would they be addressed through the building permit review process?
3) Have DOT's concerns been addressed? I saw a message about DOT requiring a sidewalk. It's not clear to me what DOT's authority is to require that (and I mean that respectfully), since my understanding is that the DOT right-of-way is outside of the property boundaries. Do DOT and/or CBJ Engineering have safety concerns regarding the proposed plan, or does the proposed landscaping provide a sufficient buffer from the road? If it's a clearly documented public safety issue, then I may be able to require a sidewalk as a condition of the Conditional Use Permit. If not, we would need to rely on DOT regulations and DOT implementation/enforcement.

Please respond to me by noon this Friday, September 1, so I can keep this moving along.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Thursday, August 17, 2017 1:56 PM
To: Ron King; 'Haynes, Emily R (DOT)'
Cc: 'Heidemann, Marie E (DOT)'
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Here is a survey, which I am passing along without time to review it myself since I leaving town and I am not actually here, I am just a figment of your imagination.

Ron, is this adequate to determine the accuracy of the plans?

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Thursday, August 17, 2017 11:55 AM
To: Ron King; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks Ron. Am I correct from what you've written that we need some way to verify property lines before we can approve this plan?

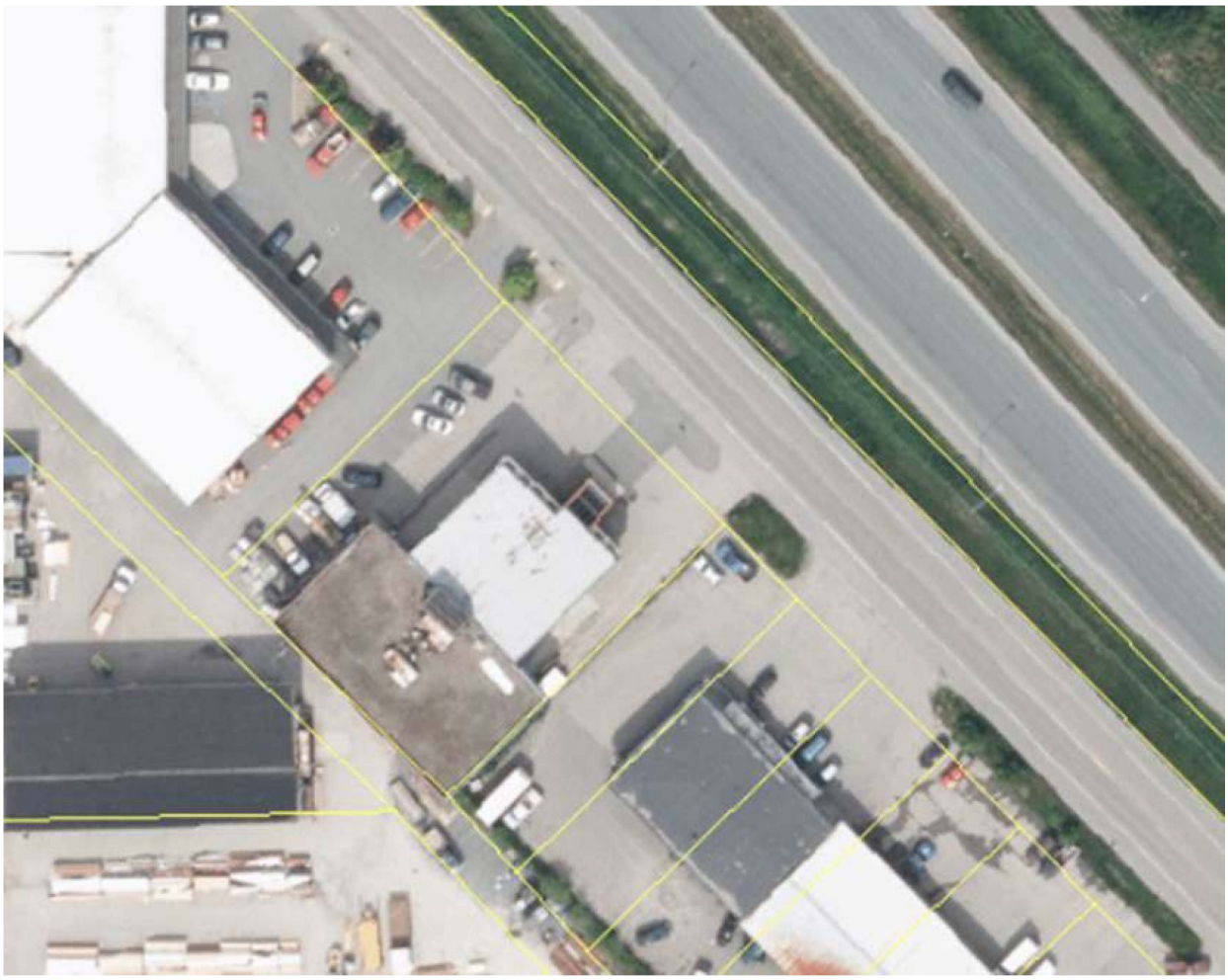
I've asked the applicant for an as-built survey. I could have sworn I asked for that before and that Jonathan Yazzle sent me something, but it's not showing up in a search of my emails. If he does not have an as-built survey, how else could we verify?

Thanks very much,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Ron King
Sent: Thursday, August 17, 2017 11:23 AM
To: Teri Camery; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT); 'joanne.schmidt@alaska.gov'
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Good morning, I have not seen an **AS BUILT** of this facility. If the GIS is close than things don't fit. I did not attend the meeting at the site when a sidewalk was discussed. I believed they claimed the grade was too flat? Unfortunately GE cannot require a sidewalk as I don't have the code to back me up. Do you have any as builts for Old Dairy Road that will help determine the ROW line? Sidewalk your call .. let me know what the State decides .. thanks Ron



Attachment 13 - AK DOT & CBJ Parking correspondence

M

From: Teri Camery
Sent: Thursday, August 17, 2017 10:08 AM
To: Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT); Ron King
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks for the reply, Emily.

I defer to Ron at CBJ Engineering—cc-above—regarding whether CBJ will require a sidewalk. My best guess is that we will not, but Ron can confirm after he has reviewed the latest plans.

The landscaping requirement must be addressed within the property boundaries. I can't recall if the ROW extends into the property in this situation or not. I believe their proposed landscaping is already up the property boundary along the road.

Thanks very much for your time coordinating this review.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, August 17, 2017 8:43 AM

To: Teri Camery
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I've sent this one around for review and received one question. Is CBJ going to require a sidewalk? If not, we might be doing so.

We also have a few design waivers on the accesses we'd have to approve which is something we're discussing.

I have a question on CBJ's landscaping requirement. Could the property owner improve right of way to meet that minimum square footage? This isn't something I'm necessarily suggesting in this situation but, more so, for my own curiosity.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

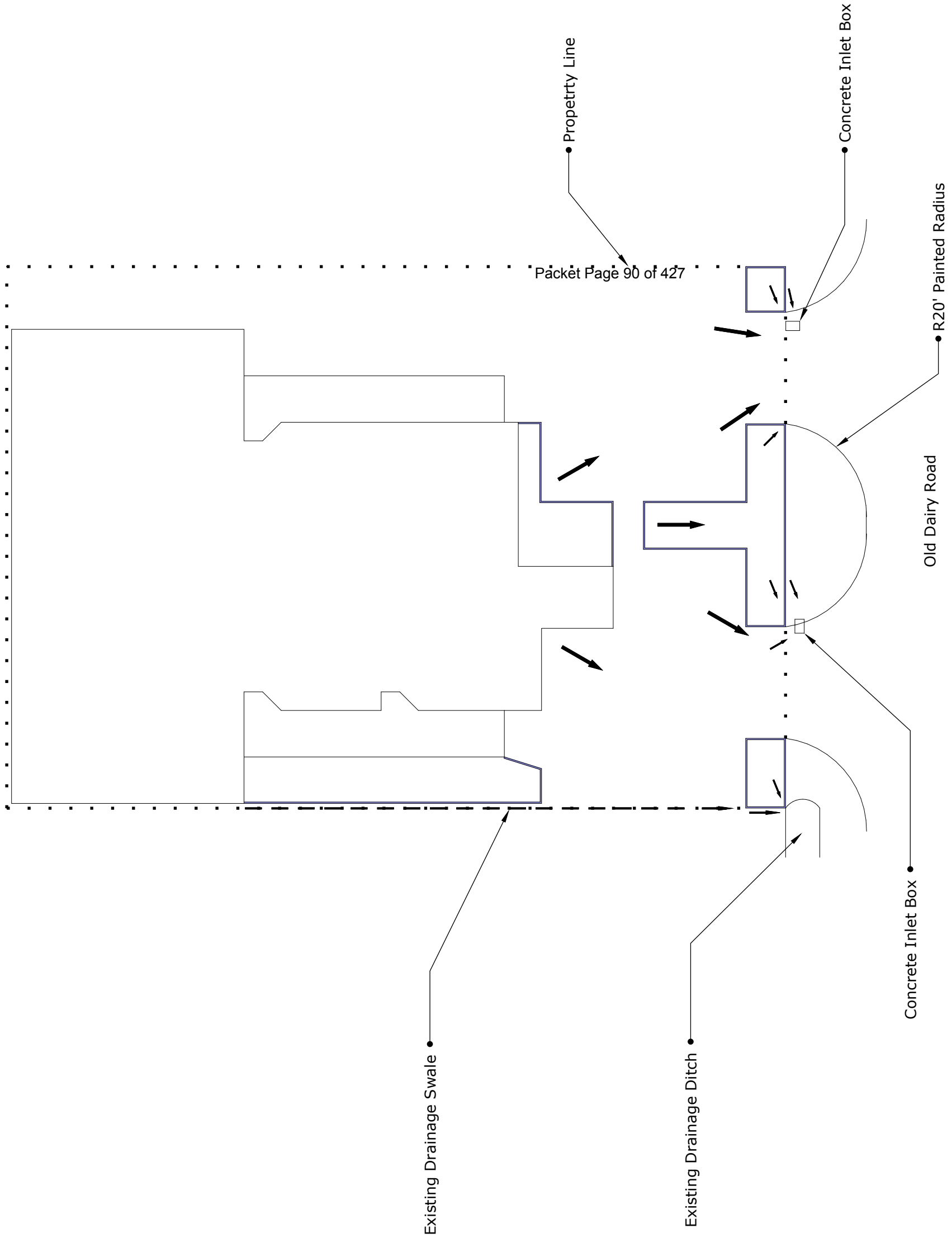
From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 16, 2017 3:22 PM
To: Haynes, Emily R (DOT); Schmidt, Joanne M (DOT); Ron King
Subject: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hi there,

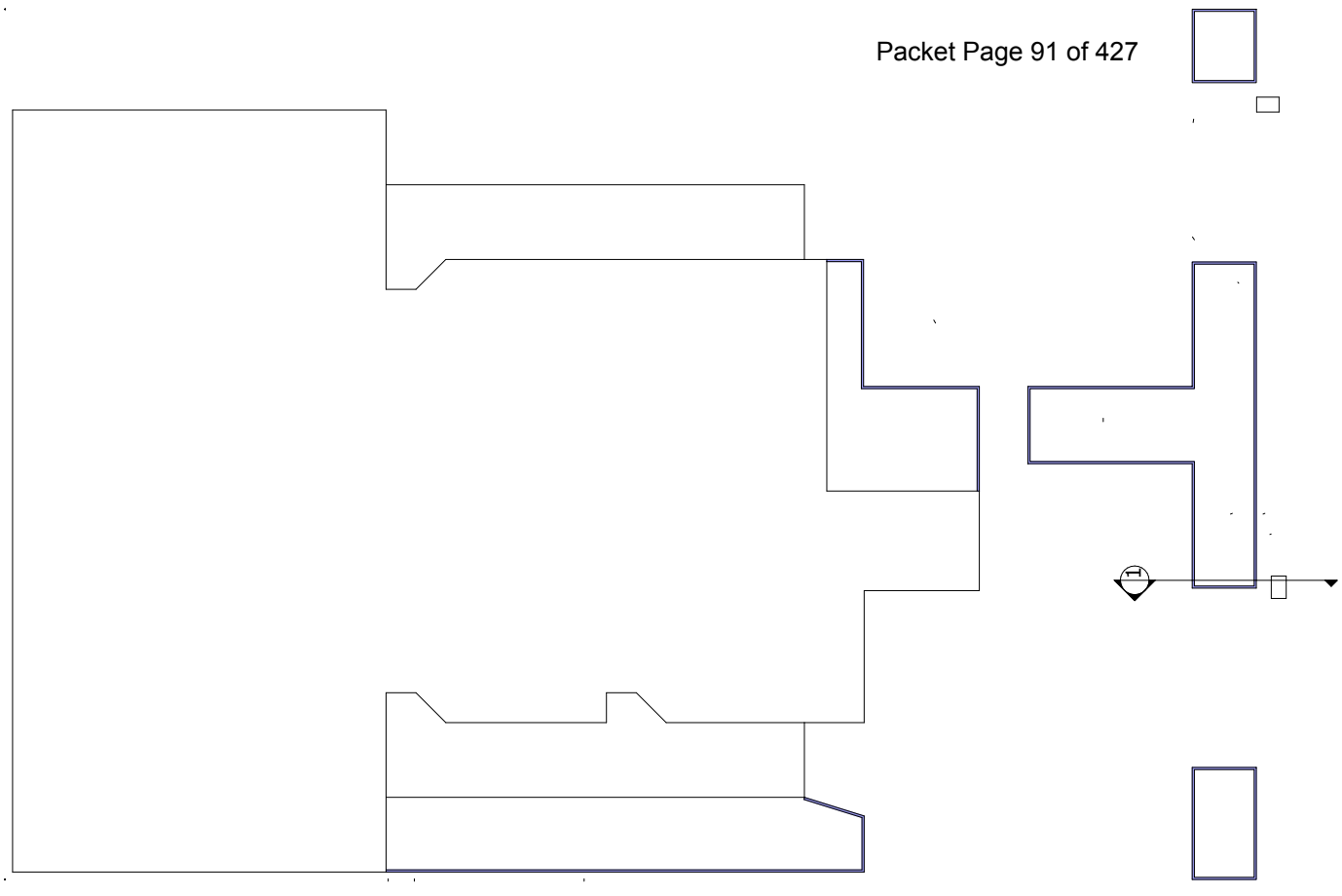
I've been working with Jonathan Yazzle for several weeks since we met at the site visit, and would appreciate your review of these new revised parking plans. Please let me know if this plan addresses DOT and CBJ Engineering concerns for the development.

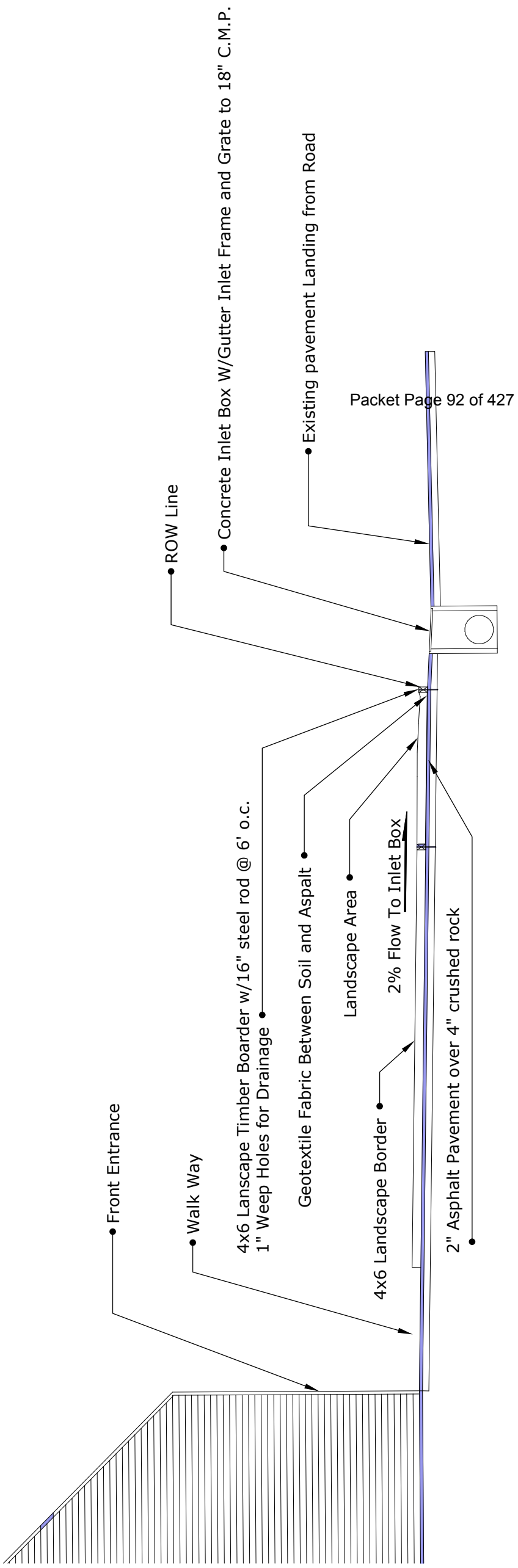
Thanks very much,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755



Attachment 14 - Drainage and Vegetative Cover Plan Details



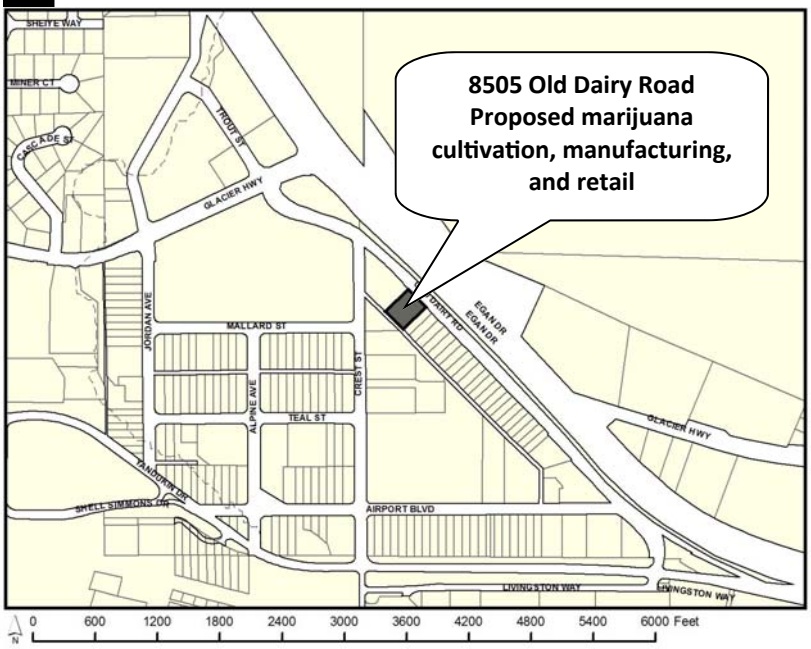

ROW Line
Concrete Inlet Box W/Gutter Inlet Frame and Grate to 18" C.M.P.
Existing pavement Landing from Road
Front Entrance
Walk Way
4x6 Lanscape Timber Boarder w/16" steel rod @ 6' o.c.
1" Weep Holes for Drainage
Geotextile Fabric Between Soil and Aspalt
4x6 Landscape Border
Landscape Area
2% Flow To Inlet Box
2" Asphalt Pavement over 4" crushed rock

Detail 1

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

Three applications have been submitted for consideration and public hearing by the Planning Commission for **conditional use permits** to allow **marijuana cultivation, manufacturing, and retail** at **8505 Old Diary Road** in the **General Commercial zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through Oct. 7, 2017

Your comments to the Planner, **Teri Camery**, will be included in the staff report.

Oct. 7, 2017 through 3 pm, Oct. 24, 2017

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Oct. 24, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Oct. 25, 2017

The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case Nos.: USE2017 0010 (manufacture), USE2017 0011 (retail), USE 2017 0012 (cultivation)
Parcel No.: 5B1501010080
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: September 22, 2017

USE2017 0010,11,12

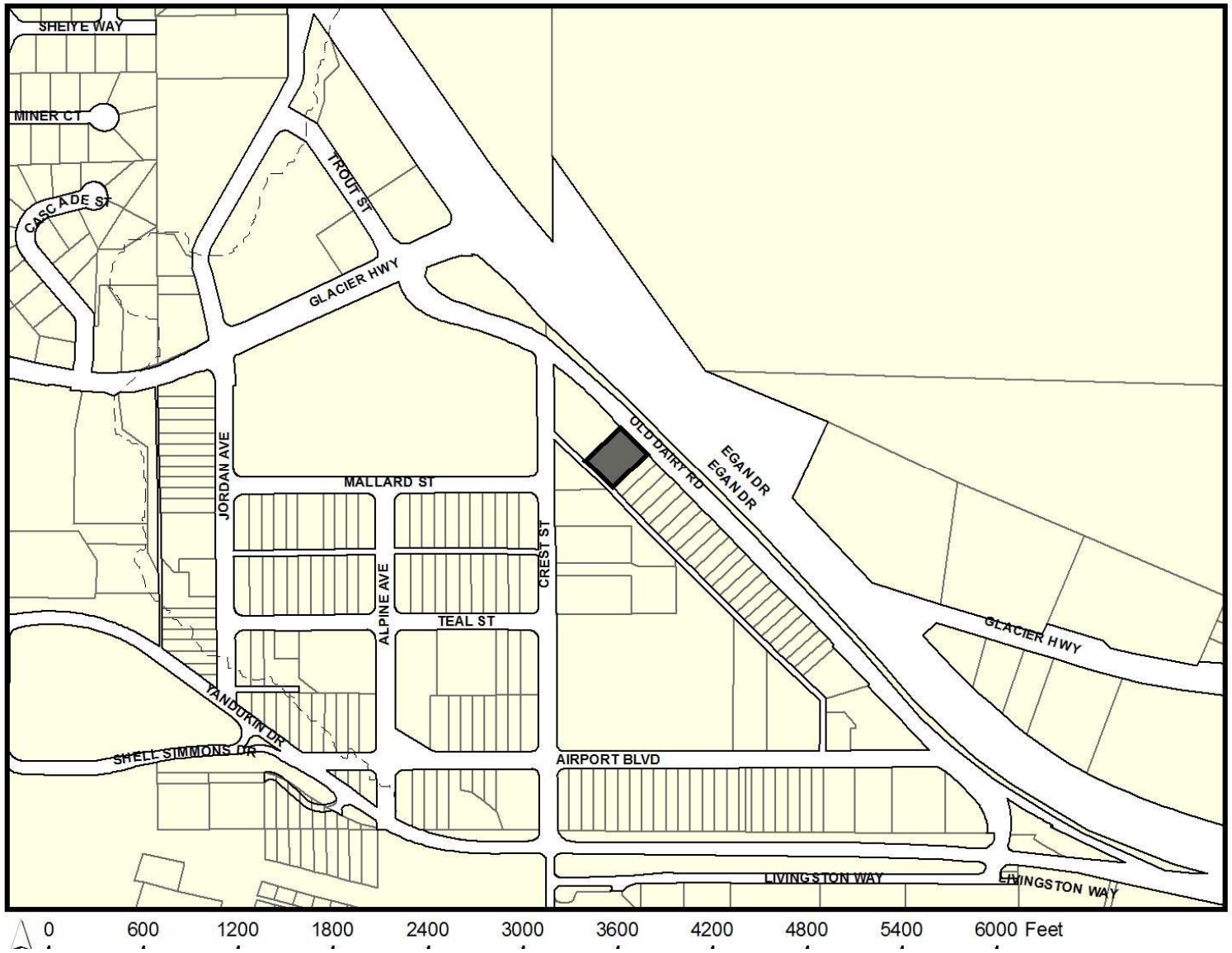
Conditional Use Permits to allow marijuana manufacturing, retail, and cultivation in the General Commercial Zoning District

Planning Commission Meeting

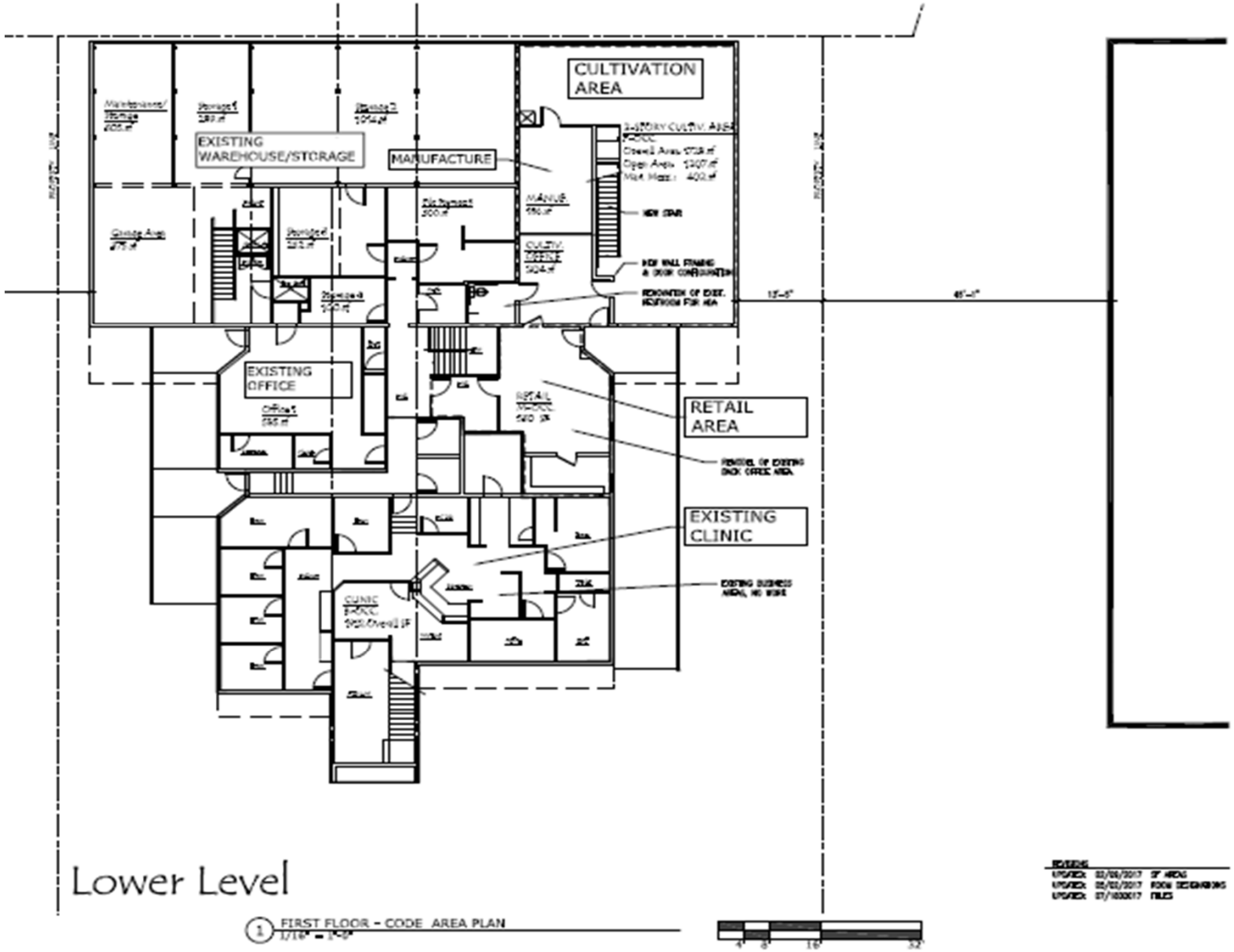
October 24, 2017

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

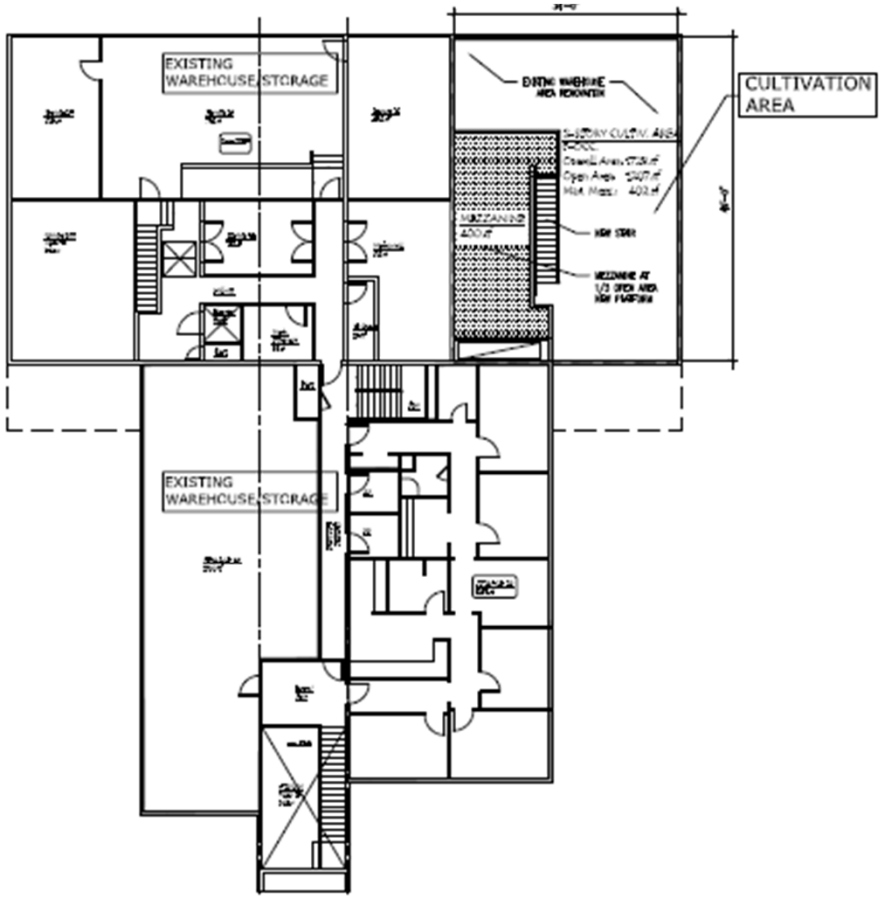
Vicinity Map



Lower Level Floor Layout



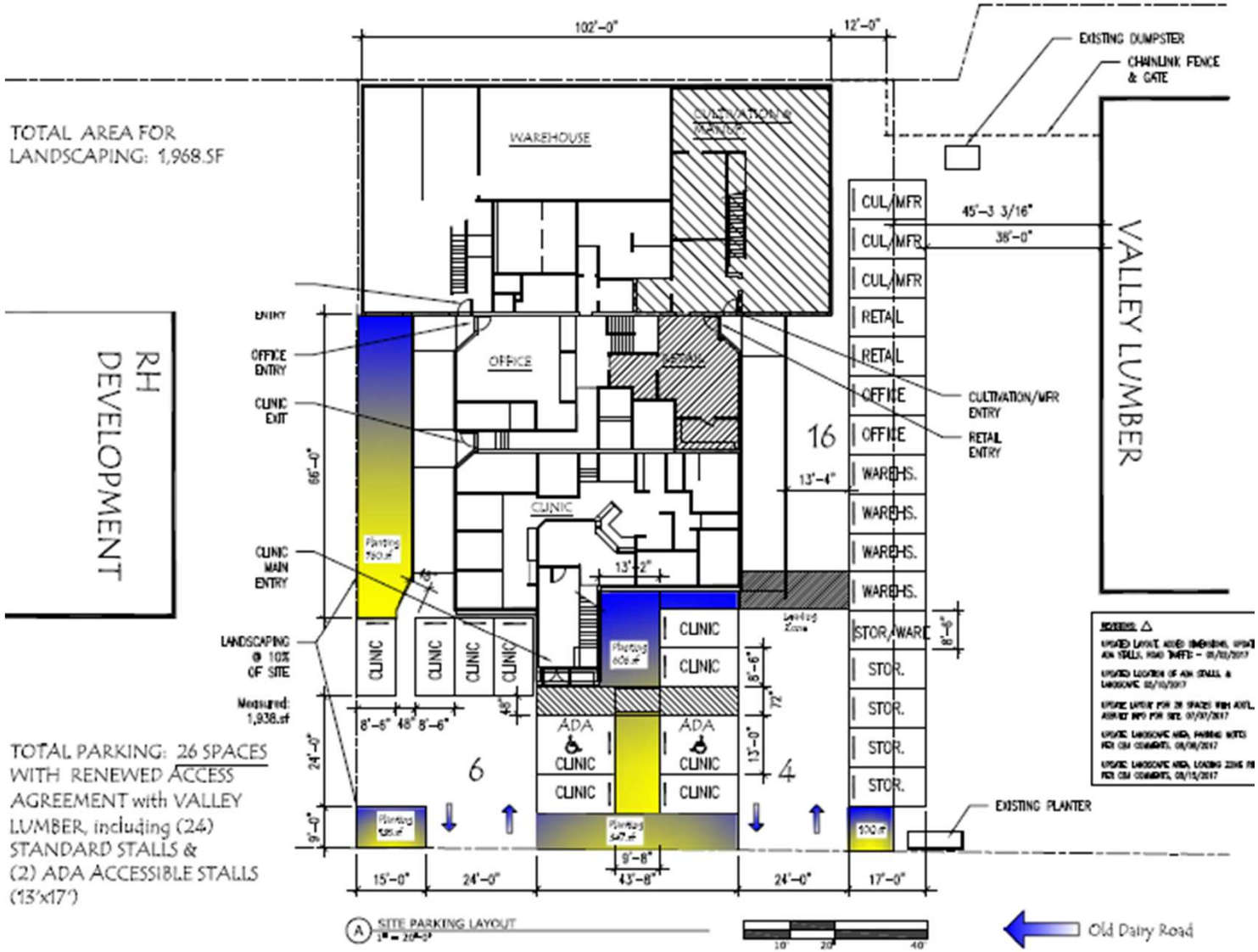
Upper Level Floor Layout



Upper Level

2 SECOND FLOOR - CODE AREA PLAN

Parking and Vegetative Cover Site Plan



USE2017 00010-12 Findings

- Applications are complete
- Appropriate according to the Table of Permissible Uses
- Complies with other requirements
- No evidence of danger to public health or safety
- No evidence that the development will decrease property value or be out of harmony with the neighborhood
- Conforms with adopted plans including the Comprehensive Plan
- Juneau Coastal Management Plan is not applicable

USE2017 0010-12 Recommendations

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the Conditional Use Permits, with the following conditions:

For USE2017 0010, Manufacturing

1) All CO_2 enrichment processes, plant extraction processes, fumigation, and the use and storage of pesticide, fungicide, miticides and thermal insecticide fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.
2) The CO_2 generator shall have an automatic shut off.
3) All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.

Recommendations

1) Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
2) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
3) USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Recommendations

For USE2017 0011, Retail

1) All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2) Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4) USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Recommendations

For USE2017 0012, Cultivation:

1) All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2) Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4) USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF DECISION

Date: October 26, 2017
File No.: USE2017 0011

Forget Me Not, Inc.
8505 Old Dairy Road
Juneau, AK 99801

Proposal:	A Conditional Use Permit for a marijuana retail establishment in the General Commercial zoning district
Property Address:	8505 Old Dairy Road
Legal Description:	Field Meadows Lot 23A
Parcel Code No.:	5B1501010080
Hearing Date:	October 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 13, 2017, and approved the Conditional Use Permit for a marijuana retail establishment in the General Commercial zoning district to be conducted as described in the project description and project drawings submitted with the application (and with the following conditions:)

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail), and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Attachments: October 13, 2017 memorandum from Teri Camery, Community Development Department, to the CBJ Planning Commission regarding USE2017 0011.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, October 24, 2017

Expiration Date: The permit will expire 18 months after the effective date, or April 24, 2019 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Conditional use permits issued to marijuana establishments under CBJ chapter 49.65.1245(e) shall be subject to review by the commission every five years from the date of issuance. Such review shall be subject to CBJ 49.15.330 except that the commission may only amend or add conditions if necessary to ensure compliance with this title.

Project Planner: _____ _____

Teri Camery, Senior Planner
Community Development Department

Benjamin Haight, Chair
Planning Commission

_____ November 3, 2017

Filed With City Clerk Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 13, 2017

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

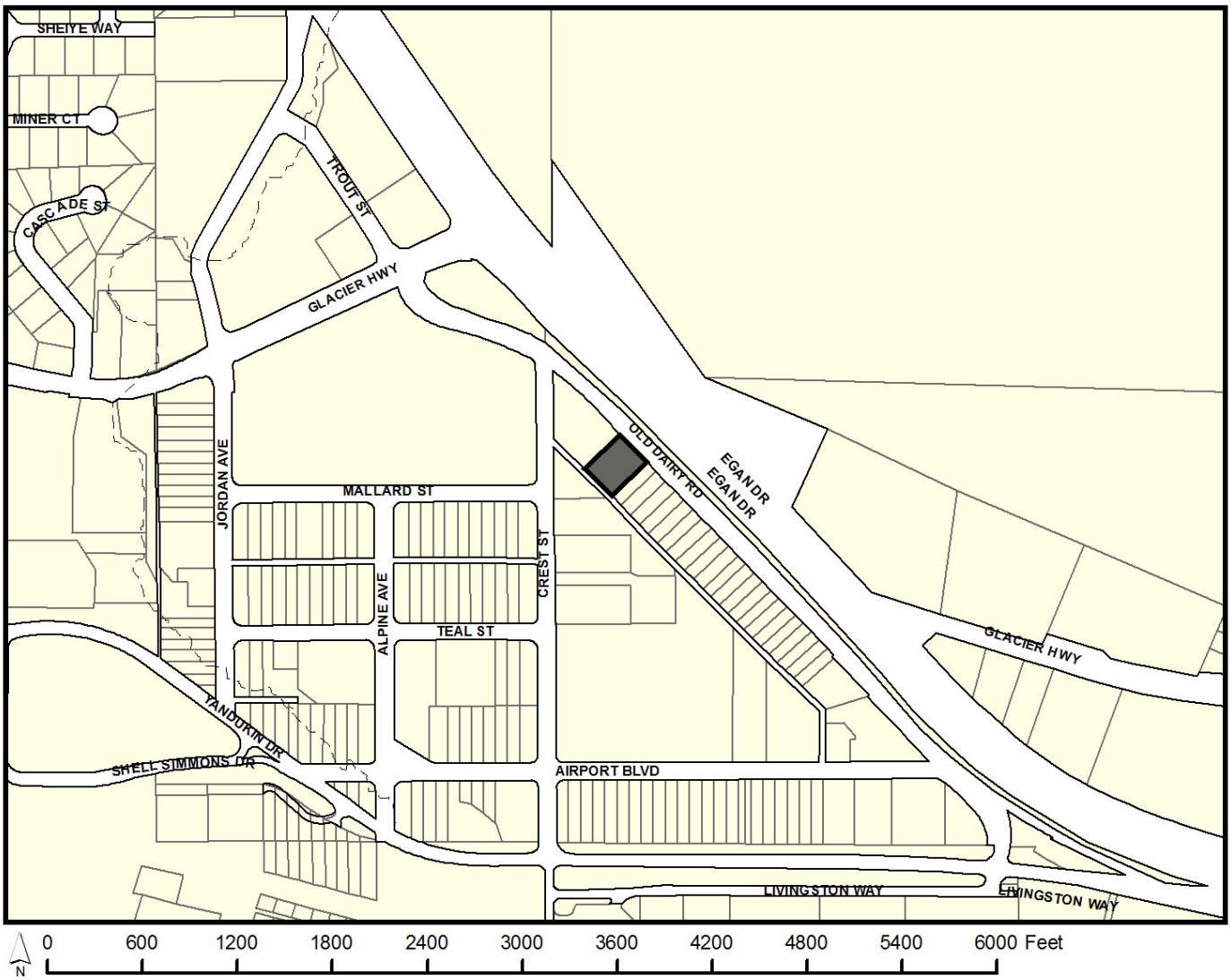
FILE NO.: USE2017 0011

PROPOSAL: A Conditional Use Permit for a marijuana retail establishment in the General Commercial zoning district

GENERAL INFORMATION

Applicant:	Forget Me Not, Inc.
Property Owner:	Juneau Rental Space, LLC
Property Address:	8505 Old Dairy Road
Legal Description:	Field Meadows, Lot 23A
Parcel Code Number:	5B1501010080
Site Size:	19,402 sq. ft.
Comprehensive Plan Future Land Use Designation:	Commercial
Zoning:	General Commercial (GC)
Utilities:	CBJ Water and Sewer
Access:	Old Dairy Road
Existing Land Use:	Medical Clinic
Surrounding Land Use:	North - Old Dairy Road; General Commercial South - Valley Lumber; Industrial East - Valley Lumber; General Commercial West - Juneau Fly Fishing; General Commercial

VICINITY MAP



ATTACHMENTS

Attachment 1	Development Permit Application
Attachment 2	Conditional Use Permit Application
Attachment 3	Project Narrative
Attachment 4	Project Narrative email supplement 10/2/17
Attachment 5	Retail floor plan
Attachment 6	Surveillance camera layout
Attachment 7	Property survey
Attachment 8	Lower level floor plan
Attachment 9	Upper level floor plan
Attachment 10	Parking and vegetative cover site plan
Attachment 11	Parking count summary
Attachment 12	Valley Lumber Parking Agreement
Attachment 13	Alaska Department of Transportation and CBJ Engineering parking correspondence
Attachment 14	Drainage and Vegetative Cover Plan details
Attachment 15	Can-66 Retail area carbon filters

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a marijuana retail establishment in the General Commercial zoning district at 8505 Old Dairy Road. The applicant is also requesting Conditional Use Permits for marijuana cultivation and manufacturing, which are under review separately as USE2017 0012 (cultivation) and USE2017 0010 (manufacturing).

BACKGROUND

The applicant has submitted an application with the State of Alaska Marijuana Control Board and will obtain a CBJ Marijuana License if both the state license and this Conditional Use Permit are approved. The inspection required for the CBJ marijuana license will ensure that the applicant is held to the plans proposed, to special use requirements found in CBJ 49.65.1200, and to any conditions required by this permit.

According to CBJ 49.65.1245(e), an approved Conditional Use Permit for marijuana establishments is subject to review by the Commission every five years from the date of issuance.

INTERNAL REVIEW AND PUBLIC COMMENT

No public comments have been received at this writing.

An agency review period was conducted from July 5-16. No comments were received from Alaska Electric Light and Power (AEL&P), Capital City Fire Rescue (CCFR), CBJ Streets, or the CBJ Assessors Office.

CBJ Engineering commented that, "No discharge from plant watering or other growing uses may be discharged into the public wastewater system. The discharge shall be treated, free of contaminants and disposed into an approved storm drainage system." This issue relates to marijuana cultivation and will be addressed in the review of USE2017 0012.

The Alaska Department of Environmental Conservation Air Compliance Program commented that, "The applicant is proposing carbon filter odor controls for CO2 extraction process and hydroponic grow operations. Division of Air Quality has no comment or concern provided that the CBJ Conditional Use permit calls for use and maintenance of these odor controls." This issue relates to marijuana cultivation and manufacturing, and will be addressed in the review of USE2017 0010 and USE2017 0012.

The Alaska Department of Transportation and Public Facilities (ADOT/PF) requested additional review of the driveway and parking lot design. Staff met with ADOT/PF, CBJ Engineering, and the applicant on July 13, 2017 at the site, and followed up with phone meetings and email correspondence to develop a final parking and vegetative cover plan. This plan is addressed in the Analysis section of this report under traffic/parking.

ANALYSIS

Project Site – The subject site is located at 8505 Old Dairy Road, next to Valley Lumber. The building was constructed in 1984 and has legally non-conforming setbacks of 0 feet on the rear and side property lines. The front yard setback is approximately 20 feet to the building entrance, which exceeds the minimum front yard setback requirement of 10 feet in the General Commercial zoning district.

Other uses will continue to operate on the property. As noted earlier, the applicant is applying for marijuana retail, manufacturing, and cultivation in three separate Conditional Use Permits.

Project Design – The building is undergoing extensive internal renovations, with authorized CBJ Building Permits, to accommodate the marijuana retail, cultivation, and manufacturing in conformance with state and local marijuana regulation requirements. The site plan in Attachments 8, 9, & 10 shows all three marijuana uses, in addition to the existing medical clinic.

The applicant has provided a complete analysis of uses and associated parking requirements for the building, included in Attachment 11. Staff has reviewed this analysis and confirmed that it addresses all CBJ Code requirements.

The retail portion of the building will be located on the first floor. The retail entrance will be located in the southwest corner of the building, separate from the medical clinic entrance. The retail floor plan is shown in Attachment 5. Attachment 8, the lower level floor plan, shows the clinic, warehouse, and cultivation uses adjacent to the retail area.

The hours of operation for the retail store will be 7 pm to 11 pm Monday through Friday and 5 pm to 11 pm Saturday and Sunday, after the medical clinic closes each day. The business will have five employees total among the marijuana retail, cultivation, and manufacturing businesses combined.

Page one of the Project Narrative (Attachment 3) describes secure product handling protocols for the operation. Page two of the narrative describes security procedures, and a surveillance camera layout has been provided in Attachment 6.

State and local regulations require that no marijuana products be visible from a public right-of-way. In Attachment 4, Project Narrative Supplement, the applicant has explained that the manufacturing and cultivation areas will be located in a warehouse space without windows. The windows of the retail store will be opaque so that the interior cannot be seen from the outside. There will be one sign over the entrance that will not be visible from the public right-of-way.

CBJ 49.65.1245 identifies additional submittal requirements for marijuana establishments. Those items to be reviewed are detailed below.

Ventilation & Filtration/Odor – CBJ 49.65.1245(a)(6) requires a ventilation and filtration plan for marijuana cultivation, but not for manufacturing or retail. The applicant has provided a ventilation and filtration system for the manufacturing and cultivation Conditional Use permits, Can-66 carbon filters will be used for the retail area, per Attachment 15.

Security – According to CBJ 49.65.1245(a)(2), applicants are required to submit a security plan. State regulations require exterior lighting, alarm systems, video monitoring, and commercial grade door locks. The applicant has addressed these requirements in the Project Narrative, Attachment 3, and in the Surveillance Camera layout, Attachment 6.

Waste disposal – The application does not contain a protocol for waste disposal. Staff recommends the following condition:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ Landfill.

Screening – CBJ 49.65.1245(a)(4) prohibits marijuana product being visible to the public from the right-of-way. As noted earlier, the applicant has explained that the manufacturing and cultivation areas will be located in a warehouse space without windows. The windows of the retail store will be opaque so that the interior cannot be seen from the outside. There will be one sign over the entrance that will not be visible from the public right-of-way (Attachment 4).

CBJ 49.15.330(g) identifies the general items that staff reviews for all Conditional Use Permits. Those items are detailed below.

Traffic – Traffic to and from the site will consist of customers, employees, and supply delivery. The applicant anticipates a total of five employees for the full operation of marijuana retail, cultivation, and manufacturing. The applicant expects 3-5 cars per hour for retail, and 1-2 cars per day for marijuana manufacturing and cultivation combined (Attachment 4).

CBJ 49.40.300 states that a traffic impact analysis is not required when a development is projected to generate less than 250 average trips in a day. Further, the expected traffic generated is considerably less than typical uses in the General Commercial zoning district.

Parking and Circulation – Other uses, including medical clinic, office, and warehouse space, will continue to operate in the building, and the applicant is proposing marijuana cultivation and manufacturing as well as retail. The applicant has provided a complete analysis of uses and associated parking requirements for the building, included in Attachment 11. Staff has reviewed this analysis and confirmed its accuracy and conformance with CBJ 49.40.210 and 49.40.220.

Staff met with Alaska Department of Transportation and Public Facilities (ADOT/PF) staff, CBJ Engineering staff, and the applicant at the project site to review the proposed parking plan for public safety impacts. The parking area is not currently delineated and has no defined separation from Old Dairy Road, which may pose safety concerns.

Staff worked with ADOT/PF, CBJ Engineering, and the applicant over a period of months to develop a revised parking plan that addresses safety concerns and also addresses CBJ vegetative cover requirements. The final revised plan is included in Attachment 10. ADOT/PF and CBJ Engineering email correspondence has been included in Attachment 13 for reference.

ADOT/PF has accepted the revised plan contingent on approval of a driveway permit, which the applicant has applied for. CBJ Engineering accepted the revised plan after receiving additional information regarding vegetation and drainage. These details are included in Attachment 14.

Staff recommends two conditions to address the parking plan, as follows:

2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.

3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete parking lot striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

Finally, staff notes that the final parking plan is dependent on a parking agreement with the adjacent property owner to the west, Valley Lumber, because the proposed parking spaces cross over the property line onto Valley Lumber property. This parking agreement, provided as Attachment 12, expires on August 22, 2022. According to CBJ 49.65.1245(e), an approved Conditional Use Permit for marijuana establishments is subject to review by the Commission every five years from the date of issuance, which will be October 24, 2022 if the Commission approves the Conditional Use Permit at the scheduled hearing. To address the parking agreement expiration date, staff recommends the following condition:

4. USE2017 0010 (Manufacturing), USE2017 0011 (Retail) and USE2017 0012 (Cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Noise – Surrounding uses include Valley Lumber, Juneau Flyfishing Goods, and a pawn shop, zoned General Commercial (GC) and Industrial (I). There are no residences in the vicinity. Noise from the proposed facility is will be generated only from traffic. Noise impacts are therefore expected to be typical of the General Commercial zoning district.

Public Health or Safety – Attachment 3, Project Narrative, provides a detailed explanation of product handling methods, security measures, and prohibitions. With implementation of these protocols, no evidence indicates a risk to public health or safety.

Habitat – No habitat regulated by Title 49 is affected by this proposal.

Vegetative Cover – CBJ 49.50.300 requires that ten percent of the site be maintained with live vegetative cover in the General Commercial zoning district. The subject parcel is 19,402 square feet, therefore 1,940 square feet of vegetative cover is required. The proposed site plan, included in Attachment 10, meets this requirement with 1,948 square feet of vegetation. The parking section of this report includes a recommended condition which also addresses vegetation, repeated below:

3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete parking lot striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

Property Value or Neighborhood Harmony – Adjacent existing uses in the neighborhood include Valley Lumber retail to the west; Valley Lumber storage to the south; and Juneau

Flyfishing Goods and a pawn shop to the east. Old Dairy Road and Egan Drive are north of the parcel.

The proposed marijuana retail establishment will generate traffic typical of any retail establishment in a General Commercial zone. The applicant will comply with screening requirements, odor control, and waste management in conformance with CBJ Code. There is no evidence to suggest that the use will have an impact on property value or be out of harmony with the neighborhood.

Conformity with Adopted Plans – The subject site is located in Subarea 4, Map G, of the 2013 Comprehensive Plan and has a land use designation of Commercial (C).

Page 148 of the Comprehensive Plan describes the Commercial land use designation as "Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or other large employment centers. Mixed retail/residential/office uses are allowed and encouraged."

The proposed marijuana retail use, along with the marijuana manufacturing and cultivation uses proposed and under review with USE2017 0010 and USE2017 0012, are compatible with this designation.

Staff further reviewed the 2013 Comprehensive Plan for policies that may be relevant to the proposal:

POLICY 5.1. TO DEVELOP AND SUSTAIN A DIVERSE ECONOMY, PROVIDING OPPORTUNITIES FOR EMPLOYMENT FOR ALL RESIDENTS.

POLICY 5.10 TO ENCOURAGE RESIDENTS AND BUSINESSES TO "LOOK LOCAL FIRST" FOR PURCHASES OF GOODS AND SERVICES.

POLICY 5.11 TO ENCOURAGE THE LOCATION AND GROWTH OF LOCALLY-BASED SECTOR INDUSTRIES THAT PROVIDE YEAR-ROUND, FULL-TIME EMPLOYMENT AND PROVIDE TAX REVENUES THAT SUPPORT PUBLIC SERVICES

POLICY 5.18. TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.

The proposed development would help to diversify the economy and is a new business as encouraged by these policies.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ 49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. Staff finds the application contains the information necessary to conduct a full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 2.300 for the General Commercial zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter as well as CBJ 49.65.1245. Public notice of this project was provided in the October 13, 2017 and

October 20, 2017 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public right-of-way.

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

No. Based on the preceding analysis and application materials, the applicant has proposed a surveillance and security system that meets the minimum state and local regulations. No evidence indicates that the proposed development will endanger the public health or safety.

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

No. Based on the preceding analysis, the proposed marijuana retail facility is not expected to decrease the value of or be out of harmony with property in the neighborhood. The proposed use is surrounded by General Commercial and Industrial zoning districts with retail and lumber storage uses and will impacts typical of the General Commercial zoning district.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The development of private businesses in Juneau is supported by the Comprehensive Plan. Further, the Commercial land use designation supports retail uses.

Per CBJ 49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

N/A

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana retail establishment in the General Commercial zone. The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.

2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.

3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

4. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received:
USE 2017-0011		5/30/17

Project Name (City Staff to Assign Name)

INFORMATION

Project Description
Marijuana Retail Shop

PROPERTY LOCATION

Street Address	City/Zip
8505 Old Dairy Rd	Juneau, Alaska 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): Lot 23A of Field Meadows Subdivision of US Survey 1195

Assessor's Parcel Number(s): 5B1501010080

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
Juneau Rental Space, LLC	Adam Gray	907-419-0094
Mailing Address	**Home Phone:**	**Fax Number:**
8505 Old Dairy Rd Juneau, Alaska 99801	907-780-4111	907-780-3111
E-mail Address	**Other Contact Phone Number(s):**	
agray@jrsak.com		

PROJECT / APPLICANT

LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.

B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X _____ Landowner/Lessee Signature — Date: 5/24/17

X _____ Landowner/Lessee Signature — Date: _____

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name	Contact Person:	Work Phone:
ForgetMeNot, Inc. dba Glacier Valley Shop	Roland Gray	907-500-3886
Mailing Address	**Home Phone:**	**Fax Number:**
8505 Old Dairy Rd	907-419-0094	
E-mail Address	**Other Contact Phone Number(s):**	
agray@forgetmenotak.com		

X _____ Applicant's Signature — Date of Application: 5/24/17

----------OFFICE USE ONLY BELOW THIS LINE----------

STAFF APPROVALS

✔	Permit Type	***SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
✔	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/30/17	USE 17-011
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe) _____			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

Attachment 1 - Development Permit Application

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
	Forget Me Not	use 17-011	5/30/17

TO BE COMPLETED BY THE APPLICANT

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)

☒ Use Listed in §49.25.300 (Table of Permissible Uses) (USE)

Please list the Table of Permissible Uses Category: *2.300 Marijuana Retail Store*

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

Retail of Marijuana Products

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES – Case #

CURRENT USE OF LAND OR BUILDING(S): *GC-General Commercial zoned. B-Occupancy; Single Clinic & Warehouse/Storage.*

PROPOSED USE OF LAND OR BUILDING(S): *Modify zone of building to add M-1 Occupancy Marijuana Retail Store*

UTILITIES PROPOSED: WATER: ☐ Public ☒ On Site SEWER: ☐ Public ☒ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot *19,402* square feet Total Area of Existing Structure(s) *17,500* square feet

Total Area of Proposed Structure(s) *518* square feet

EXTERNAL LIGHTING:

Existing to remain ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☒ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- ☒ Site Plan
- ☒ Floor Plan of proposed buildings
- ☒ Elevation view of existing and proposed buildings
- ☒ Proposed Vegetative Cover
- ☒ Existing and proposed parking areas (including dimensions) and proposed traffic circulation
- ☒ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 580.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50.00			
Pub. Not. Sign Deposit	$ 100.00			
Total Fee	$ 650.00	1597	6dd9305	5/30/17

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Site Plan and Location Narrative
ForgetMeNot, Inc
Owner - VC Enterprises, LLC
8505 Old Dairy Road
Juneau, AK 99801
Dairy Road Building
General Commercial Zoning

Scope: We plan to operate a marijuana retail facility in an existing office space on Old Dairy Road.

Area: Our building is zoned General Commercial and its use code is Office/Storage. We are located between Valley Lumber and RH Development. Our operation will not increase the level of noise in the area.

Existing physical features: We are not aware of any hazard, drainage or habitat areas on this property.

Construction: A retail office and secure product storage room will be constructed on the premises.

Hours of operation: The retail facility will be operational 3 to 4 hours a day between 7:00 PM – 11:00 PM M-F and 5:00 PM to 8:00 PM Sat – Sun.

Sign: Aside from those required by law, this facility will be designated with one small sign located on the entrance door.

Parking: The location will have 3 designated parking spaces per our lease. Additional parking may be available at the landlords discretion.

Product Handling: The company will assign designated members from management and ownership, tasked with inspecting and approving all marijuana products, packaging, and labeling prior to sale. When a delivery arrives to the facility, the daily manager will take photocopies of all paperwork involved in the transfer to inspect. Marijuana products transported from cultivation or manufacturing facilities will be inspected for quality and consistency with the transport manifest and shipment labels. When edibles and concentrates are delivered from a manufacturer, the designated member will inspect for contamination, testing, and ensure consistency with the transport manifest and the label. Labels will be checked for: (1) name and license number of the providing entity; (2) production lot and batch number; (3) strain information; (4) net weight of the product in the package (not including weight of packaging); and (5) packaging date and expiration date. The transport manifest will be checked for: (1) name and license number of the providing entity; (2) delivery date; (3) start time and estimated arrival time; (4) strain and batch information; (5) delivery driver name and handler's card verification; and (6) the weight of the products transferred. Once a delivery is approved, the inventory will be accepted into the facility, and entered into the POS metric tracking system with all mandatory information designated by AMCO. The shipment information will be both recorded in Metrc and stored on-site as official business records. Both the transporting agent and the manager will sign the paperwork expressing that all information is deemed correct and the transfer took place.

Security: Exterior security lighting will be installed to illuminate a 20 foot radius around each exterior door to provide sufficient lighting for surveillance cameras. Because we are located in an commercial/industrial area, ambient lighting from other buildings will allow for surveillance cameras to have sufficient lighting beyond the prescribed 20 foot radius.

The alarm system will be activated on all exterior doors when the licensed premises is closed for business. Motion detection alarms will be installed throughout interior of the facility. These alarms will notify the security monitoring company, law enforcement and the owners if any intruders are detected during non-business hours. Exterior doors will have contact sensors that are activated when the facility is closed for the night.

Security cameras will also be accessible for off-site monitoring via the internet.

In the event of a breach of security during non-business hours, a designated manager or owner will assist the local law enforcement agency and provide access to security footage requested. In the event of an incident while the facility is open, employees will attempt to evacuate any visitors and themselves and alert authorities. All security breaches will be logged with an incident report.

Cameras will be placed at each entrance throughout the premises, inside the secured room and throughout the grow area. Cameras will also be placed outside the building adjacent to building lights to ensure any activity within 20 feet of the building is captured.

Official logs and records will be kept in a secured cabinet within the security room. Only owners and one trusted employee will be able to access the security room and secured cabinet. These people are the only ones authorized to escort law enforcement or an agent of the board to the secured cabinet for inspection. The cabinet will be made of metal and will have a secure lock.

No loitering signs, and other signs as required by law, will be posted near each entrance. Employees will be trained to recognize and disperse loiterers.

Prohibitions: The retail location will not sell, offer to sell, give, distribute, or deliver marijuana or marijuana products to any consumers who are: (1) not physically present on the licensed premises; (2) under the influence of an alcoholic beverage, inhalant, or controlled substance; or (3) not at least twenty-one (21) years of age at the time of purchase, as evidenced by that consumer's government-issued identification. All customers will enter one main door into the retail area and will be greeted with a employee who is specifically designated to greet the customers and check their ID for the age requirement before allowing the customer to enter further into the retail area. If a person enters the premises exhibiting signs of impairment, Glacier Valley employees and agents will be trained to recognize those signs (to the best of their abilities), refuse all service and sale to that individual, and escort them safely from the premises. If an

customer will be asked to leave and come back at a later date. Additionally, employees and management will exercise strict diligence and compliance with the sale limits embodied in 3 AAC 306.355. A manager and/or security personnel will be on hand to help manage customer ingress and egress.

No more than five visitors will be admitted into the location at one time.

Visitors to the facility will be subject to approval by an owner or manager. No one will be allowed into the facility without owner or manager approval, a valid identification and they must be accompanied by an approved, permitted employee.

Diversion prevention: Our business will use Metre by Franwell as required by the State of Alaska. The system will track cannabis from "seed to sale" with RFID tags. This system is fully accessible to state officials at any time.

Securable and lockable containers will be required for any employee or affiliate to transfer marijuana product from the facility. These containers must be concealed during transit. A certified marijuana handler must accompany the packages at all times.

The transport of marijuana from the facility to another licensed facility will require either the sole presence of the licensee or two employees at a time. All products will be stored and transported securely and in accordance with state and local laws.

Security cameras will monitor all indoor work spaces and storage areas. Employees will be subject to search if suspected of theft or diversion of product. ForgetMeNot, Inc. will have a zero tolerance policy for theft and employees guilty of such will be terminated immediately. Criminal charges may be filed.

Signs stating "Persons under 21 are not allowed on premises" will be posted at all outside access points. Employees will be trained on how to spot fake or illegitimate identification cards. Details from each visitor's ID will logged and stored with other archival records.

Employees/Traffic: To start, only the one to two employees will work in the facility. When the facility is at capacity we expect to hire 2-3 more employees.

Parking: We have 1 parking spots (1 per 1,000 sq. ft.) as part of our lease. Additional parking may be available from the building landlord.

Chemicals, pesticides and fertilizers: Cleaning supplies to be used include the following: bleach, hydrogen peroxide, vinegar, alcohol, and Simple Green.

From: Adam Gray
To: Teri Camery
Subject: Re: traffic estimates and hours of operation
Date: Monday, October 02, 2017 8:57:28 AM

Hi Teri,

Please see the responses in red below. Please let me know if you need anything else. Thanks!

Adam

On Sun, Oct 1, 2017 at 1:51 PM, Teri Camery <Teri.Camery@juneau.org> wrote:

> Hello Adam,
>
> As I delve into the final details of the staff report, I have found a few missing bits of information. Here is a quick list:
>
> 1) Please provide the hours of operation for each use: retail, manufacture, and cultivation: The hours of operation for the Cultivation and Manufacturing operations will be 8:00 AM to 5:00 PM M-F and 9:00 AM to 5:00 PM on Saturday. Both will be closed on Sunday.. The hours of operation for the retail store will be 7:00 PM to 11:00 PM M-F and 5:00 PM to 11:00 PM Sat and Sunday. THe hours of operation for the retail store will be after Juneau Urgent Care closes each day.
>
> 2) Please provide a description of the traffic associated with each use, retail, manufacture, and cultivation. You have listed the number of employees, but not traffic. For example, how many truck supply deliveries do you expect per day or per week for each of the three uses? What other types of traffic would this use generate? There isn't any concern here, it's just something we are obligated to address under code requirements. We expect 3 to 5 cars per hour for the retail and no more than 1 to 2 cars per day for the cultivation and manufacturing combined.
>
> 3) Screening. Code requires that marijuana retail, cultivation, and manufacture cannot be visible from the public right of way. Please describe how you will meet this requirement. The manufacturing and and Cultivation will be located in a non-windowed warehouse space. There will be one non-descript sign on the entrance door that will not be readable from the right of way. The windows of the retail store will be opaque so that the interior can not be seen from outside. There will be one sign over the entrance that again will not be readable from the public right of way.
>
> 4) CBJ staff reports often include a statement about the status of the applicant's other licenses and permits. Have you submitted an application for the State of Alaska Marijuana Control Board, and has Jonathan obtained a final driveway permit from DOT? We have completed our license applications for all three operations. They are currently under review. We expect to be on the agenda for

the November AMCO board meeting. I spoke with Jonathan and he expects the driveway permit to be issued this week.

I would appreciate your quick response to these questions, which is why I have added the obnoxious high importance exclamation point to this email. Hopefully they're easy. I may have a few more before I complete my reports.

Thanks very much,

Teri

Teri Camery, Senior Planner

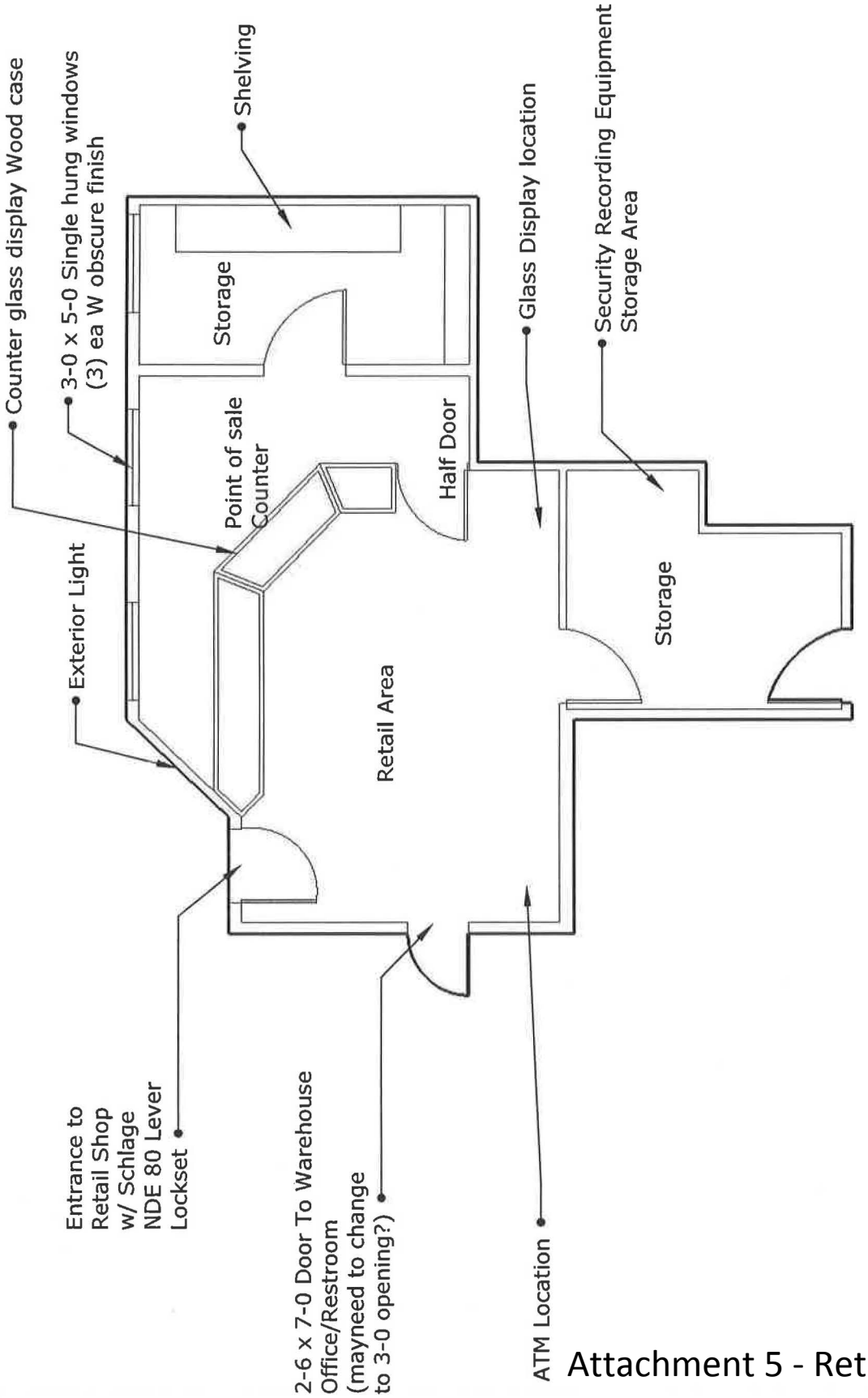
City and Borough of Juneau

Community Development Department

155 S. Seward

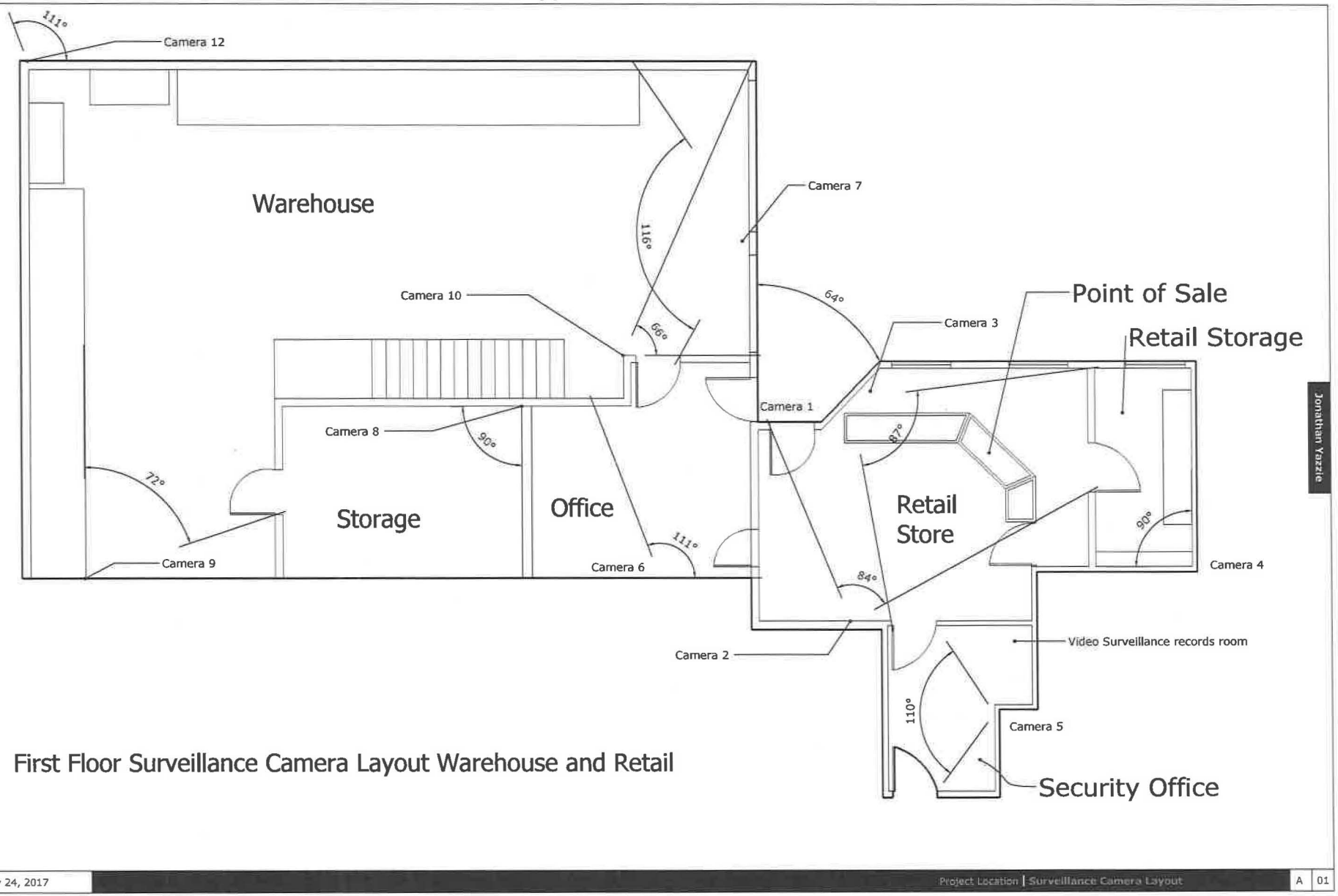
Juneau, AK 99801

(907) 586-0755



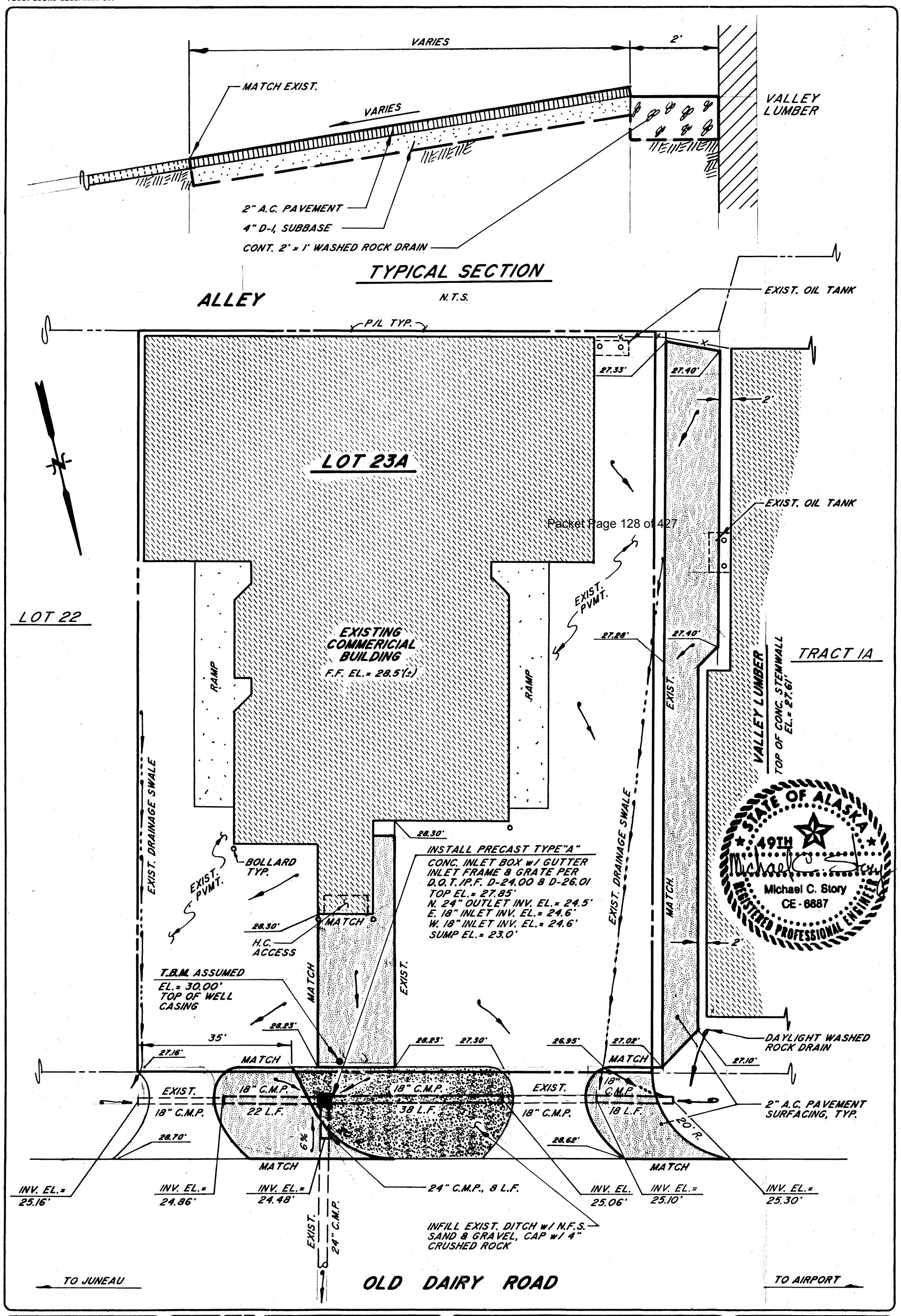
Attachment 5 - Retail Floor plan

Appendix C



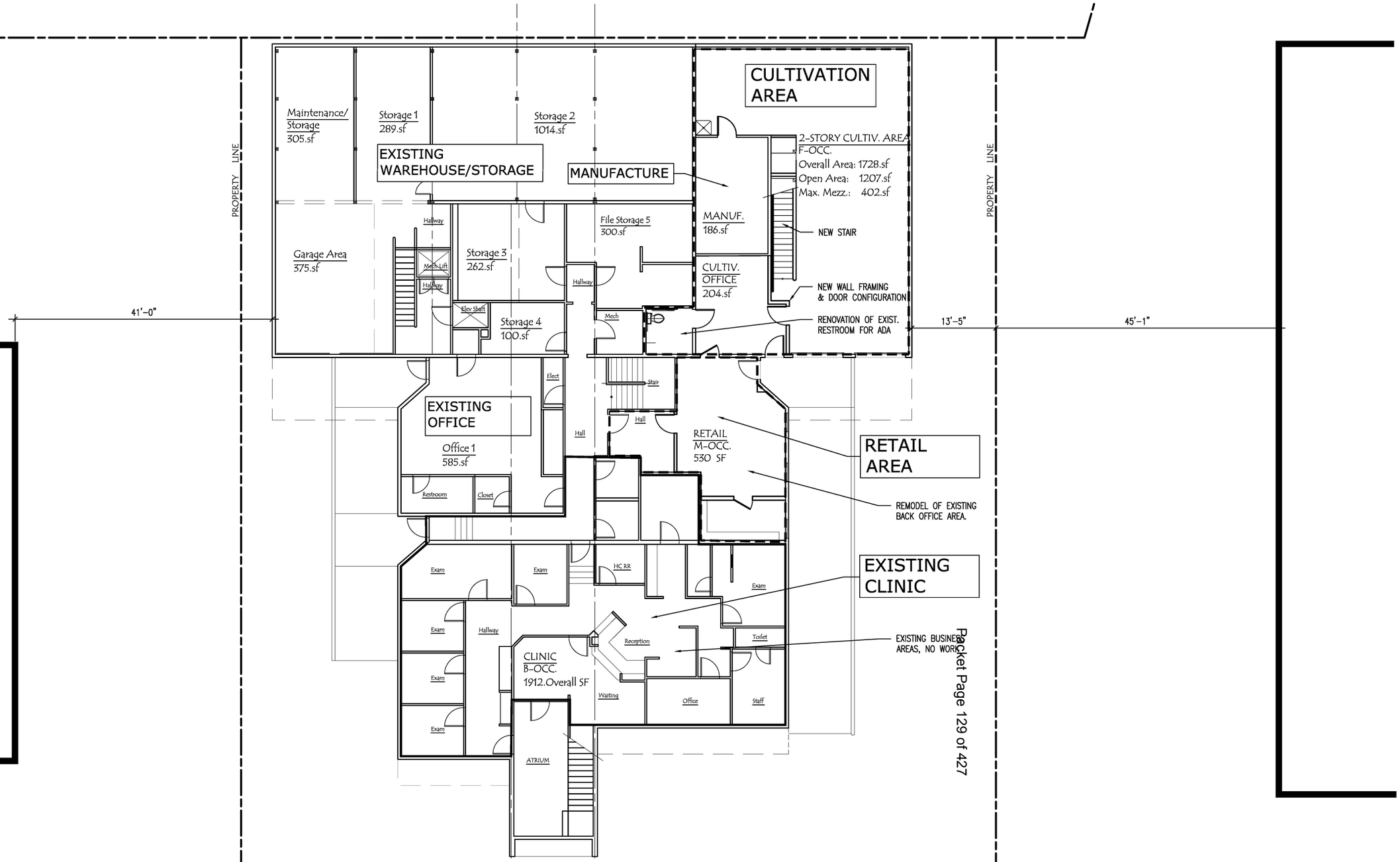
Attachment 6 - Surveillance camera Layout

PUGET SOUND BLUEPRINT CO.



Packet Page 128 of 427

DES: M.L.P.	R&M ENGINEERING, INC. ENGINEERS GEOLOGISTS SURVEYORS	PAVEMENT IMPROVEMENT PLAN FOR LOT 23A FIELD MEADOW SUBDIVISION CITY & BOROUGH OF JUNEAU, ALASKA	DWG. NO. 1 OF 1
CKD: M.A.M.			SCALE: 1" =20'
DWN: M.L.P./F.M.			DATE: 8-24-92
CKD:			PROJ. NO. 921363
APPD: L.P.			GRID: FILE:



Lower Level

1 FIRST FLOOR - CODE AREA PLAN
1/16" = 1'-0"

4' 8' 16' 32'

REVISIONS
UPDATED: 02/09/2017 SF AREAS
UPDATED: 05/02/2017 ROOM DESIGNATIONS
UPDATED: 07/1802017 TITLES

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
07/18/2017

G+A Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

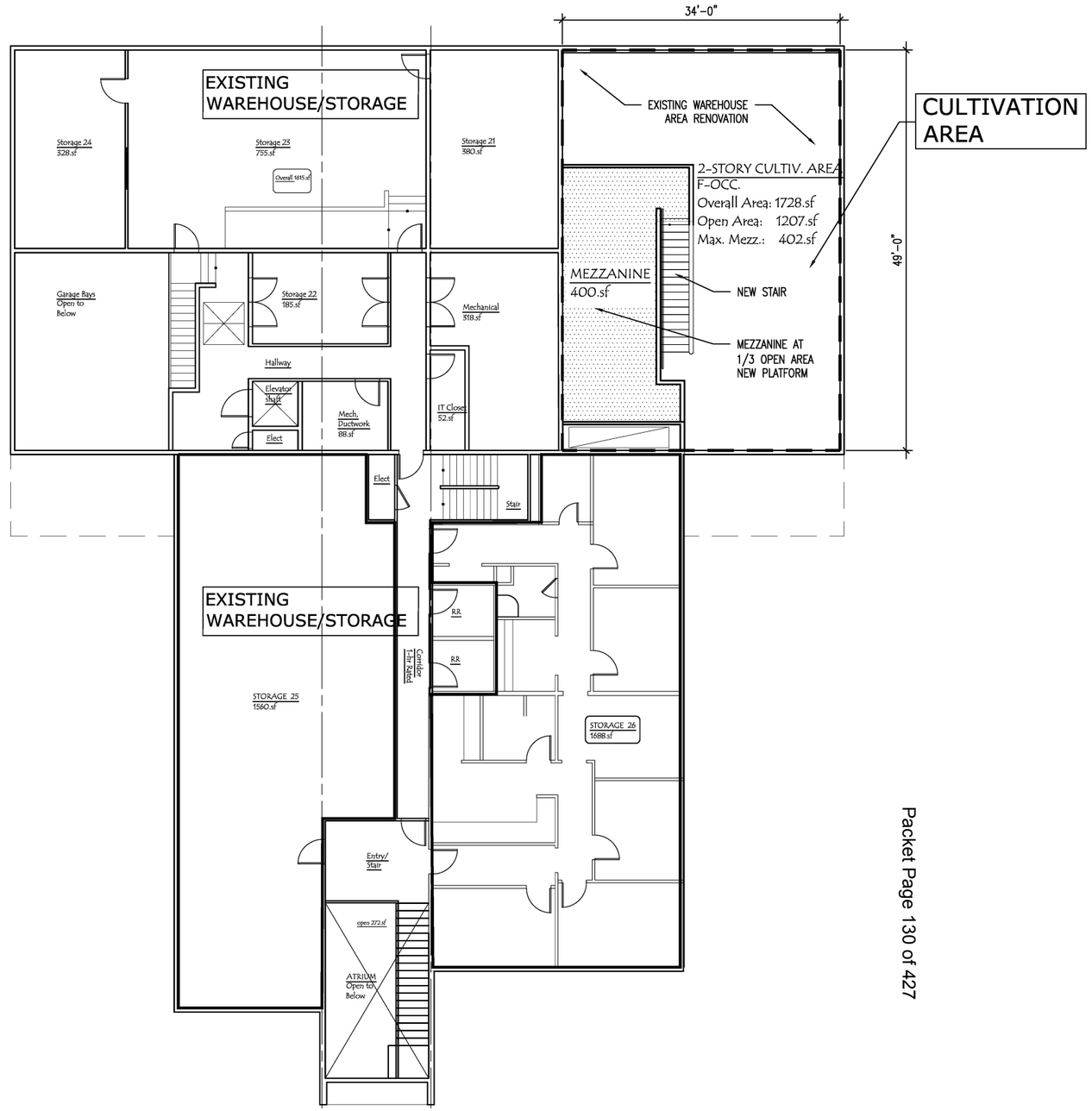
CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE:
CODE PLAN
LOWER LEVEL

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET #
C-1

© GOTSCHALL + ASSOCIATES ARCHITECTS, LLC - ALASKA
GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017



Upper Level

Overall floor area
9029.gsf

2 SECOND FLOOR - CODE AREA PLAN
1/16" = 1'-0"

4' 8' 16' 32'

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GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

STATE OF ALASKA
49TH
GERALD R GOTSCHALL
A-9185
REGISTERED PROFESSIONAL ARCHITECT
07/18/2017

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8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

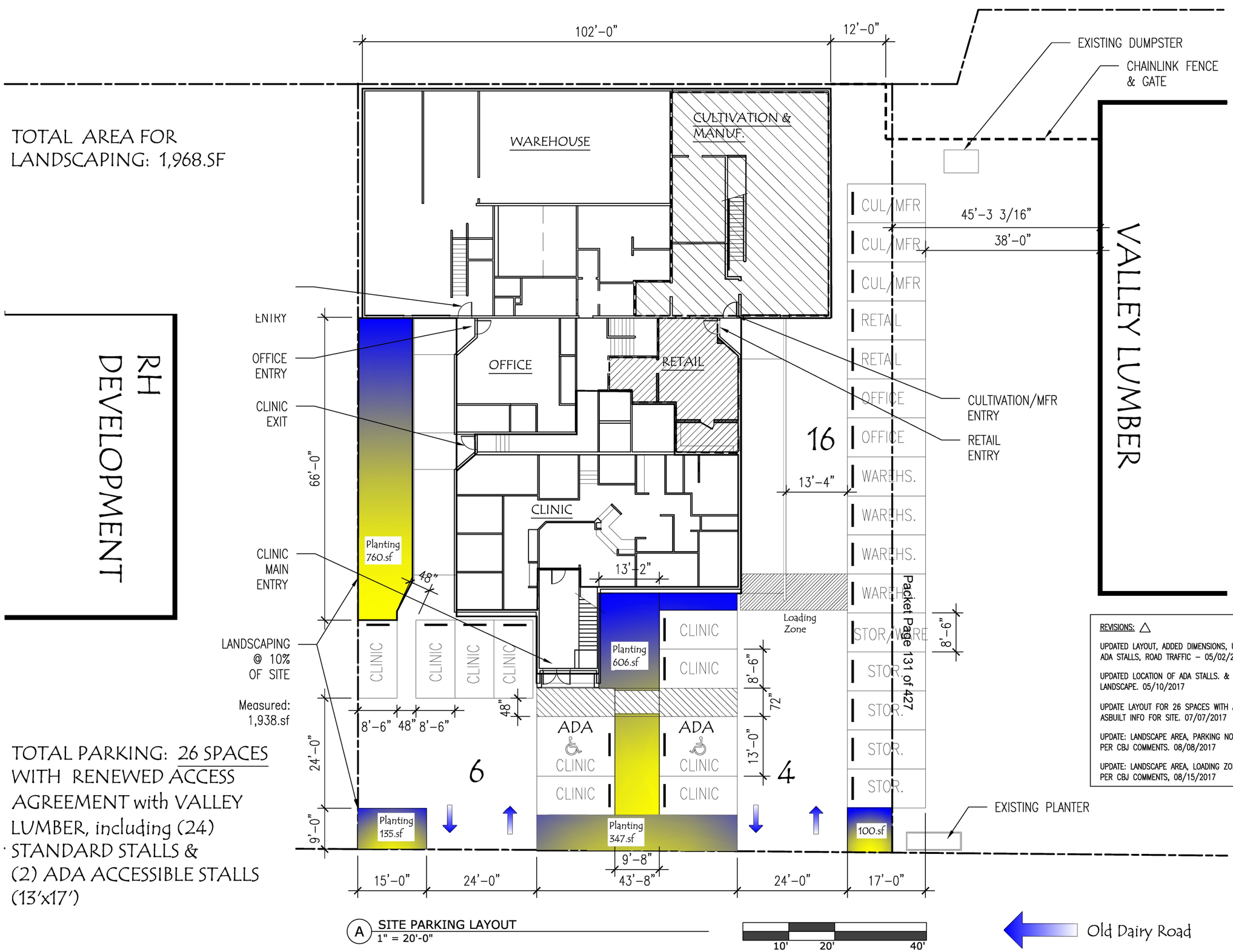
CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE:
CODE PLAN
UPPER LEVEL

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET #
C-2

REVISIONS
UPDATED: 02/09/2017 SF AREAS
UPDATED: 05/02/2017 ROOM DESIGNATIONS
UPDATED: 07/18/2017 TITLES



A SITE PARKING LAYOUT
1" = 20'-0"

RH DEVELOPMENT

TOTAL PARKING: 26 SPACES WITH RENEWED ACCESS AGREEMENT with VALLEY LUMBER, including (24) STANDARD STALLS & (2) ADA ACCESSIBLE STALLS (13'x17')

REVISIONS: △

UPDATED LAYOUT, ADDED DIMENSIONS, UPDATED ADA STALLS, ROAD TRAFFIC – 05/02/2017

UPDATED LOCATION OF ADA STALLS. & LANDSCAPE. 05/10/2017

UPDATE LAYOUT FOR 26 SPACES WITH ADD'L ASBUILT INFO FOR SITE. 07/07/2017

UPDATE: LANDSCAPE AREA, PARKING NOTES PER CBJ COMMENTS. 08/08/2017

UPDATE: LANDSCAPE AREA, LOADING ZONE REV. PER CBJ COMMENTS, 08/15/2017

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
08/17/2017

G+A Architects
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8300 N Douglas Hwy
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GeraldGotschall@icloud.com

CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE: SITE PARKING LAYOUT <REVISED>

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET # P-1

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GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

G+A Gotschall + Associates Architects, LLC

Parking Count

8505 Old Dairy Road
Juneau, AK

Issue Date: 7/18/2017 Updated
Prepared: G+A Arch GRG
Per CBJ Title 49

Room	Area (sf)	Area Type	Parking Ratio		Required Spaces
1st Floor					
Warehouse/Storage - Left Side (Maint. Stor, Stor 1, 2, 3, 4, 5)	2610	Storage	1/1000	0	2.61
CULTIVATION Area (Reno)					
Manuf. - Cultivation & Manuf.	1524	**Manufacturing**	1/1000	0	1.52
Manufacturing - Mezz.	400	**Manufacturing**	1/1000	0	0.40
Manufacturing - Office	204	Office	1/300	0	0.68
Office 1	585	Office	1/300	0	1.95
CLINIC Area	1912	Clinic, Outpatient	1/200	0	9.56
RETAIL Area (Reno)	530	Office	1/300	0	1.77
Area:	7765				
Overall Lower Level gross area (9,078.gsf), less areas above:	*1313*	*Warehouse*	*1/1000*	*0*	*1.31*
2nd Floor					
Storage 21	380	Storage	1/1000	0	0.38
Storage 22	185	Storage	1/1000	0	0.19
Storage 23	755	Storage	1/1000	0	0.76
Storage 24	328	Storage	1/1000	0	0.33
Storage 25	1560	Storage	1/1000	0	1.56
Storage 26	1688	Storage	1/1000	0	1.69
Area:	4896				
Overall Upper Level area (9,078.gsf - floor openings 2,602.sf), MINUS areas above:	*1580*	*Warehouse*	*1/1000*	*0*	*1.58*
Parking Summary Total					26

Common areas such as hallways, stairs are counted at Warehouse rate of 1/1000. Assumption is that the 'majority' of the building is 'Warehouse' and so is counted as 1/1000.

Parking Rates Per Title 49.40.210

Offices	1/300
Medical Clinics	1/200
Warehouse/ Storage	1/1000
Manufacturing	1/1000

Attachment 11 - Parking count summary

VALLEY

"We're Your Home Team"

LUMBER & BUILDING SUPPLY

8525 OLD DAIRY ROAD JUNEAU, ALASKA 99801

907 789-7500 FAX: 907 789-4049
1 800 770-7500

May 9, 2017

Dear Tim Felstead,

I am writing this letter to you to confirm that the original parking agreement with Juneau Urgent Care dated September 3rd, 1992, is still in effect. It will continue to be in effect through August 22, 2022. If you have any questions, please give me a call at 789-7500.

Sincerely,

Dan Graves

Dan Graves

Urgent Care Parking Lease

LEASE

This lease dated the 3 day of September, 1992, by and between Valley Lumber, Inc. hereinafter called "landlord," and Dr. Louis Packer and Ellen Varosi, hereinafter called the "tenant."

WITNESSETH:

In consideration of the mutual covenants and agreements contained in this lease, Landlord and Tenant agree as follows:

1. TERM. The term of this lease shall commence on the 1st day of September, 1992, and shall continue for a period of ten years, ending on August 31, 2002.

2. RENT. During the term of the lease, Tenant shall pay to Landlord as basic monthly rent ONE HUNDRED AND EIGHTY DOLLARS ($180.00), plus any applicable tax, on or before the first calendar day of each month, in advance, at the Landlord's address, without demand and without any deduction or set-off whatsoever.

3. LEASED PREMISES. Landlord leases to Tenant, two thousand two hundred (2200) square feet more or less of contiguous space located adjacent to 8505 Old Dairy Road, more particularly described as Lot 1A, of the replat of Lots 23 and 24, of Tract 1, Field Meadow Subdivision, Juneau Recording District, Alaska, for the purpose of a parking lot. The premises are leased to

Jonathan Daniel - 907 419 0954
Yazzie.

Tenant in an "as is" condition.

4. CONDEMNATION. If all or a substantial portion of the leased premises is taken through the exercise of eminent domain, or by negotiated purchase in lieu of eminent domain proceedings by a public or quasi-public entity, this lease agreement shall terminate at the time possession is taken by the public or quasi-public entity. In the event of termination under this paragraph, the Tenant shall be entitled to repayment of a proportional amount of the rent paid for the remainder of the calendar month when the lease terminates. Tenant shall also be entitled to a proportional share of any awards or payments made or received in any eminent domain proceeding, or sale in lieu of such proceeding as compensation for Tenant's improvements, betterments and Tenant's leasehold interest.

5. ASSIGNMENT AND SUBLETTING. Tenant shall not assign or in any manner transfer this lease or any interest therein, nor sublet the leased premises or any part or parts thereof without the prior written consent of the Landlord, such consent not to be unreasonably denied by landlord. Landlord understands the and agrees that the purpose of the lease is for betterment to Tenant's property adjacent to the leasehold, and that transfer of Tenant's interest in the adjacent property necessarily contemplates transference of the leasehold. Any

assignment, sublease or other transfer of this lease or any interest therein without the Landlord's approval is void.

6. ENCUMBRANCE AND TRANSFER OF LEASE INTEREST. Landlord reserves the right to sell, transfer, assign or otherwise convey or encumber Landlord's interest in this lease, subject to the terms and conditions of the lease and reservation of the Tenant's rights created thereunder.

7. INSTALLATIONS, ALTERATIONS AND IMPROVEMENTS, MAINTENANCE AND REPAIR. Tenant shall be responsible for all installations, alterations, maintenance and repair to the leased premises. All alterations, additions, improvements and fixtures installed upon the leased premises shall become the property of the Landlord and shall remain upon and be surrendered with the leased premises at the termination of this lease. Tenant shall not be responsible for maintenance, repair or cleanup associated with the oil tank situated in part on the leased premises and which services the Landlord's business.

8. MECHANICS AND MATERIALS LIENS. Tenant shall not allow any mechanic or material lien to be filed against the leased premises by reason of any work or materials furnished to the leased premises. If a mechanic or material lien is filed, Tenant shall immediately cause the same to be discharged,

but Tenant shall have the right to contest any such liens. If Tenant fails to cause a mechanic or material lien to be discharged within 30 days of the notification of the filing of said lien and before judgment and sale thereunder, then Landlord may discharge the lien and the amount paid by Landlord shall be immediately due and payable by the Tenant to the Landlord. Nothing contained in this lease shall be construed as a consent on the part of the Landlord to subject the Landlord's estate in the leased premises to any lien.

9. SURRENDER OF POSSESSION. At the expiration or earlier termination of the term of this lease, Tenant shall surrender the leased premises in good condition and repair except for reasonable wear and tear, and repairs specifically required herein to be performed by the Landlord. In the event Tenant remains in possession of the leased premises after the expiration of the term of this lease and without the execution of a new lease, but with the acquiescence of the Landlord, Tenant will be deemed to be occupying the leased premises as a month-to-month tenant, at the monthly rental rate applicable at the expiration of the lease, and subject to all the other terms and conditions of this lease.
the term of this lease.

10. INTERFERENCE WITH USE AND OCCUPANCY. In the event that the leased premises or any part thereof become unusable or prevent the Tenant

from occupancy as a result of any cause, Tenant shall give prompt written notice thereof to Landlord, and Landlord shall immediately undertake repairs to remedy the condition specified in the notice. Unless the condition limiting use and occupancy resulted from Tenant's intentional, reckless or negligent actions, Landlord shall pay for the costs of repairs and Tenant's rent shall be reduced in proportion to the limitation on use and occupancy experienced by the Tenant.

11. INDEMNIFICATION. Tenant agrees to indemnify Landlord against any claim, expense, loss or liability incurred as a result of any occurrence on or about the leased premises, or occasioned in whole or part by the use and occupancy of the leased premises, or from any breach or default under this lease, or from any act or omission or negligence of Tenant, his agents, employees, sublessees, concessionaires, licensees, invitees or customers.

12. INSURANCE. Tenant shall obtain and maintain comprehensive general liability insurance with a minimum liability of $100,000 per person for injuries, including death, $300,000 per accident, and $100,000 for damage to property.

13. DEFAULT BY TENANT. Any of the following events shall constitute default by the Tenant under this lease:

a. If this lease is assigned or the leased premises are sublet, either

voluntarily or by operation of law, except as expressly provided herein;

b. If Tenant fails to pay when due, any rent or additional payments required under the terms of this lease, except that default on nonpayment of rent will not occur until ten days after the rent is due;

c. If Tenant fails to operate the leased premises as required herein, and such failure is not cured within fifteen days after written notice is provided by Landlord;

d. If Tenant fails to comply with any other provision of this lease, and does not cure such failure within thirty days after written notice is provided by the Landlord specifying the default;

e. If Tenant abandons the leased premises; or

f. If proceedings are instituted for the reorganization, liquidation, or involuntary dissolution of Tenant, or for its adjudication as bankrupt or insolvent, or for the appointment of a receiver of the property of Tenant, and said proceedings are not dismissed and any receiver, trustee or liquidator appointed is not discharged within 30 days of the institution of such proceedings.

In the event of default, Landlord may elect to cancel and terminate this lease, or to reenter and take possession of the leased premises and terminate

Tenant's right to possession of the leased premises.

In the event of default, Landlord may elect to cure the default at Tenant's expense. Tenant shall reimburse Landlord for all amounts expended in connection with curing the default, including attorney fees and incidental costs. Such amounts, together with interest accruing at the rate of 10% per year from the date of expenditure, shall be deemed additional rent due and payable when the installment of rent immediately following the expenditure is due.

Failure by Landlord to declare Tenant in default and to terminate this lease does not operate as a waiver of any provision of this lease preventing Landlord from declaring Tenant in default and terminating the lease for a further default of the same or similar nature.

The remedies conferred upon Landlord by law and the remedies conferred upon Landlord under this lease are cumulative, and no remedy shall be deemed to exclude any other remedy. Each remedy may be exercised from time to time, as often as occasion arises.

14. DEFAULT BY LANDLORD. Should Landlord be in default under the terms of this lease, Landlord shall have a reasonable time of not less than thirty days after receipt of written notice of the default from Tenant to cure the default.

15. OPTION TO RENEW. Landlord hereby gives and grants to Tenant

an option to renew this lease for two additional ten year periods, commencing September 1, 2002, under the following conditions:

a. Tenant must notify Landlord of their intent to exercise this option for the first ten year period in writing after September 1, 2001 and before December 31, 2001;

b. Tenant must notify Landlord of their intent to exercise the option for the second ten year period in writing after September 1, 2011 and before December 31, 2011;

c. No default of this lease by the Tenant exists at the time the options are exercised;

d. Landlord has not, prior to receipt of Tenant's notice under subparagraph (a), sold, entered into an agreement of sale or placed the property on the market for sale to a third party; and

e. The terms and conditions of this lease shall apply during the option period year.

16. MISCELLANEOUS.

a. The provisions of this lease are binding upon and inure to the benefit of the devisees, legatees, heirs, legal representatives, successors

and assigns of the parties.

b. No amendment to this lease is effective unless expressed in writing and executed by the parties to this lease.

c. No delay or omission on the part of the parties in exercising any of their respective rights under this lease shall operate as a waiver of such right, or any other right.

d. Any demand or notice made or given by either party is effective when mailed, postage prepaid, or delivered to the address at which the party customarily communicates with the other.

e. Time is of the essence for the performance of any of the covenants of this agreement and for the fulfillment of any conditions or obligations hereunder.

f. The laws of the State of Alaska shall govern the validity, performance and enforcement of this lease.

g. The invalidity or unenforceability of any provisions contained in this lease shall not effect or impair the validity or enforceability of any other provisions of this lease.

h. The headings of the several paragraphs contained herein are for convenience only and do not define, limit or construe the contents of such

paragraphs.

i. Landlord to have access from time to time to do repairs or maintance or accept delivery of goods as needed.

DATED: 9/2/92

Dr. Louis Packer, Tenant

Ellen Varosi, Tenant

DATED: 9/2/92

Valley Lumber, Inc.

From: Teri Camery
To: Teri Camery
Subject: DOT and CBJ Engineering correspondence regarding Forget Me Not Marijuana
Date: Monday, October 02, 2017 11:45:00 AM
Attachments: image002.png

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Monday, September 11, 2017 2:55 PM
To: Teri Camery; Ron King
Cc: Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I received the information I needed to finalize a comment. DOT&PF is okay with the parking plan, provided the property owner receives a driveway permit. The design waivers have been approved; however, DOT will include a stipulation reserving the right to reconsider the waivers and/or the permit site plan if the operation of the lot requires the reconsideration.

Additionally, from the GIS site, it appears there is a right-of-way in the rear of the lot. We are not requiring it to be used at this time but it might be something the property owner should look into if traffic into this lot is drastically increased. Or, possibly, an agreement with Valley Lumber to utilize their closest driveway.

I will email the applicant directions to apply for the permit.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Thursday, September 07, 2017 3:56 PM
To: Haynes, Emily R (DOT); Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hello Emily and other DOT folks,

We need to wrap up this review and receive DOT's final response. Emily wrote in the email below, last Friday, "To summarize, I do not yet have a complete answer for you on the new design or if we need modifications and, if so, what those would be. I wish I had more of a solid response for you today."

I sent you the square footage as requested. Please tell me what your expected timeline is to complete your review, so I may inform the applicant.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward

Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Friday, September 01, 2017 10:26 AM
To: 'Haynes, Emily R (DOT)'; Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks for your reply, Emily.

I do have this information from the applicant in response to your question:

The square footage of the urgent care clinic is 1,900 sqft and the marijuana cultivation facility is 1650 sqft.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, August 31, 2017 4:12 PM
To: Teri Camery; Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I identified a lot of design waivers we would have to issue for the driveway permit which will require further input from DOT staff to approve. As it would be, "August Madness" is happening right now and most of our staff are working overtime to meet federal deadlines so I haven't been able to receive that necessary input.

Here are the design waivers we would have to consider to approve the plan, which are substantial considerations:

1. Distance between driveways (43'-8")
   a. Per PCM Table 1190-3, with over 10 vph, they do not have space to have two access points
   b. Within the same table, they would still need 50' between driveways even if it was less than 10 vph
2. Edge clearance (15'-0" on south, appox 10'-0" on north)
   a. Per PCM 1190.5.8, the edge clearance (distance from property line) is equal to the return radii
   b. With a commercial driveway, we would normally require 40' radii; however, because the primary vehicles accessing will be passenger vehicles, we may reduce to 20' radii

Of course, we are taking into account CBJ's requirements as well which adds to the property owner's limitations to design to meet everyone's standards.

I haven't been able to figure out our specific authority on requiring a sidewalk for this property. The sidewalk would be located in the right of way and I believe we can require its construction if we have justification but whether or not this action necessitates that requirement, I'm still not sure. My initial opinion would be that would can only encourage its construction.

I have just realized I should ask you what the square footage of the Urgent Care will be and the square footage of the marijuana retail/cultivation facility. We need these to determine the expected traffic for this lot.

To summarize, I do not yet have a complete answer for you on the new design or if we need modifications and, if so, what those would be. I wish I had more of a solid response for you today.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 30, 2017 11:38 AM
To: Haynes, Emily R (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks very much, Emily.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Wednesday, August 30, 2017 11:35 AM
To: Teri Camery; Ron King
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

Thanks for bringing this one back up and I'm following-up with my request for comments. I will have those for you before noon on Friday.

Great point about the sidewalk requirement authority – I will need to look into that further and will include that in our response.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 30, 2017 11:28 AM
To: Ron King; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hello Ron, Emily, and Marie,

I have looked through my email messages since I returned from my trip, but I am not clear on DOT and CBJ Engineering's position and recommendations regarding the proposed parking and landscaping plan.

Specifically:

1) Do you have the information you need regarding property boundaries from the survey that Jonathan Yazzle sent, and have you accepted those property boundaries? Is any other information needed to complete the review?
2) What requirements will CBJ Engineering have, and do those requirements need to be a condition of the Conditional Use Permit, or would they be addressed through the building permit review process?
3) Have DOT's concerns been addressed? I saw a message about DOT requiring a sidewalk. It's not clear to me what DOT's authority is to require that (and I mean that respectfully), since my understanding is that the DOT right-of-way is outside of the property boundaries. Do DOT and/or CBJ Engineering have safety concerns regarding the proposed plan, or does the proposed landscaping provide a sufficient buffer from the road? If it's a clearly documented public safety issue, then I may be able to require a sidewalk as a condition of the Conditional Use Permit. If not, we would need to rely on DOT regulations and DOT implementation/enforcement.

Please respond to me by noon this Friday, September 1, so I can keep this moving along.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Thursday, August 17, 2017 1:56 PM
To: Ron King; 'Haynes, Emily R (DOT)'
Cc: 'Heidemann, Marie E (DOT)'
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Here is a survey, which I am passing along without time to review it myself since I leaving town and I am not actually here, I am just a figment of your imagination.

Ron, is this adequate to determine the accuracy of the plans?

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Thursday, August 17, 2017 11:55 AM
To: Ron King; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks Ron. Am I correct from what you've written that we need some way to verify property lines before we can approve this plan?

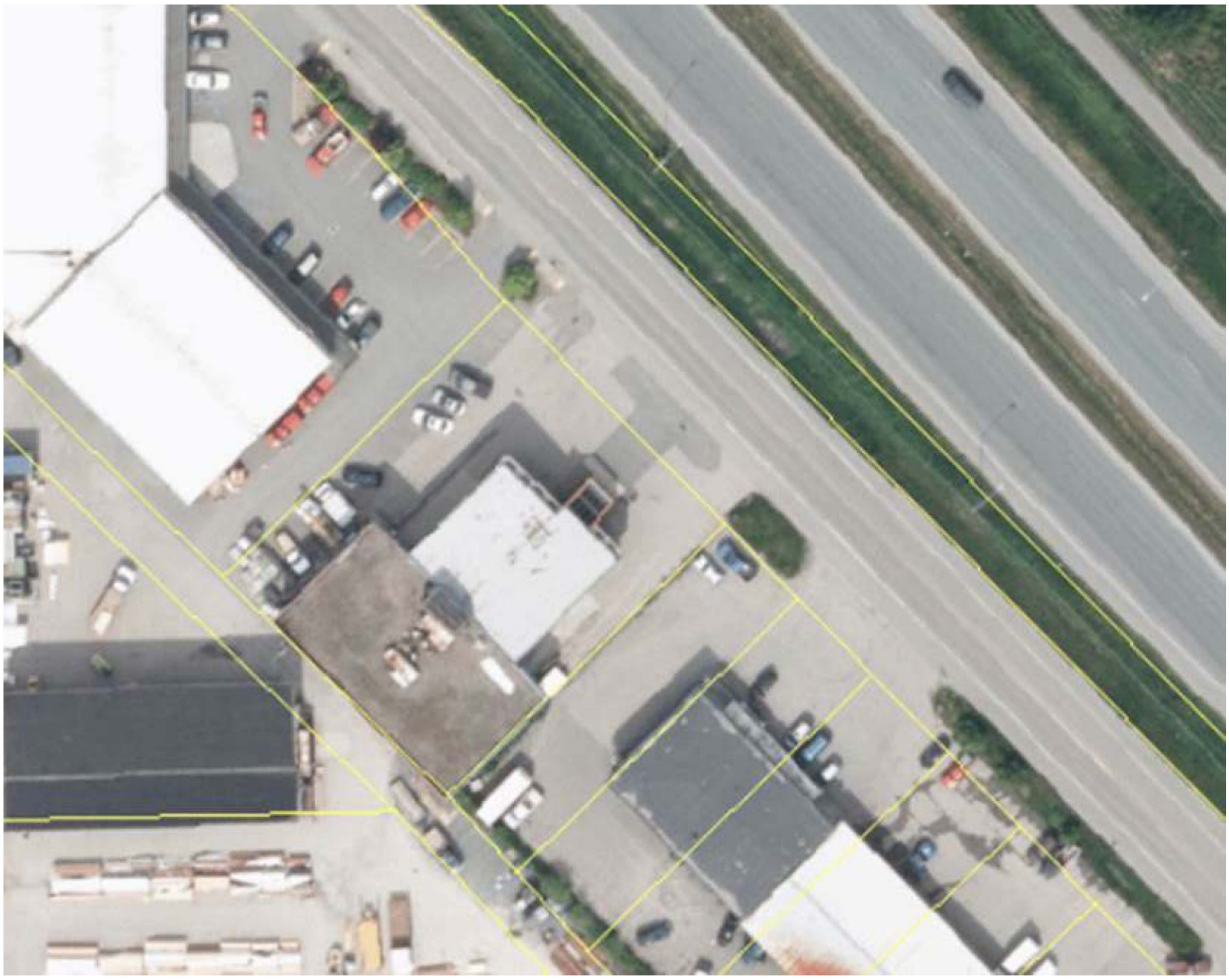
I've asked the applicant for an as-built survey. I could have sworn I asked for that before and that Jonathan Yazzle sent me something, but it's not showing up in a search of my emails. If he does not have an as-built survey, how else could we verify?

Thanks very much,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Ron King
Sent: Thursday, August 17, 2017 11:23 AM
To: Teri Camery; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT); 'joanne.schmidt@alaska.gov'
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Good morning, I have not seen an **AS BUILT** of this facility. If the GIS is close than things don't fit. I did not attend the meeting at the site when a sidewalk was discussed. I believed they claimed the grade was too flat? Unfortunately GE cannot require a sidewalk as I don't have the code to back me up. Do you have any as builts for Old Dairy Road that will help determine the ROW line? Sidewalk your call .. let me know what the State decides .. thanks Ron



Attachment 13 - AK DOT & CBJ Parking correspondence

M

From: Teri Camery
Sent: Thursday, August 17, 2017 10:08 AM
To: Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT); Ron King
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks for the reply, Emily.

I defer to Ron at CBJ Engineering—cc-above—regarding whether CBJ will require a sidewalk. My best guess is that we will not, but Ron can confirm after he has reviewed the latest plans.

The landscaping requirement must be addressed within the property boundaries. I can't recall if the ROW extends into the property in this situation or not. I believe their proposed landscaping is already up the property boundary along the road.

Thanks very much for your time coordinating this review.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, August 17, 2017 8:43 AM

To: Teri Camery
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I've sent this one around for review and received one question. Is CBJ going to require a sidewalk? If not, we might be doing so.

We also have a few design waivers on the accesses we'd have to approve which is something we're discussing.

I have a question on CBJ's landscaping requirement. Could the property owner improve right of way to meet that minimum square footage? This isn't something I'm necessarily suggesting in this situation but, more so, for my own curiosity.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

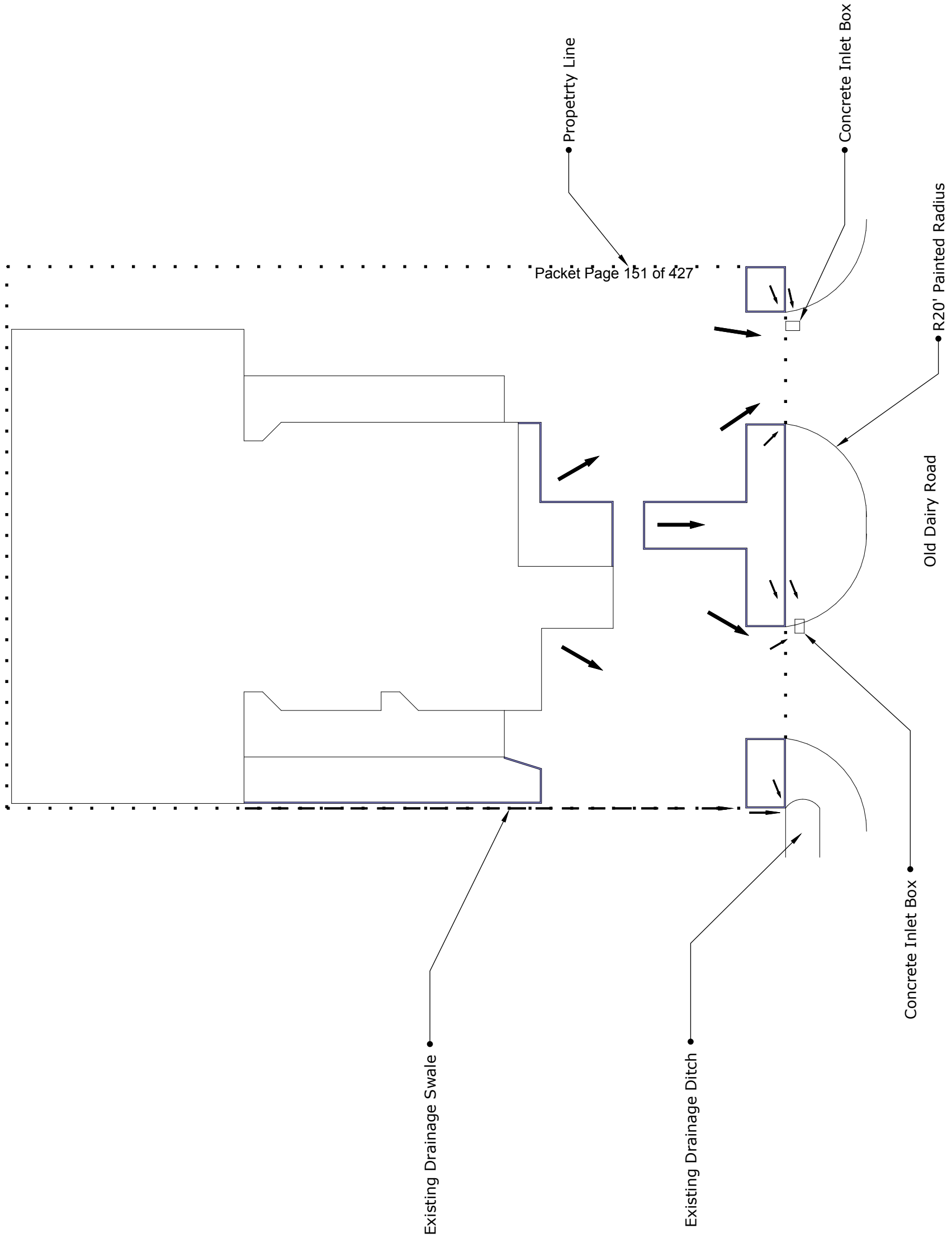
From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 16, 2017 3:22 PM
To: Haynes, Emily R (DOT); Schmidt, Joanne M (DOT); Ron King
Subject: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hi there,

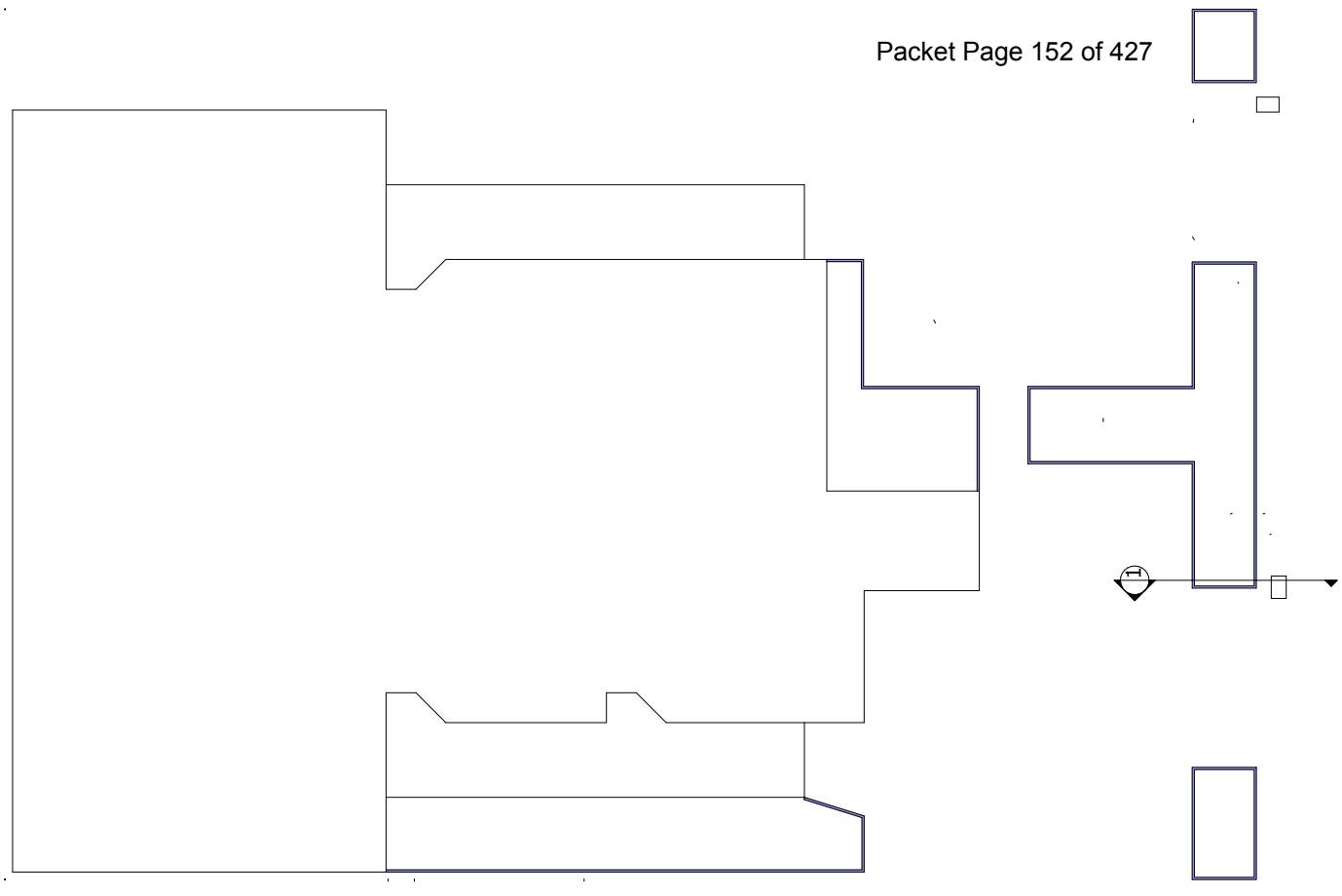
I've been working with Jonathan Yazzle for several weeks since we met at the site visit, and would appreciate your review of these new revised parking plans. Please let me know if this plan addresses DOT and CBJ Engineering concerns for the development.

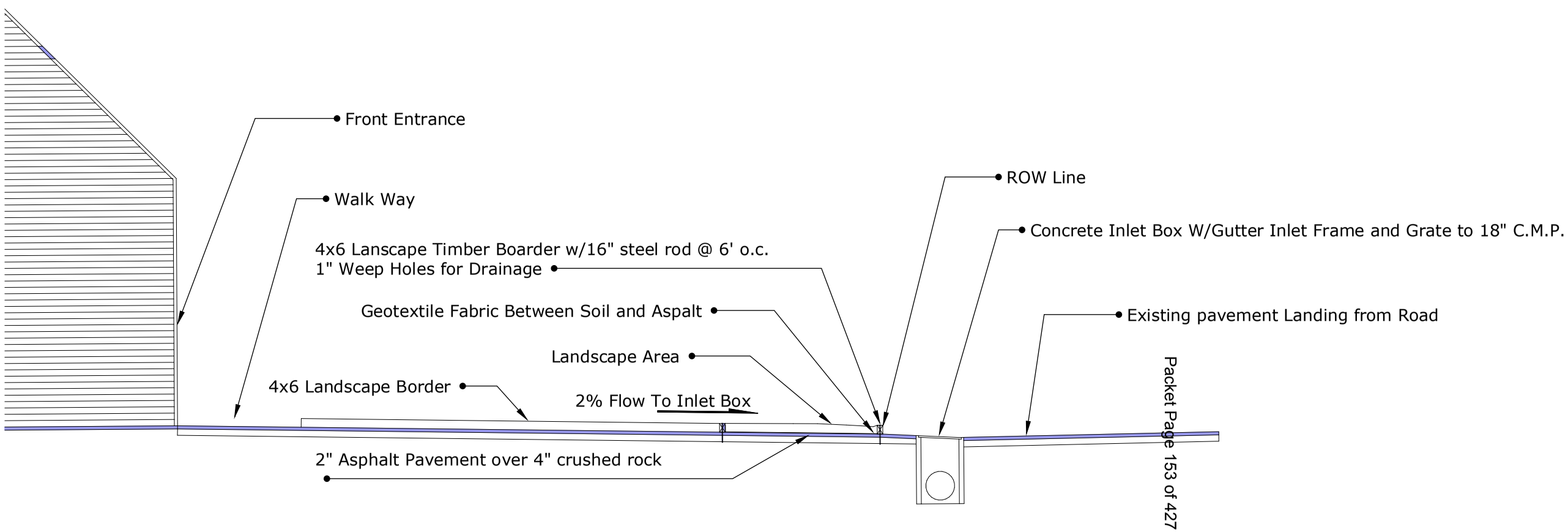
Thanks very much,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755



Attachment 14 - Drainage and Vegetative Cover Plan Details




Front Entrance
Walk Way
4x6 Lanscape Timber Boarder w/16" steel rod @ 6' o.c.
1" Weep Holes for Drainage
Geotextile Fabric Between Soil and Aspalt
Landscape Area
4x6 Landscape Border
2% Flow To Inlet Box
2" Asphalt Pavement over 4" crushed rock
ROW Line
Concrete Inlet Box W/Gutter Inlet Frame and Grate to 18" C.M.P.
Existing pavement Landing from Road

Detail 1

SOURCEBOOK 5

Country: United States

Home > Filters > Can 66

Can 66

sku: 358616

msrp:
$193.21

At a Glance

ıe Original Can-Filters are designed for the control of VOCs (paint fumes, hydrocarbons, ect...), odors, and other gaseous ›ntaminants. Built with the same proven packed bed design and pelletized virgin activated carbon we've used for 30 years, this ıe of time tested activated carbon air filters sets the standard for long life, consistent performance, and low presure drop. Rated a conservative 0.1 sec contact time, the Original Can-Filters provide excellent value and confidence.

Attachment 15 - Can-66 Retail area carbon filters

Details:

Made in North America
7 sizes from 33-150cm, largest in industry
You pick the flange that's right for you
Low pressure drop even on smaller sizes
Pelletized carbon delivers the cleanest filter available
2" Carbon bed
Flange comes seperate to fit a wide range of fans and applications

Technical Data:

Max Exhaust CFM: 412 cfm / 700 m^3h @ 0.1 sec contact time
Max Recirculating (Scrubbing) CFM: 824 cfm / 1400 m^3h
Recommended Min Airflow: 206 cfm / 350 m^3h
Prefilter: Yes
Flange: 6" - 8" - 10"
Dimensions: (with pre-fi lter)

Outside Diameter: 30cm / 12"
Height: 66 cm / 26"

Total Weight: 20 kg / 44 lbs.
Carbon Weight: 14 kg / 31 lbs.
Carbon Bed Depth: 5 cm / 2"
Max Operating Temp: 80˚C / 176˚F
Pressure drop at max CFM: 180pa / .75"wg

Recommended Fans:

xhaust:	Recirculating:
ax-Fan 6" (speed 3)	Max-Fan 8"
-Max 6" (speed 1, 2, 3)	Can-Fan 8" HO
o-Series 6" (speed 1, 2, 3)	Q-Max 8" (speed 1, 2, 3)
an-Fan 6" HO	Pro-Series 8" (speed 1, 2, 3)
300	Max-Fan 8" HO (speed 1, 2, 3)

Attachment 15 - Can-66 Retail area carbon filters

YOU MAY ALSO BE INTERESTED IN THE FOLLOWING PRODUCT(S)

8" Flange 33/66

Can 66 Pre-Filter

S 800 8" Can-Fan

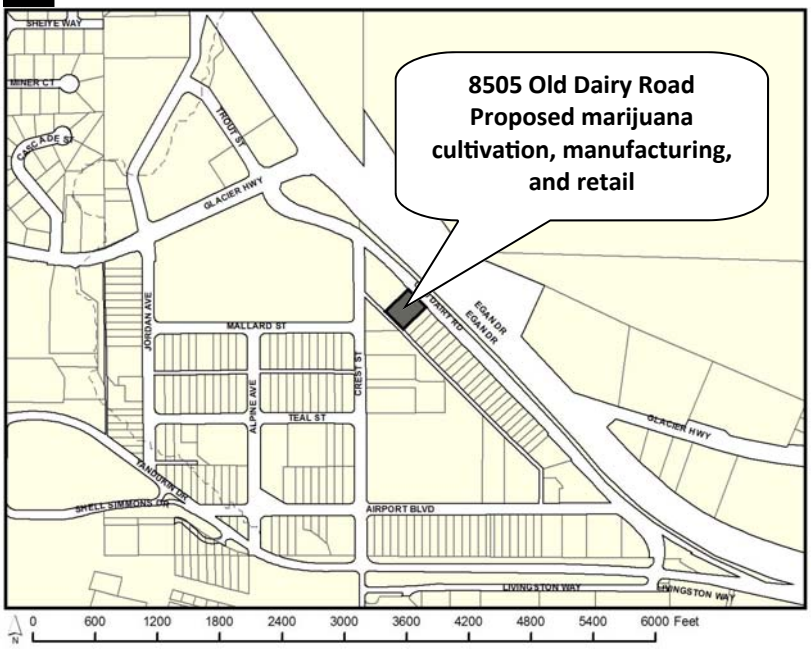
© 2016 Canfilters. All Rights Reserved.Country: United States

Attachment 15 - Can-66 Retail area carbon filters

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

Three applications have been submitted for consideration and public hearing by the Planning Commission for **conditional use permits** to allow **marijuana cultivation, manufacturing, and retail** at **8505 Old Diary Road** in the **General Commercial zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through Oct. 7, 2017

Your comments to the Planner, **Teri Camery**, will be included in the staff report.

Oct. 7, 2017 through 3 pm, Oct. 24, 2017

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Oct. 24, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Oct. 25, 2017

The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case Nos.: USE2017 0010 (manufacture), USE2017 0011 (retail), USE 2017 0012 (cultivation)
Parcel No.: 5B1501010080
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: September 22, 2017

Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF DECISION

Date: October 26, 2017
File No.: USE2017 0012

Forget Me Not, Inc.
8505 Old Dairy Road
Juneau, AK 99801

Proposal: A Conditional Use Permit for a marijuana cultivation establishment in the General Commercial zoning district

Property Address: 8505 Old Dairy Road

Legal Description: Field Meadows Lot 23A

Parcel Code No.: 5B1501010080

Hearing Date: October 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 13, 2017, and approved the Conditional Use Permit for a marijuana cultivation establishment in the General Commercial zoning district to be conducted as described in the project description and project drawings submitted with the application (and with the following conditions:)

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail), and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code

49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Attachments: October 13, 2017 memorandum from Teri Camery, Community Development Department, to the CBJ Planning Commission regarding USE2017 0012.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, October 24, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or April 24, 2019, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Conditional use permits issued to marijuana establishments under CBJ chapter 49.65.1245(e) shall be subject to review by the commission every five years from the date of issuance. Such review shall be subject to CBJ 49.15.330 except that the commission may only amend or add conditions if necessary to ensure compliance with this title.

Project Planner: _____ _____

Teri Camery, Senior Planner
Community Development Department

Benjamin Haight, Chair
Planning Commission

_____ November 3, 2017

Filed With City Clerk

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 13, 2017

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

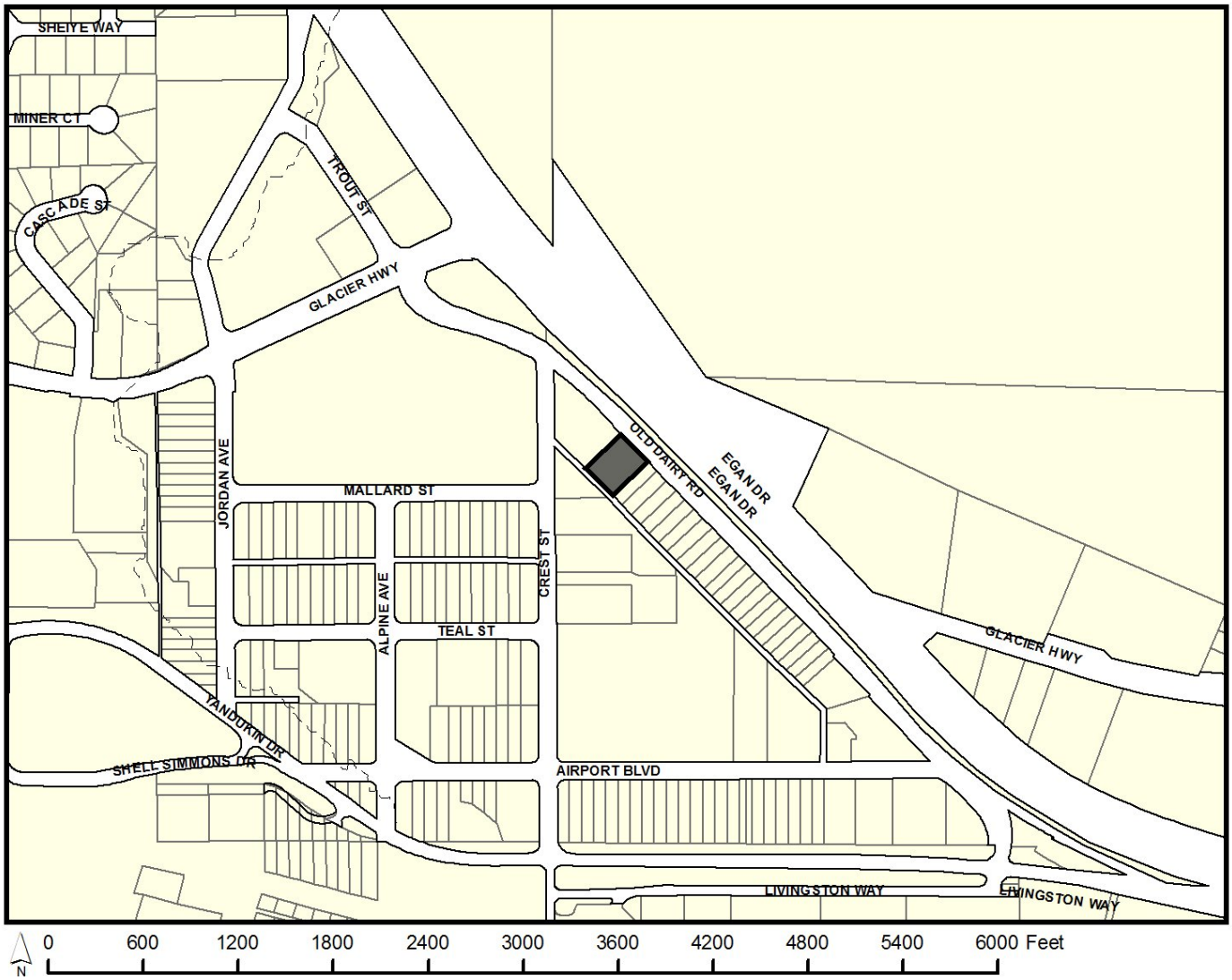
FILE NO.: USE2017 0012

PROPOSAL: A Conditional Use Permit for a marijuana cultivation establishment in the General Commercial zoning district

GENERAL INFORMATION

Applicant:	Forget Me Not, Inc.
Property Owner:	Juneau Rental Space, LLC
Property Address:	8505 Old Dairy Road
Legal Description:	Field Meadows, Lot 23A
Parcel Code Number:	5B1501010080
Site Size:	19,402 sq. ft.
Comprehensive Plan Future Land Use Designation:	Commercial
Zoning:	General Commercial (GC)
Utilities:	CBJ Water and Sewer
Access:	Old Dairy Road
Existing Land Use:	Medical Clinic
Surrounding Land Use:	North - Old Dairy Road; General Commercial South - Valley Lumber; Industrial East - Valley Lumber; General Commercial West - Juneau Fly Fishing; General Commercial

Vicinity Map



ATTACHMENTS

Attachment 1	Development Permit Application
Attachment 2	Conditional Use Permit application
Attachment 3	Project Narrative
Attachment 4	Project Narrative email supplement 10/2/17
Attachment 5	Cultivation floor plans and surveillance camera layout
Attachment 6	Cultivation Technical Manual
Attachment 7	Property survey
Attachment 8	Lower level floor plan
Attachment 9	Upper level floor plan
Attachment 10	Parking and vegetative cover site plan
Attachment 11	Parking count summary
Attachment 12	Valley Lumber Parking Agreement
Attachment 13	Alaska Department of Transportation and CBJ Engineering parking correspondence
Attachment 14	Drainage and Vegetative Cover Plan details

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a marijuana cultivation establishment in the General Commercial (GC) zoning district at 8505 Old Dairy Road. The applicant is also requesting Conditional Use Permits for marijuana retail and manufacturing, which are under review separately as USE2017 0011 (retail) and USE2017 0010 (manufacturing).

BACKGROUND

The applicant has submitted an application with the State of Alaska Marijuana Control Board and will obtain a CBJ Marijuana License if both the state license and this Conditional Use Permit are approved. The inspection required for the CBJ marijuana license will ensure that the applicant is held to the plans proposed, to special use requirements found in CBJ 49.65.1200, and to any conditions required by this permit.

According to CBJ 49.65.1245(e), an approved Conditional Use Permit for marijuana establishments is subject to review by the Commission every five years from the date of issuance.

INTERNAL REVIEW AND PUBLIC COMMENT

No public comments have been received at this writing.

An agency review period was conducted from July 5-16. No comments were received from Alaska Electric Light and Power (AEL&P), Capital City Fire & Rescue (CCFR), CBJ Streets, or the CBJ Assessors Office.

CBJ Engineering commented that, "No discharge from plant watering or other growing uses may be discharged into the public wastewater system. The discharge shall be treated, free of contaminants and disposed into an approved storm drainage system." This issue relates to marijuana cultivation and will be addressed in the review of USE2017 0012.

The Alaska Department of Environmental Conservation Air Compliance Program commented that, "The applicant is proposing carbon filter odor controls for CO2 extraction process and hydroponic grow operations. Division of Air Quality has no comment or concern provided that the CBJ Conditional Use permit calls for use and maintenance of these odor controls." This issue relates to marijuana cultivation and manufacturing, and will be addressed in the Analysis section.

The Alaska Department of Transportation and Public Facilities (ADOT/PF) requested additional review of the driveway and parking lot design. Staff met with ADOT/PF, CBJ Engineering, and the applicant on July 13, 2017 at the site, and followed up with phone meetings and email correspondence to develop a final parking and vegetative cover plan. This plan is addressed in the Analysis section of this report under traffic/parking.

ANALYSIS

Project Site – The subject site is located at 8505 Old Dairy Road, next to Valley Lumber. The building was constructed in 1984 and has legally non-conforming setbacks of 0 feet on the rear and side property lines. The front yard setback is approximately 20 feet to the building entrance, which exceeds the minimum front yard setback requirement of 10 feet in the General Commercial zoning district.

Other uses will continue to operate on the property. As noted earlier, the applicant is applying for marijuana retail, manufacturing, and cultivation in three separate Conditional Use Permits.

Project Design – The building is undergoing extensive internal renovations, with authorized CBJ Building Permits, to accommodate the marijuana retail, cultivation, and manufacturing in conformance with state and local marijuana regulation requirements. The site plan in Attachments 8-10 shows all three marijuana uses, in addition to the existing medical clinic.

The applicant has provided a complete analysis of uses and associated parking requirements for the building, included in Attachment 11. Staff has reviewed this analysis and confirmed that it addresses all CBJ Code requirements.

The cultivation portion of the building will be located on both the lower and upper levels, as shown in Attachments 8-9. The manufacturing and cultivation entrance is shared, while the

retail entrance and medical clinic entrances are each separate. The cultivation floor plan is shown in Attachment 5. Attachment 8, the lower level floor plan, shows the clinic, warehouse, and cultivation uses adjacent to the retail area.

The cultivation facility will be operational 24 hours a day, with most work done during regular business hours. The business will have five employees total among the marijuana retail, cultivation, and manufacturing businesses combined.

State and local regulations require that no marijuana products be visible from a public right-of-way. In Attachment 4, Project Narrative Supplement, the applicant has explained that the manufacturing and cultivation areas will be located in a warehouse space without windows. The windows of the retail store will be opaque so that the interior cannot be seen from the outside. There will be one sign over the entrance that will not be visible from the public right-of-way.

CBJ 49.65.1245 identifies additional submittal requirements for marijuana establishments. Those items to be reviewed are detailed below.

Ventilation & Filtration/Odor – CBJ 49.65.1245(a)(6) requires a ventilation and filtration plan for marijuana cultivation, but not for manufacturing or retail. The applicant has provided a description of odor management on page one of the Project Narrative, Attachment 3, while Attachment 5 shows placement of filters and fans. The applicant will be using carbon dioxide to enrich the plants. The emission of C02 gas will be electronically monitored throughout the facility to keep it within ideal and safe levels.

The Alaska Department of Environmental Conservation Air Compliance Program commented that, "The applicant is proposing carbon filter odor controls for CO2 extraction process and hydroponic grow operations. Division of Air Quality has no comment or concern provided that the CBJ Conditional Use permit calls for use and maintenance of these odor controls."

CO2 levels will be monitored electronically and a sensor will sound if levels are too high. The proposed CO2 usage is in compliance with state and local regulations. CO2 usage is subject to review by the CBJ Fire Marshall and will be inspected accordingly.

Security – According to CBJ 49.65.1245(a)(2), applicants are required to submit a security plan. State regulations require exterior lighting, alarm systems, video monitoring, and commercial grade door locks. The applicant has addressed these requirements in the Project Narrative, Attachment 3, and in the Surveillance Camera layout, Attachment 5.

Waste disposal – The application includes a description of waste management practices on pages 1-2 of the Project Narrative. Waste management will include both composting and landfill disposal. Staff recommends the following condition:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ Landfill.

Screening – CBJ 49.65.1245(a)(4) prohibits marijuana product being visible to the public from the right-of-way. As noted earlier, the applicant has explained that the manufacturing and cultivation areas will be located in a warehouse space without windows. The windows of the

retail store will be opaque so that the interior cannot be seen from the outside. There will be one sign over the entrance that will not be visible from the public right-of-way (Attachment 4).

CBJ 49.15.330(g) identifies the general items that staff reviews for all Conditional Use Permits. Those items are detailed below.

Traffic – Traffic to and from the site will consist of customers, employees and supply delivery. The applicant anticipates a total of five employees for the full operation of marijuana retail, cultivation, and manufacturing. The applicant expects 3-5 cars per hour for retail, and 1-2 cars per day for marijuana manufacturing and cultivation combined (Attachment 4).

CBJ 49.40.300 states that a traffic impact analysis is not required when a development is projected to generate less than 250 average trips in a day. Further, the expected traffic generated is considerably less than typical uses in the General Commercial zoning district.

Parking and Circulation – Other uses, including medical clinic, office, and warehouse space, will continue to operate in the building, and the applicant is proposing marijuana manufacturing and retail as well as manufacturing. The applicant has provided a complete analysis of uses and associated parking requirements for the building, included in Attachment 11. Staff has reviewed this analysis and confirmed its accuracy and conformance with CBJ 49.40.210 and 49.40.220.

Staff met with Alaska Department of Transportation and Public Facilities (ADOT/PF) staff, CBJ Engineering staff, and the applicant at the project site to review the proposed parking plan for public safety impacts. The parking area is not currently delineated and has no defined separation from Old Dairy Road, which may pose safety concerns.

Staff worked with ADOT/PF, CBJ Engineering, and the applicant over a period of months to develop a revised parking plan that addresses safety concerns and also addresses CBJ vegetative cover requirements. The final revised plan is included in Attachment 10. ADOT/PF and CBJ Engineering email correspondence has been included in Attachment 13 for reference.

ADOT/PF has accepted the revised plan contingent on approval of a driveway permit, which the applicant has applied for. CBJ Engineering accepted the revised plan after receiving additional information regarding vegetation and drainage. These details are included in Attachment 14.

Staff recommends two conditions to address the parking plan, as follows:

2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete parking lot striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

Finally, staff notes that the final parking plan is dependent on a parking agreement with the adjacent property owner to the west, Valley Lumber, because the proposed parking spaces cross over the property line onto Valley Lumber property. This parking agreement, provided as Attachment 12, expires on August 22, 2022. According to CBJ 49.65.1245(e), an approved Conditional Use Permit for marijuana establishments is subject to review by the Commission

every five years from the date of issuance, which will be October 24, 2022 if the Commission approves the Conditional Use Permit at the scheduled hearing. To address the parking agreement expiration date, staff recommends the following condition:

4. USE2017 0010 (Manufacturing), USE2017 0011 (Retail) and USE2017 0012 (Cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

Noise – Surrounding uses include Valley Lumber, Juneau Flyfishing Goods, and a pawn shop, zoned General Commercial and Industrial. There are no residences in the vicinity. Noise from the proposed facility will be generated only from traffic. Noise impacts are therefore expected to be typical of the General Commercial zoning district.

Public Health or Safety – Attachment 3, Project Narrative, provides a detailed explanation of product handling methods, security measures, and prohibitions. With implementation of these protocols, no evidence indicates a risk to public health or safety.

Habitat – No habitat regulated by Title 49 is affected by this proposal.

Vegetative Cover – CBJ 49.50.300 requires that ten percent of the site be maintained with live vegetative cover in the General Commercial zoning district. The subject parcel is 19,402 square feet, therefore 1,940 square feet of vegetative cover is required. The proposed site plan, included in Attachment 10, meets this requirement with 1,948 square feet of vegetation. The parking section of this report includes a recommended condition which also addresses vegetation, repeated below:

3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete parking lot striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.

Property Value or Neighborhood Harmony – Adjacent existing uses in the neighborhood include Valley Lumber retail to the west; Valley Lumber storage to the south; and Juneau Flyfishing Goods and a pawn shop to the east. Old Dairy Road and Egan Drive are north of the parcel.

The proposed marijuana retail establishment will generate traffic typical of any retail establishment in a General Commercial zone. The applicant will comply with screening requirements, odor control, and waste management in conformance with CBJ Code. There is no evidence to suggest that the use will have an impact on property value or be out of harmony with the neighborhood.

Conformity with Adopted Plans – The subject site is located in Subarea 4, Map G, of the 2013 Comprehensive Plan and has a land use designation of Commercial (C).

Page 148 of the Comprehensive Plan describes the Commercial land use designation as “Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or

other large employment centers. Mixed retail/residential/office uses are allowed and encouraged."

The proposed marijuana cultivation use, along with the marijuana retail and manufacturing uses proposed and under review with USE20170010 and USE20170011, are compatible with this designation.

Staff further reviewed the 2013 Comprehensive Plan for policies that may be relevant to the proposal:

POLICY 5.1. TO DEVELOP AND SUSTAIN A DIVERSE ECONOMY, PROVIDING OPPORTUNITIES FOR EMPLOYMENT FOR ALL RESIDENTS.

POLICY 5.10 TO ENCOURAGE RESIDENTS AND BUSINESSES TO "LOOK LOCAL FIRST" FOR PURCHASES OF GOODS AND SERVICES.

POLICY 5.11 TO ENCOURAGE THE LOCATION AND GROWTH OF LOCALLY-BASED SECTOR INDUSTRIES THAT PROVIDE YEAR-ROUND, FULL-TIME EMPLOYMENT AND PROVIDE TAX REVENUES THAT SUPPORT PUBLIC SERVICES

POLICY 5.18. TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.

The proposed development would help to diversify the economy and is a new business as encouraged by these policies.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,

3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ 49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. Staff finds the application contains the information necessary to conduct a full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 14.245 for the General Commercial zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter as well as CBJ 49.65.1245. Public notice of this project was provided in the October 13, 2017 and October 20, 2017 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public right-of-way.

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

No. Based on the preceding analysis and application materials, the applicant has proposed a surveillance and security system that meets the minimum state and local regulations. No evidence indicates that the proposed development will endanger the public health or safety.

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

No. Based on the preceding analysis, the proposed marijuana retail facility is not expected to decrease the value of or be out of harmony with property in the neighborhood. The proposed use is surrounded by General Commercial and Industrial zoning districts with retail and lumber storage uses and will impacts typical of the General Commercial zoning district.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The development of private businesses in Juneau is supported by the Comprehensive Plan. Further, the Commercial land use designation supports retail uses.

Per CBJ 49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

N/A

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana cultivation establishment in the General Commercial zone. The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

DEVELOPMENT PERMIT APPLICATION

Project Number: USE 2017-0012	CITY and BOROUGH of JUNEAU	Date Received: 5/30/2017
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION

Project Description
Marijuana Cultivation

PROPERTY LOCATION

Street Address	City/Zip
8505 Old Dairy Rd	Juneau, Alaska 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)
Lot 23A of Field Meadows Subdivision of US Survey 1195

Assessor's Parcel Number(s)
5B1501010080

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
Juneau Rental Space, LLC	Adam Gray	907-419-0094
Mailing Address	**Home Phone:**	**Fax Number:**
8505 Old Dairy Rd Juneau, Alaska 99801	907-780-4111	907-780-3111
E-mail Address	**Other Contact Phone Number(s):**	
agray@jrsak.com		

LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X _____ Landowner/Lessee Signature — Date: 5/24/17

X _____ Landowner/Lessee Signature — Date: _____

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name	Contact Person:	Work Phone:
ForgetMeNot, Inc dba Green Valley Enterprises	Roland Gray	907-500-3886
Mailing Address	**Home Phone:**	**Fax Number:**
8505 Old Dairy Rd	907-419-0094	
E-mail Address	**Other Contact Phone Number(s):**	
agray@forgetmenotak.com		

X _____ Applicant's Signature — Date of Application: 5/24/17

----------OFFICE USE ONLY BELOW THIS LINE----------

STAFF APPROVALS

✔	Permit Type	***SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
✓	Use Approval (Allowable, Conditional) Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/30/17	USE 17-012
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe) _____			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials: BSme

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

Attachment 1 - Development Permit Application

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
	Forget Me Not	use 17-012	5/30/17

TO BE COMPLETED BY THE APPLICANT

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)

☒ Use Listed in §49.25.300 (Table of Permissible Uses) (USE)

Please list the Table of Permissible Uses Category: *14.240 Marijuana Cultivation,*

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

Cultivation of Marijuana

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES – Case # _____

CURRENT USE OF LAND OR BUILDING(S): *GC-General Commercial zoned. B-Occupancy; Single Clinic & Warehouse/Storage.*

PROPOSED USE OF LAND OR BUILDING(S): *Modify zone of building to add F-1 Occupany for Marijuana Cultivation*

UTILITIES PROPOSED: WATER: ☐ Public ☒ On Site SEWER: ☐ Public ☒ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot *19,402* square feet Total Area of Existing Structure(s) *17,500* square feet

Total Area of Proposed Structure(s) *1,655* square feet

EXTERNAL LIGHTING:

Existing to remain ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☒ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- ☒ Site Plan
- ☒ Floor Plan of proposed buildings
- ☒ Elevation view of existing and proposed buildings
- ☒ Proposed Vegetative Cover
- ☒ Existing and proposed parking areas (including dimensions) and proposed traffic circulation
- ☒ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 350.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50.00			
Pub. Not. Sign Deposit	$ 100.00			
Total Fee	$ 500	1597	CDN9807	5/30/17

NOTE: MUST BE ACCOMPANIED BY* DEVELOPMENT PERMIT APPLICATION *FORM

Site Plan and Location Narrative
ForgetMeNot, Inc
Owner - VC Enterprises, LLC
8505 Old Dairy Road
Juneau, AK 99801
Dairy Road Building
General Commercial Zoning

Scope: We are proposing to use leased Warehouse space at 8505 Old Dairy Road for cultivation of Marijuana. Marijuana will be cultivated and prepared for sale to another licensed Marijuana establishment. The cannabis will be grown using an enclosed Hydroponic System (Appendix A) that provides required lighting, nutrients, odor control, and other necessary requirements. Because of the enclosed nature of the system we will be using, temperatures and odors within the proposed cultivation facility will be kept to a minimum.

Area: The building is zoned General Commercial and its use code is Warehouse. We are located between Valley Lumber and RH Development. Our operation will not increase the level of noise in the area.

Existing physical features: We are not aware of any hazard, drainage or habitat areas on this property.

Construction: A Secure Office and Storage Room will be constructed within the proposed space. A mezzanine of approximately 400 square feet will also be constructed.

Hours of operation: The cultivation facility will be operational 24 hours a day, with most work done during regular business hours.

Sign: Aside from those required by law, this facility will not be designated with a sign.

Odor management: The facility will utilize individual hydroponic grow boxes that will each have individual carbon filters and fans as well as a larger, central RC-48 carbon filter and fan system before exhausting air from the space. This should be effective in filtering organic particles and other airborne materials in addition to mitigating odors. (Appendix B)

Vegetative Cover: ForgetMeNot, Inc is leasing an interior warehouse space and therefore has no input on the landlord's exterior vegetative cover.

Waste management: ForgetMeNot, Inc has a disposal plan for all marijuana that does not meet state testing requirements or the company's internal quality standards due to mold, infestation, mishandling, or improper practices. All marijuana marked for disposal will be stored in a secured bin, separated from all other products, until it can be disposed of. Marijuana waste must be rendered unusable before disposal to ensure that marijuana and marijuana products are safely kept away from the public. The company will ensure that all marijuana is rendered unusable prior to leaving the facility by grinding and incorporating the marijuana waste with either non-compostable or compostable solid wastes so that the resulting mixture is at least fifty percent (50%) non-marijuana waste. Non-compostable solid wastes include paper waste, plastic waste, cardboard waste, and soil. Compostable solid wastes include food waste, yard waste, and vegetable-based grease or oils. Management will ensure that the resulting mixture is composed of no more than fifty percent (50%) marijuana by volume, and will log the composition of the mixture in the disposal log. Management will maintain the log on the status of all marijuana waste, tracking the type, date of disposal, date it was rendered unusable, and date that it was delivered to waste disposal site. Once

rendered unusable, marijuana will be securely stored in locked containers located on the premise. All locks will comply with the highest UL standards, and the disposed marijuana will not be stored outside the facility at any time. Twice a week, the waste will be delivered to the Juneau Waste Disposal Site Only authorized personnel will have access to the keys that lock and unlock the disposal containers. To ensure accurate tracking and that no diversion occurs, the daily manager will collect a signature and name from the person delivering the waste to the Juneau Waste Disposal Site, the date, time, and the type of marijuana waste being collected. This information will be entered into a disposal log by the manager, which will be securely stored and will be available for review.

Because of the enclosed hydroponic system being used, there will be no waste water runoff from the facility. All excess water will be filtered and recycled. Any waste water that can not be recycled will be collected in a large storage container until it can be properly disposed.

Security: Exterior security lighting will be installed to illuminate a 20 foot radius around each exterior door to provide sufficient lighting for surveillance cameras. Because we are located in an commercial/industrial area, ambient lighting from other buildings will allow for surveillance cameras to have sufficient lighting beyond the prescribed 20 foot radius.

The alarm system will be activated on all exterior doors when the licensed premises is closed for business. Motion detection alarms will be installed throughout interior of the facility. These alarms will notify the security monitoring company, law enforcement and the owners if any intruders are detected during non-business hours. Exterior doors will have contact sensors that are activated when the facility is closed for the night.

In the event of a breach of security during non-business hours, a designated manager or owner will assist the local law enforcement agency and provide access to security footage requested. In the event of an incident while the facility is open, employees will attempt to evacuate any visitors and themselves and alert authorities. All security breaches will be logged with an incident report.

Cameras will be placed at each entrance throughout the premises (Appendix C), inside the secured room and throughout the grow area. Cameras will also be placed outside the building adjacent to building lights to ensure any activity within 20 feet of the building is captured. Security cameras will also be accessible for off-site monitoring via the internet.

Official logs and records will be kept in a secured cabinet within the security room. Only owners and one trusted employee will be able to access the security room and secured cabinet. These people are the only ones authorized to escort law enforcement or an agent of the board to the secured cabinet for inspection. The cabinet will be made of metal and will have a secure lock.

No loitering signs, and other signs as required by law, will be posted near each entrance. Employees will be trained to recognize and disperse loiterers.

All visitors must show ID, proving that they're 21 or older. Each guest will sign in on a log noting the date, their age, time of arrival and time of departure. Each visitor will be issued a visitor identification badge upon approval by a manager or owner.

No more than five visitors will be admitted per marijuana handler certified employee. All logs will be secured within the security room for safekeeping.

Visitors to the facility will be subject to approval by an owner or manager. No one will be allowed into the facility without owner or manager approval, a valid identification and they must be accompanied by an approved, permitted employee.

Diversion prevention: Our business will use Metre by Franwell as required by the State of Alaska. The system will track cannabis from "seed to sale" with RFID tags. This system is fully accessible to state officials at any time.

Securable and lockable containers will be required for any employee or affiliate to transfer marijuana product from the facility. These containers must be concealed during transit. A certified marijuana handler must accompany the packages always.

The transport of marijuana from the facility to another licensed facility will require either the sole presence of the licensee or two employees at a time. All products will be stored and transported securely and in accordance with state and local laws.

Security cameras will monitor all indoor work spaces and storage areas. Employees will be subject to search if suspected of theft or diversion of product. ForgetMeNot, Inc. will have a zero-tolerance policy for theft and employees guilty of such will be terminated immediately. Criminal charges may be filed.

Signs stating, "Persons under 21 are not allowed on premises" will be posted at all outside access points. Employees will be trained on how to spot fake or illegitimate identification cards. Details from each visitor's ID will logged and stored with other archival records.

Employees/Traffic: To start, only the one to two employees will work in the facility. When the facility is at capacity we expect to hire 2-3 more employees.

Parking: We have 1 parking spot (1 per 1,000 sq. ft.) as part of our lease. Additional parking may be available from the building landlord if available.

Carbon dioxide: Our facility will use carbon dioxide to enrich the plants. The emission of CO_2 gas will be electronically monitored to control ppm throughout the facility to keep it within ideal and safe levels. Our CO_2 use will be in compliance with all applicable regulations.

We will utilize CO_2 in tanks. There will be CO_2 detectors set to alarm at 5,000 ppm in each area utilizing the gas and a master control valve to shut off the gas at the source. This system will comply fully with any and all Fire Marshal recommendations.

Chemicals, pesticides and fertilizers: Cleaning supplies to be used include the following: bleach, hydrogen peroxide, vinegar, alcohol, and Simple Green.

Nutrients and fertilizers include the following: nitrogen, phosphorus, potassium, calcium, sulfur, magnesium, silicon, boron, chlorine, manganese, iron, zinc, copper, molybdenum, nickel, selenium, sodium, molasses, citric acid, ascorbic acid, maltodextrin, salt, plant-based extracts, guano, composted manure, blood meal, worm castings, mycorrhizae, compost tea, compost, kelp meal.

Pest management will be done using plant-based extracts and plant-based pesticides including neem oil, Dawn dish soap, natural extract, pyrethrin.

From: Adam Gray
To: Teri Camery
Subject: Re: traffic estimates and hours of operation
Date: Monday, October 02, 2017 8:57:28 AM

Hi Teri,

Please see the responses in red below. Please let me know if you need anything else. Thanks!

Adam

On Sun, Oct 1, 2017 at 1:51 PM, Teri Camery <Teri.Camery@juneau.org> wrote:

> Hello Adam,
>
> As I delve into the final details of the staff report, I have found a few missing bits of information. Here is a quick list:
>
> 1) Please provide the hours of operation for each use: retail, manufacture, and cultivation: The hours of operation for the Cultivation and Manufacturing operations will be 8:00 AM to 5:00 PM M-F and 9:00 AM to 5:00 PM on Saturday. Both will be closed on Sunday.. The hours of operation for the retail store will be 7:00 PM to 11:00 PM M-F and 5:00 PM to 11:00 PM Sat and Sunday. THe hours of operation for the retail store will be after Juneau Urgent Care closes each day.
>
> 2) Please provide a description of the traffic associated with each use, retail, manufacture, and cultivation. You have listed the number of employees, but not traffic. For example, how many truck supply deliveries do you expect per day or per week for each of the three uses? What other types of traffic would this use generate? There isn't any concern here, it's just something we are obligated to address under code requirements. We expect 3 to 5 cars per hour for the retail and no more than 1 to 2 cars per day for the cultivation and manufacturing combined.
>
> 3) Screening. Code requires that marijuana retail, cultivation, and manufacture cannot be visible from the public right of way. Please describe how you will meet this requirement. The manufacturing and and Cultivation will be located in a non-windowed warehouse space. There will be one non-descript sign on the entrance door that will not be readable from the right of way. The windows of the retail store will be opaque so that the interior can not be seen from outside. There will be one sign over the entrance that again will not be readable from the public right of way.
>
> 4) CBJ staff reports often include a statement about the status of the applicant's other licenses and permits. Have you submitted an application for the State of Alaska Marijuana Control Board, and has Jonathan obtained a final driveway permit from DOT? We have completed our license applications for all three operations. They are currently under review. We expect to be on the agenda for

the November AMCO board meeting. I spoke with Jonathan and he expects the driveway permit to be issued this week.

I would appreciate your quick response to these questions, which is why I have added the obnoxious high importance exclamation point to this email. Hopefully they're easy. I may have a few more before I complete my reports.

Thanks very much,

Teri

Teri Camery, Senior Planner

City and Borough of Juneau

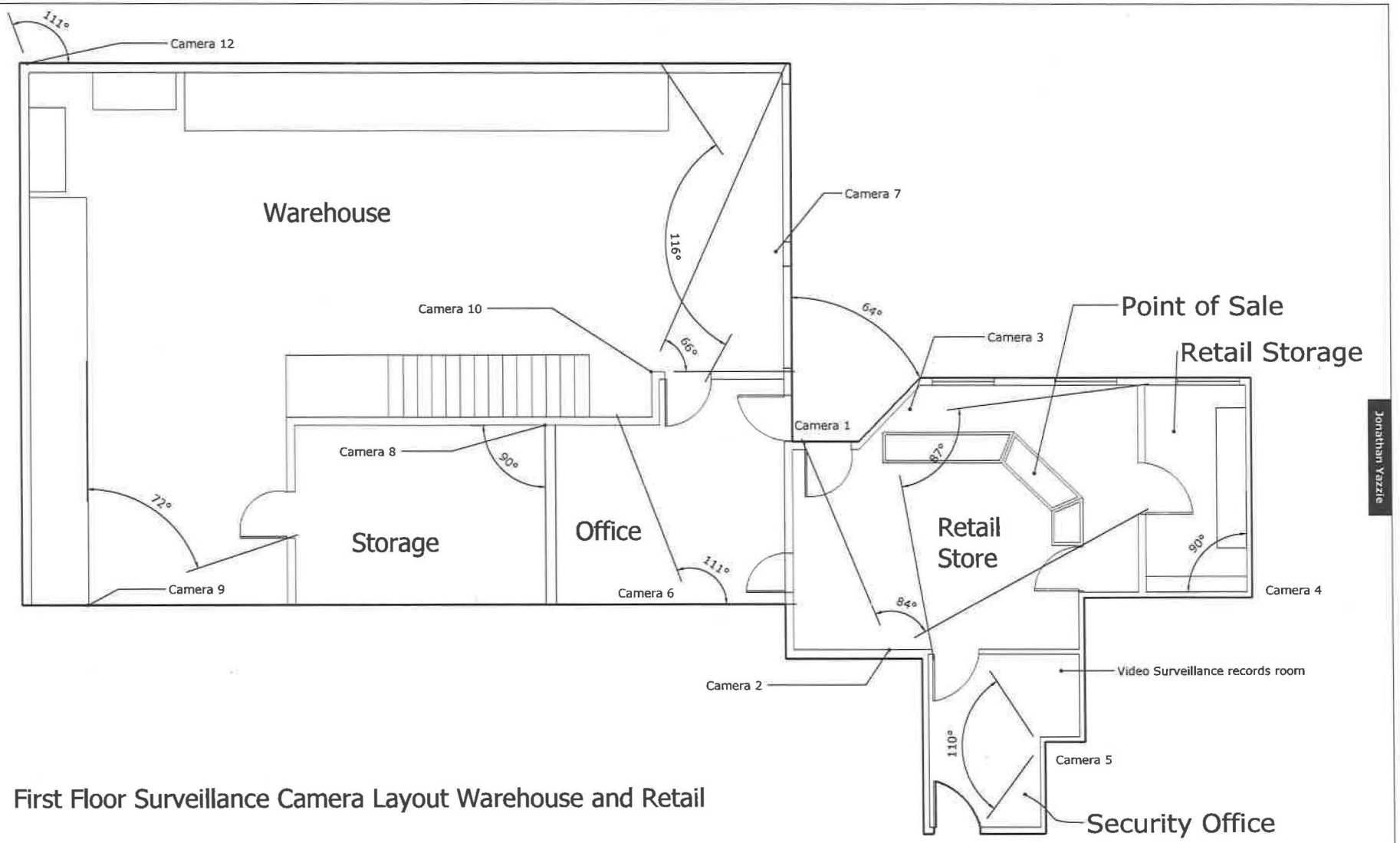
Community Development Department

155 S. Seward

Juneau, AK 99801

(907) 586-0755

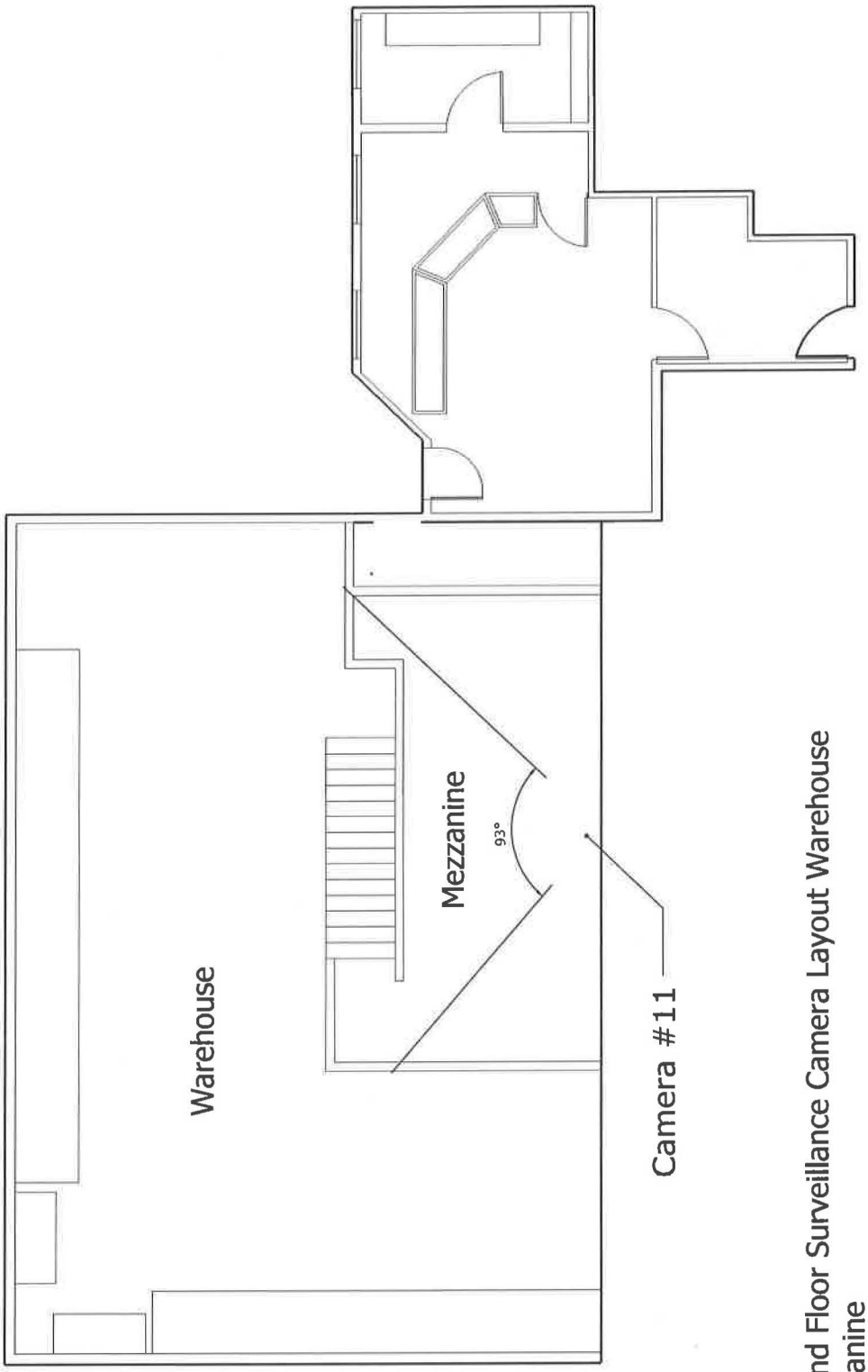
Appendix C



First Floor Surveillance Camera Layout Warehouse and Retail

Jonathan Yazzie

May 24, 2017 | Project Location | Surveillance Camera Layout | A | 01



Second Floor Surveillance Camera Layout Warehouse
Mezzanine

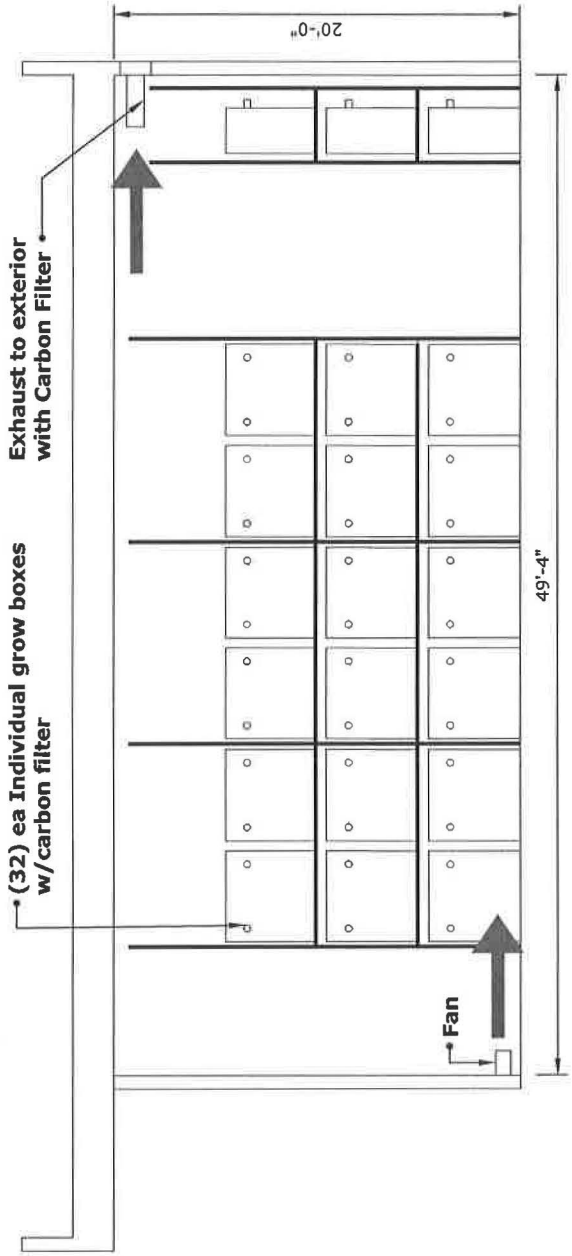
Jonathan Yazzie

Project Location | Surveillance Camera Layout

A 02

May 24, 2017

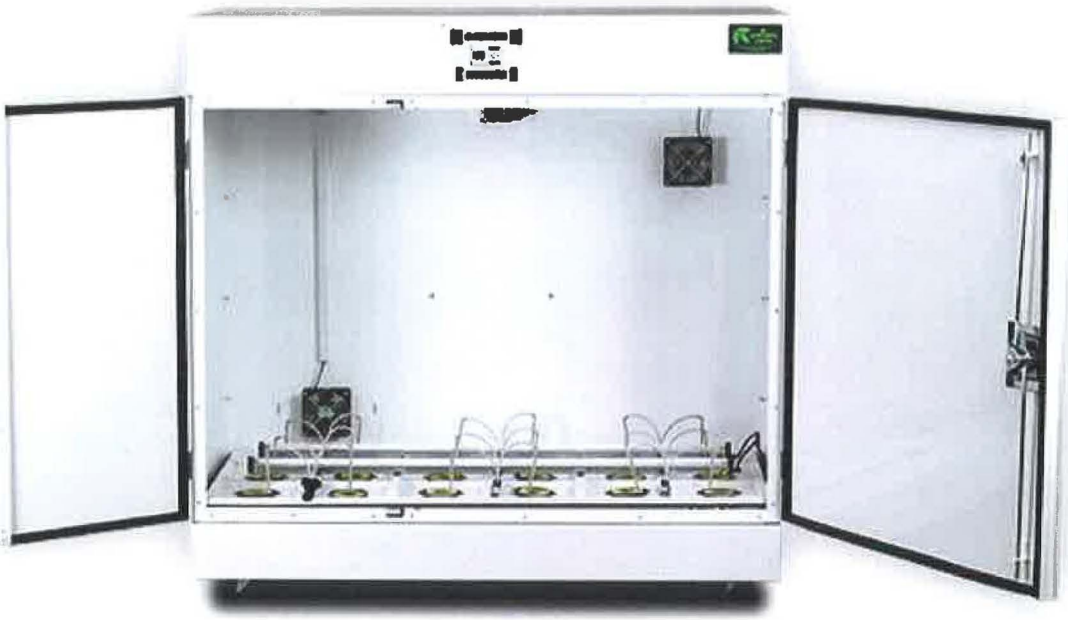
Attachment 5 - Cultivation floor plans and surveillance camera layout



Attachment 5 - Cultivation floor plans and surveillance camera layout

Appendix A

grow your OWN



Producer™

Technical Manual

BC NORTHERN LIGHTS
www.bcnorthernlights.com | toll free: 1-888-236-1266

BC NORTHERN LIGHTS

www.bcnorthernlights.com | toll free: 1-888-236-1266

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THANK YOU FOR CHOOSING THE BC NORTHERN LIGHTS PRODUCER

Although the Producer is very straightforward to use, the following manual contains a few guidelines to make your growing experience even easier.

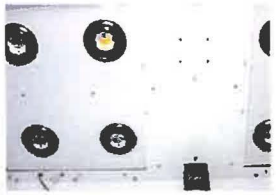
Producer Packing & Checklist

Keys - Twist tied to the door handle.

Mixing reservoir - Large Rubbermaid reservoir with drain hose.

H_2O pump - ECO 185

1 - Pump adapter hose.



Optional LEDs

2 – 400 watt HPS bulbs - Used for the Producer™ flowering side.

18 – Mesh pots (3.5") - used in the Producer irrigation lid.

Measuring syringe- Syringe with black fill reservoire attached on end. Used to pull nutrients out of each bottle and put in the Mixing reservoir that holds the water, based on the feeding schedule. 1 CC = 1 mL.

Hydro18 reservoir lid - Large irrigation lid used to hold 18 plants.

5 – 3" rockwool (24) - Growing medium used for transplanting the 1" cubes into.

3 – Vent covers - Used to deflect light from the back of the unit. They attach in the rear where the fans are.

Useful Tools

- Cordless drill (used for removing top during bulb installation)
- Hair dryer or sater (used for easier installation of pump adapters and air stones)

Producer Packing & Checklist Cont'd

CO_2 regulator - Located in brown box.

Irrigation whips (19) - Drip stakes with drip lines.

4 – 12" Air stones and airline whips with black splitter tees. (Air stones are located in white Elite box. Airline whips and splitter tees located in bag in the clone dome.)

Block covers (pack of 40)

Can filter and filter mount

Internal fan - For optimum air flow in the grow chamber (optional).

Veg Upgrade (optional)

Clone shelf - White metal shelf that mounts on the 2 screws in the back middle part of the Producer™ chamber.

Clone dome - Green base with clear lid used for starting seeds and cuttings.

1/2 slab 1" rockwool - 48 - The 1" rock wool cubes are inserted into these larger cubes, which are then inserted into the net pots.

125 watt CFL Bulb - Used for vegetation in the Producer™.

2 - MH Bulbs - Used for the Producer™ vegetation cycle.

T-5 upgrade - Used to provide more light from below **(optional)**.

Producer™ Assembly

Do not plug the machine into the wall outlet until you have fully assembled the Producer and you have read the instructions. Do not plug the pumps into the top of the machine unless there is water in the reservoirs.

Note: For video of how items are assembled or replaced, please see bcnorthernlights.com/manuals

Turn both the vegetation and flower rocker switches off; this will ensure that the lights are off when the machine is plugged into the wall. his will ensure that the lights are off when the machine is plugged into the wall. Remove all accessories and parts from the reservoir inside the unit.

These are some items that you can purchase in order to have your machine run properly: You can buy a CO2 tank from any Hydroponic store, Bottling supply store, brewhouse, etc. You will need a surge protector. Because we cannot ship pH up or pH down across the border, we recommend that you buy these products at any aquarium or pet store, or online.

Unpacking Tips

Remove items in this order...

1. Loose items such as rockwool, clone dome
2. Boxes, dryer (Royale Pack)
3. Mixing reservoir

The Hydro18 lid is quite flexible. If you have trouble getting it out the doors, just tilt it a little or give it a squeeze upward from each end.

Electrical Considerations

Producer - 9 amps
Typical household circuit breaker - 15-20 amps

**Amperage is calculated on using all components of each unit at the same time.We recommend that no more than 1 Producer go on a single 15-amp breaker.*

We also recommend that you plug your machine into a surge protector. This will protect the Producer from any power spikes due to storms, power outages, etc. Purchase online or at any electronic store.

⚠ WARNING The CFL bulb should be put in the vegetative socket. The 400-watt HPS or MH bulbs should be put in the top compartment ONLY. Do not switch bulbs between chambers or they will get damaged.

125W CFL
Optional with Veg Upgrade

400W MH

400W HPS

Attachment 6 - Cultivation Technical Manual

Flowering Chamber Assembly

- Hook up four of the 12" air stones to 4 of the short 12" clear airlines and lay them in the bottom of the reservoir (fig. 2.3).
- Hook the black T on the airline whips to the airline coming thru the hole in the side of the reservoir. (fig. 2.4).
- Hook up the pump adapter to the ECO 185 pump (fig. 2.5).
- Make sure to place the pump cord in the notch at the front of the reservoir.

HELPFUL HINT You may need to soak the adapter in hot water to make inserting easier.

Fig. 2.2

Fig. 2.3

Fig. 2.4

⚠WARNING Only plug the pump in at the top of the chamber (white clip) when water is in the reservoir, and you are ready to begin using the pump.

- Attach the other end of the pump adapter to the 90° that protrudes from the bottom of lid and lower the lid on the reservoir (fig. 2.6). Place the 3.5 inch mesh pots inside the cutouts on the Hydro18 reservoir lid.
- Insert the pump cord in the plastic white channel located in the front of the chamber (fig. 2.8). It opens from one side.
- Remove the Producer flowering chamber cover (fig. 3.0).
- Clean glass and install the 400-watt bulbs. Turn clockwise and do not over tighten. Avoid touching the bulbs directly. (fig. 3.1).
- Install vent covers by placing the cover over fan opening (fig. 3.2).
- Check fan connections (fig. 3.3) and replace lid (fig. 3.4).
- Install the irrigation whips in your irrigation lid, inserting the drip stake into the black drip emitter. The drip stake sticks into the rockwool in your mesh pots. (fig. 2.7)

HELPFUL HINT Only use your filter when odor is present. This will lengthen the life of your filter dramatically.

Fig. 2.5

Fig. 2.6

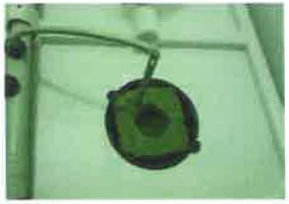


Fig. 2.7

Bulb Installation

Fig. 2.8

Fig. 2.9

Fig. 3.0

HELPFUL HINT Wipe finger prints off of the bulb with a clean dry cloth to ensure the full life of the bulb

Installing the Carbon Filter

- Attach the filter mount by squeezing the mount and sliding it into the collar on the exhaust fan (fig. 3.5a). Attach with the bolts provided (fig. 3.5b). Slide the neoprene washer over the collar (fig. 3.5c). Slide the Carbon Filter onto the filter mount and secure onto the box with the rubber washer and wing nut (with the rubber side of washer facing the filter) (fig. 3.5e).

Fig. 3.1

Fig. 3.2

Fig. 3.3

Fig. 3.4

Fig. 3.5a

Fig. 3.5b

Fig. 3.5c

Fig. 3.5d

Fig. 3.5e

Attachment 6 - Cultivation Technical Manual

T-5 Bulb Installation *(optional)*

- Mount both T5 ballasts to the irrigation lid by pressing them into the metal clips. Make sure you have the male ends of the T5 facing the right side of the machine (fig. 3.7).
- Plug the "T" T5 cord into both T5 ballasts (fig. 3.8).
- Plug the black clip on the other end of the T5 power cord into the socket in the top right-hand corner of the grow chamber labelled "T5 Lights" (fig. 3.9).
- Run the T5 power cord into the ducting channel with the water pump cord and airlines to keep it tidy.
- The T5 Lighting will come on at the same time as the 400w bulbs (fig. 4.0).

Fig. 3.7

Fig. 3.8

Fig. 3.9

Fig. 4.0

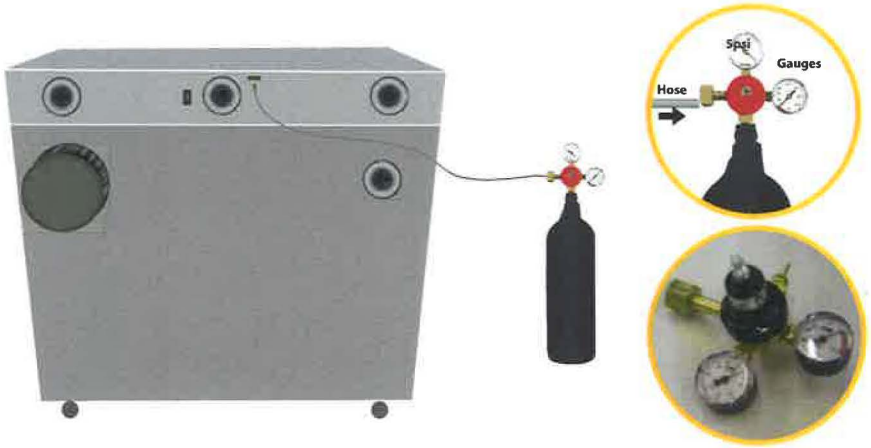
Internal Fan Mounting Instructions

- Unbox the internal fan and locate the key slot on the handle (fig. 4.1).
- Locate the fans mounting bolt in the top/back left corner of the grow chamber (fig. 4.2).
- Loosen the bolt enough to slide the fan's key slot onto the bolt, then tighten the bolt so the fan is secure.
- Plug the internal fans power cord into the "ALWAYS ON" socket right beside the bolt.
- Turn the dial on the backside of fan to 1 of the 2 possible speeds.

Fig. 4.1

Fig. 4.2

CO_2 System Assembly



- Attach the regulator provided to the CO2 tank (not provided). Tighten the regulator fitting with a wrench (not provided) (fig. 4.4).
- Attach the clear CO2 hose mounted on the back of the machine (fig. 4.5) to the brass fitting on the regulator (fig. 4.6). Push the CO2 line all the way onto the barb.

HELPFUL HINT You may need to warm up the CO_2 line with warm water or a hair dryer to make insertion easier.

Fig. 4.4

Fig. 4.5

Fig. 4.6

⚠ WARNING Ensure that the CO2 tank is turned off until you are ready to begin using CO2. When you are ready, refer to the CO2 Injection section in the grow manual. Don't begin to use CO2 until the second week of the flowering cycle and only use if your plants have a good root system and look healthy.

Attachment 6 - Cultivation Technical Manual

Machine Operation Overview

A. GroSmart

BC Northern Lights has taken great pride in offering you the most state-of-the-art control center available. The GroSmart control center is pre-programmed for you and will ensure that your plants have optimal levels of light, air movement, CO_2, and water/nutrient solution. Sometimes, you will need to tweak the programs for your specific environment, growing medium or personal goals. We'll give you the basics and you can always call support for a little help. The up position on the CO_2 switch is the override. It is used sometimes to blast a high amount of CO_2 in your machine to kill bugs. Contact your BCNL Rep for more info on this.

Along with the GroSmart there are 4 rocker switches that will control all aspects of your grow. The top left rocker switch controls the vegetation bulb and is set for either up 18/6 lighting schedule, or down to 12/12. The top right rocker switch controls your flowering chamber and is set for either 18/6 (up position) or 12/12 (down position). The lower left rocker switch will control your watering (down position will run the auto watering program) and is used to drain your reservoir (up position will run for 20 min. and should pull the majority of water out of the reservoir). The bottom right rocker switch controls your CO_2 injection (down position will run the custom CO_2 program once tank has been set-up).

The GroSmart is the heart and soul of your Producer. Please make sure that all rocker switches are in the **OFF position before you plug in your machine.**

If adjusting time or looking around at the program in your GroSmart, be careful NOT TO DELETE THE PROGRAM! We will have to send you a new chip at a cost of $65.

Setting Time and Date on your Producer™

Before you can start to enjoy using your new machine, you must first set the time. You can set the time on your Producer only when all of your switches are off.

Clock is in 24-hour format: 4:20 pm = 16:20 / 4:20 am = 04:20 (add 12 after = 1:00pm)

6:00 am - 06:00	11:00 a.m. - 11:00	4:00 p.m. - 16:00	9:00 p.m. - 21:00
7:00 a.m. - 07:00	12:00 p.m. - 12:00	5:00 p.m. - 17:00	10:00 p.m. - 22:00
8:00 a.m. - 08:00	1:00 p.m. - 13:00	6:00 p.m. - 18:00	11:00 p.m. - 23:00
9:00 a.m. - 09:00	2:00 p.m. - 14:00	7:00 p.m. - 19:00	12:00 p.m. - 00:00
10:00 a.m. - 10:00	3:00 p.m. - 15:00	8:00 p.m. - 20:00	

To SET CLOCK from the main display:
PRODUCER / 00:00
SYSTEM OFF

1. press the OK key

From the sub menu:

PROGRAM
RUN
PARAMETER
SET CLOCK

2. Use the up/down arrows to choose SET CLOCK and then press OK. Your screen should now read:

SET CLOCK
SUMMERTIME

Press OK again to get to the screen:

SET CLOCK
yy/mm/dd
08/04/2_

The last digit of the date will be highlighted and flashing. Press OK again and you will be able to change the number. Continue using your left and right arrow keys to change the other parts of the date and time. When you have finished setting the date and time press OK. Your screen should read:

SET CLOCK
SET?

If everything is looking good click OK, then hit ESC twice to back out.

You are now ready to grow! Just make sure your Veg/Flower switch is in the appropriate position!

With all your rocker switches still in the off position, your screen will read System Off with the time and the word Producer intermitting.

PRODCER / 00:00 (current time)

SYSTEM OFF

Vegetation Bulb Upgrade

This upgrade is used to propagate seedlings and newly cut clones. A self-ballasted compact CFL bulb is used in this chamber, located top and center in the grow chamber, which will provide an ideal lighting spectrum for lush vegetative growth. When you are ready to use this bulb turn the veg rocker switch to either of the ON positions. You may use the CFL bulb during your flower cycle along with your ballasted 400watt HPS to add another spectrum of light to your plants.

T-5 Upgrade

This is to provide more light from below. The T-5s can be controlled by your right hand flowering switch. When plugged in, the T-5s will run on the same schedule as your dual 400s above (18/6 or 12/12).

Flowering Chamber

The chamber allows you to bloom 18 healthy plants under 2 high-output 400-watt bulbs. The light box that houses the bulbs has its own independent exhaust system to remove all heat created from the bulbs. When you are ready to use these lights turn the flower rocker switch either (up) position for a vegetative cycle using 2 x 400 MH bulbs (18/6), or down for a flowering cycle using 2 x 400 HPS bulbs (12/12). The center position on the flowering rocker switch represents the off position.

Flowering Schedule

The timer that operates this chamber is programmed as follows. This timer operates the HPS (flowering) or MH (vegetative) bulb, the 2 fans located to the left and right of the bulb, and the fresh air intake fan located in the chamber.

Flower Schedule (down position)	
9:00 AM	ON
9:00 PM/21:00	OFF

or

Vegetation Schedule (up position)	
6:00 AM	ON
12:00 AM/0:00	OFF

HELPFUL HINT The exhaust fans next to the HPS or MH bulb come on and off with the light.

⚠WARNING Please ensure there is always some water at the bottom of the reservoir if your pump is plugged in

Oxygen is supplied to the water in the reservoir via an internally mounted air pump that feeds the four 12" air stones in the bottom of the reservoir. If you are not using your reservoirs, there is a manual shut off (rocker switch) located at the back of the unit.

⚠WARNING It is imperative that the air pump be running any time there is water and roots in the reservoir, as it provides the oxygen necessary for the roots to stay alive.

CO_2 Injection and Water overridees

The Producer features a state of the art easy-to-use CO2 injection system. The use of CO2 will dramatically increase the production of your plants. CO2 is programmed to inject automatically throughout the day to maintain a constant CO2 level of 1200-1600 PPM.

The CO2 rocker switch override should only be used when initially setting the CO2 regulator, or when instructed by BC Northern Lights technical support. If the CO2 switch has been left in the override (up) position by accident, it will automatically shut off after 15 minutes as a safety feature so your plants don't suffocate.

The water override switch is used mainly for draining your nutrients out of the reservoir. If you flick the water override switch up, it will run the water pump for a maximum of 20 minutes. MAKE SURE YOU DO NOT RUN THE PUMP DRY, as this will burn it out quickly.

With the water override switch in the off position, the GroSmart will run the automatic watering schedule which waters once a day for 5 minutes (at 8:45).

HELPFUL HINT The CO_2 rocker switch must be in the down position for the control center to automatically inject your CO_2. Don't begin to use CO_2 until the second week of the flowering cycle and only use if your plants have a good root system and look healthy.

Maintaining Your Machine

It is extremely important to keep the Producer clean and sterile in order to prevent mold, fungus, insects and disease from invading and damaging your crop. We recommend that the following precautions be taken to minimize the chance of problems:

- Always wash your hands with disinfectant soap.
- Try to wear freshly-laundered clothes.
- In between crop cycles wash the walls and tubs with a 10% bleach solution.
- Run a 10% bleach solution through the irrigation lines. Do this by turning on the irrigation override button which will run the pumps for 20 minutes before the safety override engages. We recommend that you do this at least 3 times with the bleach solution, and then one final time with fresh water.
- Flush the lines thoroughly with fresh water.
- If your drip emitters have salt build up, run hot water with an acid solution (50:1 ratio) through the lines. Use vinegar or lemon juice mixed with water for the acid solution.
- Flush the lines thoroughly with fresh water. Turn the water rocker switch to the override (up) position. Water will begin to flow. Remember to return the override rocker switches to their original position after use.

Contacts

Our knowledgeable staff members are happy to answer any questions or comments you may have. We offer help 7 days a week, 16 hours a day. From relationship advice to growing questions, your BC Northern Lights rep is there. For more information visit our website at: http://www.bcnorthernlights.com. You will find phone numbers and email addresses.

Phone: **1-866-833-8659**
Email: **support@bcnorthernlights.com**
Address: **#311 - 13060 80th Avenue, Surrey, British Columbia, Canada, V3W 3B2**

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Justin Ext. 114, Justin@bcnorthernlights.com
Production manager, lead tech support, and all vendor ordering. If your rep just can't help you, Justin's your man.

Len Ext. 121, Len@bcnorthernlights.com
Tracking numbers and all shipping and receiving are done by Len.

Todd Ext. 117, Todd@bcnorthernlights.com
Sales and general tech support.

Myles Ext. 129, Myles@bcnorthernlights.com
Sales and general tech support.

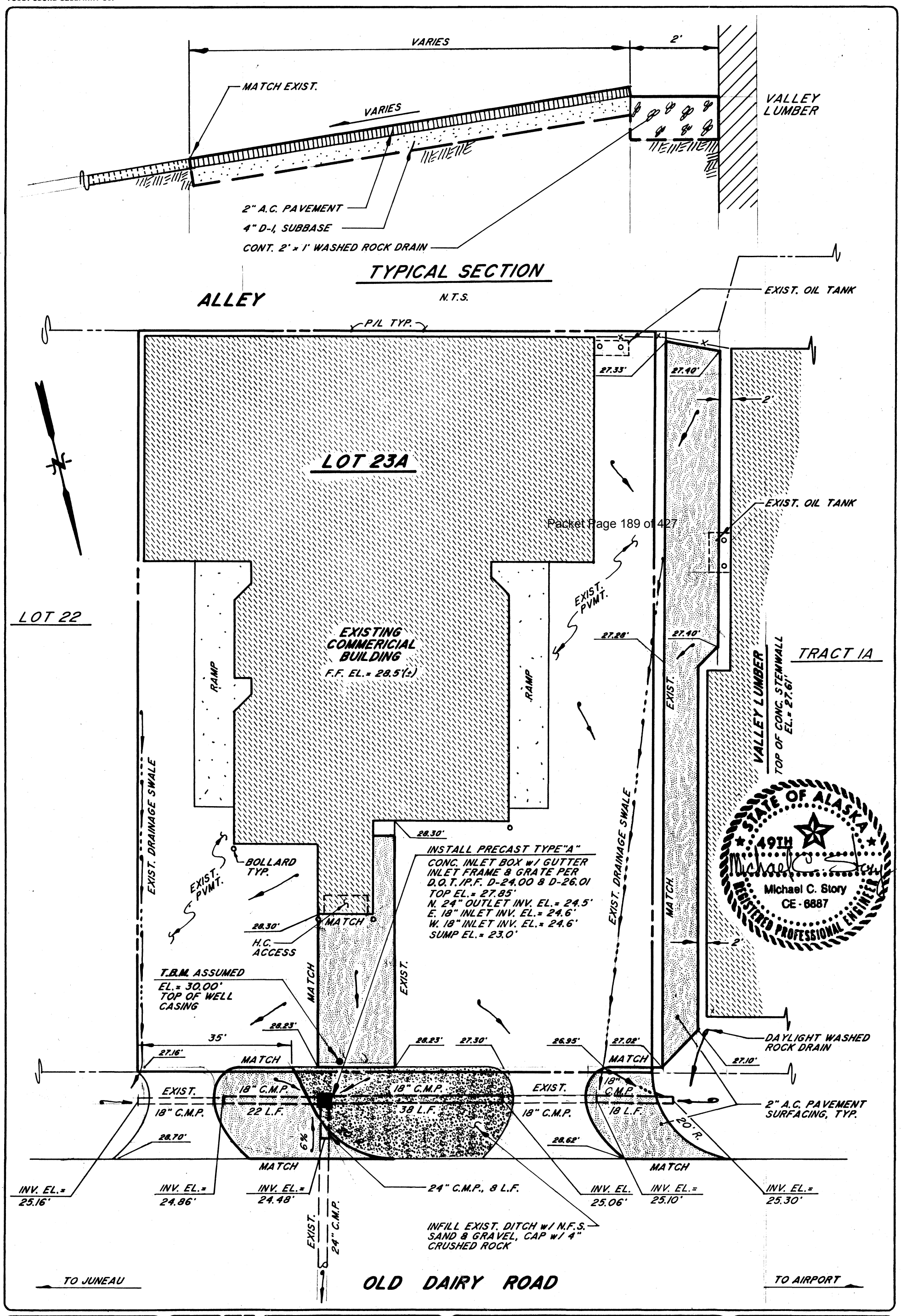
Andy Ext. 133, Andy@bcnorthernlights.com
Sales and general tech support.

Ben Ext. 113, Ben@bcnorthernlights.com
Sales and general tech support.

Warranty Procedure

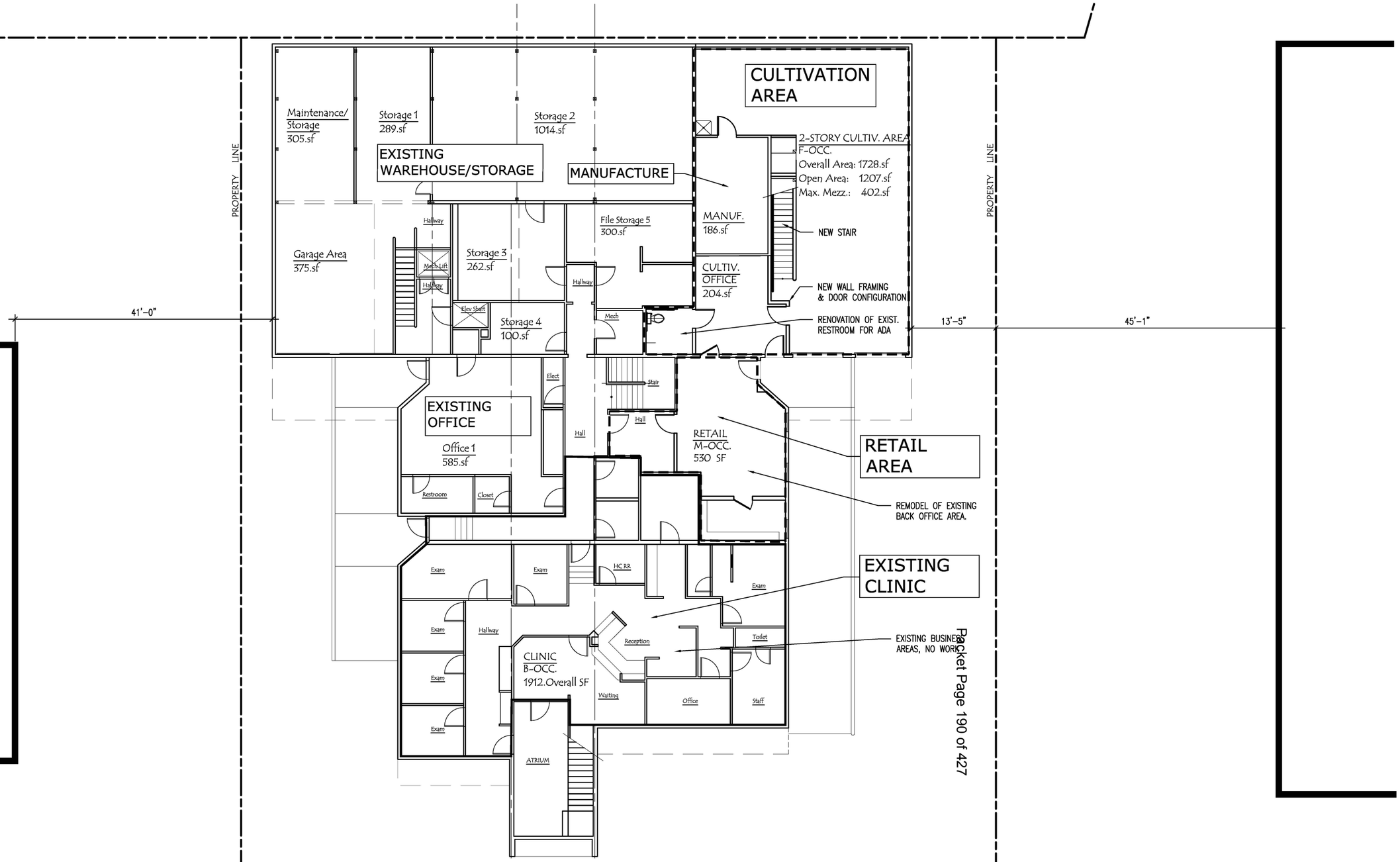
At BC Northern Lights we offer a 3-year warranty on all components of the Producer (except bulbs). Please call your BC Northern Lights rep if you encounter a problem, as there might be an easy fix without having to replace a part. If we do need to replace a part, we ship out UPS every day to service our customers better.

PUGET SOUND BLUEPRINT CO.



Packet Page 189 of 427

DES: M.L.P.	R&M ENGINEERING, INC. ENGINEERS GEOLOGISTS SURVEYORS	PAVEMENT IMPROVEMENT PLAN FOR LOT 23A FIELD MEADOW SUBDIVISION CITY & BOROUGH OF JUNEAU, ALASKA	DWG. NO. 1 OF 1
CKD: M.A.M.			SCALE: 1" =20'
DWN: M.L.P./F.M.			DATE: 8-24-92
CKD:			PROJ. NO. 921363
APPD: L.P.			GRID: FILE:



Lower Level

1 FIRST FLOOR - CODE AREA PLAN
1/16" = 1'-0"

4' 8' 16' 32'

© GOTSCHALL + ASSOCIATES ARCHITECTS, LLC - ALASKA
GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
07/18/2017

G+A Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

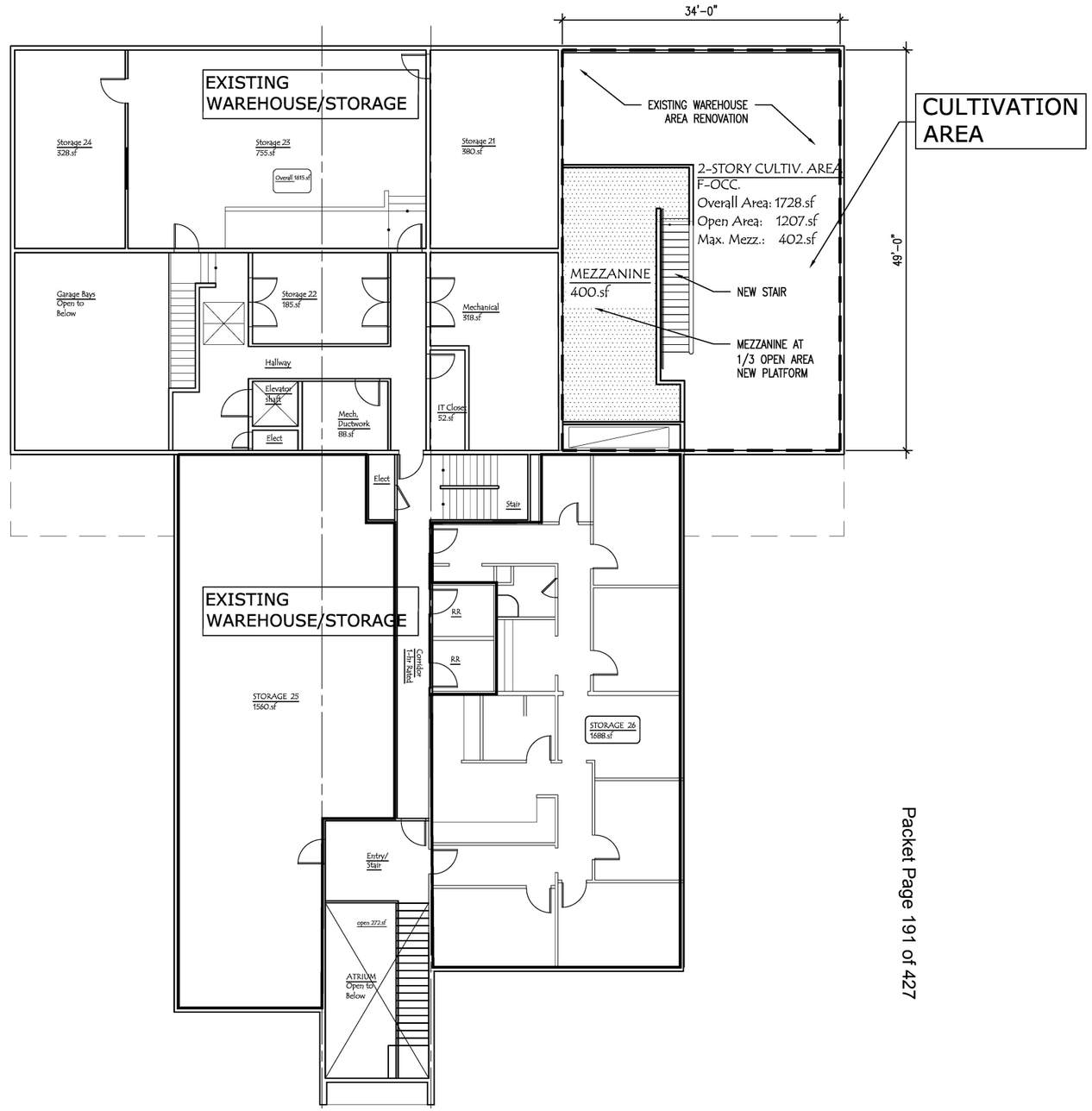
CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

REVISIONS
UPDATED: 02/09/2017 SF AREAS
UPDATED: 05/02/2017 ROOM DESIGNATIONS
UPDATED: 07/1802017 TITLES

SHEET TITLE:
CODE PLAN
LOWER LEVEL

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET #
C-1



Upper Level

Overall floor area
9029.gsf

2 SECOND FLOOR - CODE AREA PLAN
1/16" = 1'-0"

4' 8' 16' 32'

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GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
07/18/2017

G+A Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

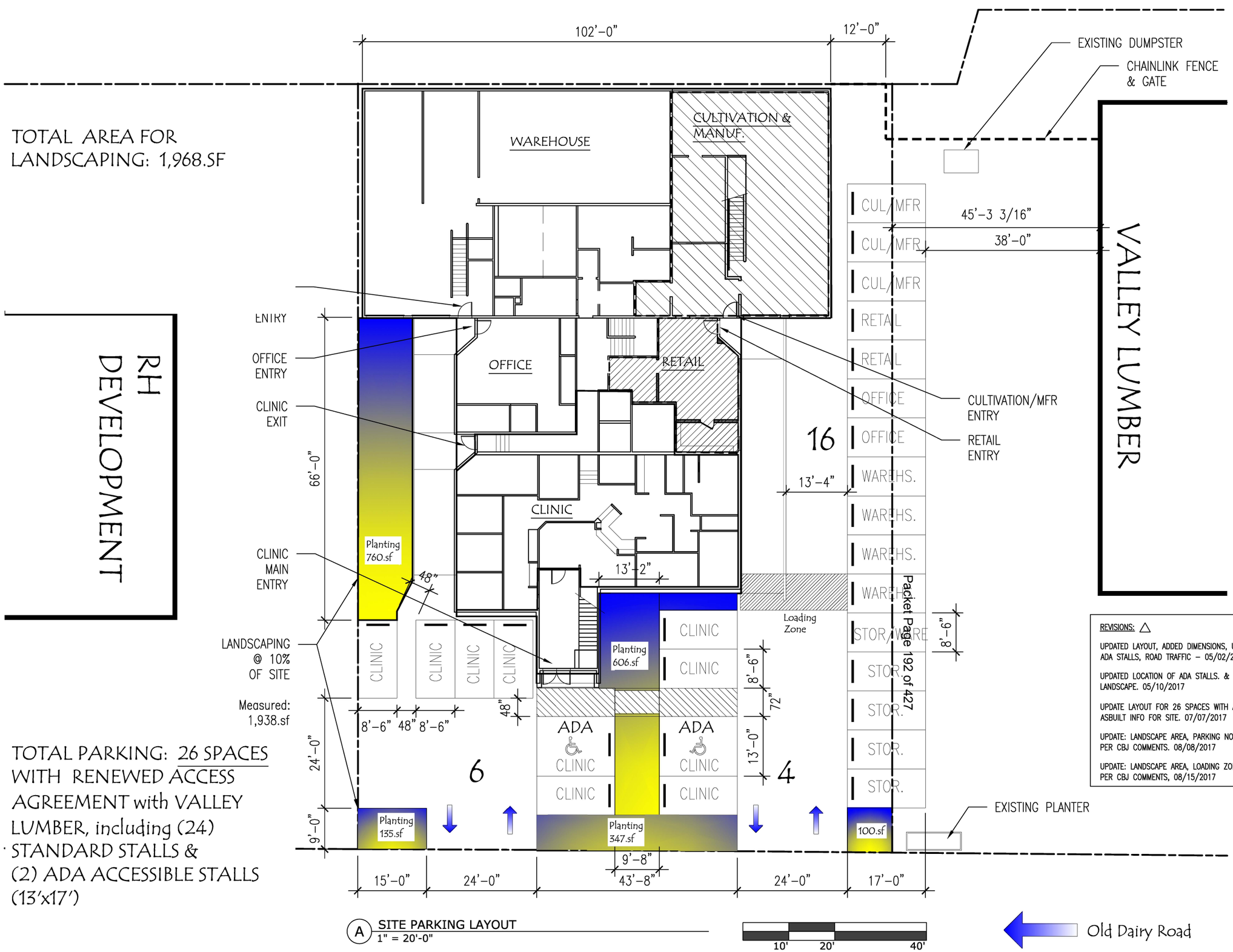
CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE:
CODE PLAN
UPPER LEVEL

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET #
C-2

REVISIONS
UPDATED: 02/09/2017 SF AREAS
UPDATED: 05/02/2017 ROOM DESIGNATIONS
UPDATED: 07/18/2017 TITLES



RH DEVELOPMENT

TOTAL PARKING: 26 SPACES WITH RENEWED ACCESS AGREEMENT with VALLEY LUMBER, including (24) STANDARD STALLS & (2) ADA ACCESSIBLE STALLS (13'x17')

A SITE PARKING LAYOUT
1" = 20'-0"

REVISIONS: △

UPDATED LAYOUT, ADDED DIMENSIONS, UPDATED ADA STALLS, ROAD TRAFFIC – 05/02/2017

UPDATED LOCATION OF ADA STALLS. & LANDSCAPE. 05/10/2017

UPDATE LAYOUT FOR 26 SPACES WITH ADD'L ASBUILT INFO FOR SITE. 07/07/2017

UPDATE: LANDSCAPE AREA, PARKING NOTES PER CBJ COMMENTS. 08/08/2017

UPDATE: LANDSCAPE AREA, LOADING ZONE REV. PER CBJ COMMENTS, 08/15/2017

STATE OF ALASKA 49TH GERALD R GOTSCHALL A-9185 REGISTERED PROFESSIONAL ARCHITECT
08/17/2017

G+A Architects
Gotschall + Associates Architects, LLC
8300 N Douglas Hwy
Juneau, AK
907.723.8257
GeraldGotschall@icloud.com

CONSTRUCTION - PERMIT DRAWINGS
2017 RENOVATIONS
8505 Old Dairy Road
JUNEAU, ALASKA

SHEET TITLE: SITE PARKING LAYOUT <REVISED>

DATE: JULY 18, 2017
CHECKED BY: GRG
DRAWN: GRG

SHEET # P-1

© GOTSCHALL + ASSOCIATES ARCHITECTS, LLC - ALASKA
GA+A 1605 _ OLD DAIRY ROAD BUILDING RENO 2017

G+A Gotschall + Associates Architects, LLC

Parking Count

8505 Old Dairy Road
Juneau, AK

Issue Date: 7/18/2017 Updated
Prepared: G+A Arch GRG
Per CBJ Title 49

Room	Area (sf)	Area Type	Parking Ratio		Required Spaces
1st Floor					
Warehouse/Storage - Left Side (Maint. Stor, Stor 1, 2, 3, 4, 5)	2610	Storage	1/1000	0	2.61
CULTIVATION Area (Reno)					
Manuf. - Cultivation & Manuf.	1524	**Manufacturing**	1/1000	0	1.52
Manufacturing - Mezz.	400	**Manufacturing**	1/1000	0	0.40
Manufacturing - Office	204	Office	1/300	0	0.68
Office 1	585	Office	1/300	0	1.95
CLINIC Area	1912	Clinic, Outpatient	1/200	0	9.56
RETAIL Area (Reno)	530	Office	1/300	0	1.77
Area:	7765				
Overall Lower Level gross area (9,078.gsf), less areas above:	*1313*	*Warehouse*	*1/1000*	*0*	*1.31*
2nd Floor					
Storage 21	380	Storage	1/1000	0	0.38
Storage 22	185	Storage	1/1000	0	0.19
Storage 23	755	Storage	1/1000	0	0.76
Storage 24	328	Storage	1/1000	0	0.33
Storage 25	1560	Storage	1/1000	0	1.56
Storage 26	1688	Storage	1/1000	0	1.69
Area:	4896				
Overall Upper Level area (9,078.gsf - floor openings 2,602.sf), MINUS areas above:	*1580*	*Warehouse*	*1/1000*	*0*	*1.58*
Parking Summary Total					26

Common areas such as hallways, stairs are counted at Warehouse rate of 1/1000. Assumption is that the 'majority' of the building is 'Warehouse' and so is counted as 1/1000.

Parking Rates Per Title 49.40.210

Offices	1/300
Medical Clinics	1/200
Warehouse/ Storage	1/1000
Manufacturing	1/1000

Attachment 11 - Parking count summary

VALLEY

"We're Your Home Team"

LUMBER & BUILDING SUPPLY

8525 OLD DAIRY ROAD JUNEAU, ALASKA 99801

907 789-7500 FAX: 907 789-4049
1 800 770-7500

May 9, 2017

Dear Tim Felstead,

I am writing this letter to you to confirm that the original parking agreement with Juneau Urgent Care dated September 3rd, 1992, is still in effect. It will continue to be in effect through August 22, 2022. If you have any questions, please give me a call at 789-7500.

Sincerely,

Dan Graves

Dan Graves

Urgent Care Parking Lease

LEASE

This lease dated the 3 day of September, 1992, by and between Valley Lumber, Inc. hereinafter called "landlord," and Dr. Louis Packer and Ellen Varosi, hereinafter called the "tenant."

WITNESSETH:

In consideration of the mutual covenants and agreements contained in this lease, Landlord and Tenant agree as follows:

1. TERM. The term of this lease shall commence on the 1st day of September, 1992, and shall continue for a period of ten years, ending on August 31, 2002.

2. RENT. During the term of the lease, Tenant shall pay to Landlord as basic monthly rent ONE HUNDRED AND EIGHTY DOLLARS ($180.00), plus any applicable tax, on or before the first calendar day of each month, in advance, at the Landlord's address, without demand and without any deduction or set-off whatsoever.

3. LEASED PREMISES. Landlord leases to Tenant, two thousand two hundred (2200) square feet more or less of contiguous space located adjacent to 8505 Old Dairy Road, more particularly described as Lot 1A, of the replat of Lots 23 and 24, of Tract 1, Field Meadow Subdivision, Juneau Recording District, Alaska, for the purpose of a parking lot. The premises are leased to

Jonathan Daniel - 907 419 0954
Yazzie.

Tenant in an "as is" condition.

4. CONDEMNATION. If all or a substantial portion of the leased premises is taken through the exercise of eminent domain, or by negotiated purchase in lieu of eminent domain proceedings by a public or quasi-public entity, this lease agreement shall terminate at the time possession is taken by the public or quasi-public entity. In the event of termination under this paragraph, the Tenant shall be entitled to repayment of a proportional amount of the rent paid for the remainder of the calendar month when the lease terminates. Tenant shall also be entitled to a proportional share of any awards or payments made or received in any eminent domain proceeding, or sale in lieu of such proceeding as compensation for Tenant's improvements, betterments and Tenant's leasehold interest.

5. ASSIGNMENT AND SUBLETTING. Tenant shall not assign or in any manner transfer this lease or any interest therein, nor sublet the leased premises or any part or parts thereof without the prior written consent of the Landlord, such consent not to be unreasonably denied by landlord. Landlord understands the and agrees that the purpose of the lease is for betterment to Tenant's property adjacent to the leasehold, and that transfer of Tenant's interest in the adjacent property necessarily contemplates transference of the leasehold. Any

assignment, sublease or other transfer of this lease or any interest therein without the Landlord's approval is void.

6. ENCUMBRANCE AND TRANSFER OF LEASE INTEREST. Landlord reserves the right to sell, transfer, assign or otherwise convey or encumber Landlord's interest in this lease, subject to the terms and conditions of the lease and reservation of the Tenant's rights created thereunder.

7. INSTALLATIONS, ALTERATIONS AND IMPROVEMENTS, MAINTENANCE AND REPAIR. Tenant shall be responsible for all installations, alterations, maintenance and repair to the leased premises. All alterations, additions, improvements and fixtures installed upon the leased premises shall become the property of the Landlord and shall remain upon and be surrendered with the leased premises at the termination of this lease. Tenant shall not be responsible for maintenance, repair or cleanup associated with the oil tank situated in part on the leased premises and which services the Landlord's business.

8. MECHANICS AND MATERIALS LIENS. Tenant shall not allow any mechanic or material lien to be filed against the leased premises by reason of any work or materials furnished to the leased premises. If a mechanic or material lien is filed, Tenant shall immediately cause the same to be discharged,

but Tenant shall have the right to contest any such liens. If Tenant fails to cause a mechanic or material lien to be discharged within 30 days of the notification of the filing of said lien and before judgment and sale thereunder, then Landlord may discharge the lien and the amount paid by Landlord shall be immediately due and payable by the Tenant to the Landlord. Nothing contained in this lease shall be construed as a consent on the part of the Landlord to subject the Landlord's estate in the leased premises to any lien.

9. SURRENDER OF POSSESSION. At the expiration or earlier termination of the term of this lease, Tenant shall surrender the leased premises in good condition and repair except for reasonable wear and tear, and repairs specifically required herein to be performed by the Landlord. In the event Tenant remains in possession of the leased premises after the expiration of the term of this lease and without the execution of a new lease, but with the acquiescence of the Landlord, Tenant will be deemed to be occupying the leased premises as a month-to-month tenant, at the monthly rental rate applicable at the expiration of the lease, and subject to all the other terms and conditions of this lease.
the term of this lease.

10. INTERFERENCE WITH USE AND OCCUPANCY. In the event that the leased premises or any part thereof become unusable or prevent the Tenant

from occupancy as a result of any cause, Tenant shall give prompt written notice thereof to Landlord, and Landlord shall immediately undertake repairs to remedy the condition specified in the notice. Unless the condition limiting use and occupancy resulted from Tenant's intentional, reckless or negligent actions, Landlord shall pay for the costs of repairs and Tenant's rent shall be reduced in proportion to the limitation on use and occupancy experienced by the Tenant.

11. INDEMNIFICATION. Tenant agrees to indemnify Landlord against any claim, expense, loss or liability incurred as a result of any occurrence on or about the leased premises, or occasioned in whole or part by the use and occupancy of the leased premises, or from any breach or default under this lease, or from any act or omission or negligence of Tenant, his agents, employees, sublessees, concessionaires, licensees, invitees or customers.

12. INSURANCE. Tenant shall obtain and maintain comprehensive general liability insurance with a minimum liability of $100,000 per person for injuries, including death, $300,000 per accident, and $100,000 for damage to property.

13. DEFAULT BY TENANT. Any of the following events shall constitute default by the Tenant under this lease:

a. If this lease is assigned or the leased premises are sublet, either

voluntarily or by operation of law, except as expressly provided herein;

b. If Tenant fails to pay when due, any rent or additional payments required under the terms of this lease, except that default on nonpayment of rent will not occur until ten days after the rent is due;

c. If Tenant fails to operate the leased premises as required herein, and such failure is not cured within fifteen days after written notice is provided by Landlord;

d. If Tenant fails to comply with any other provision of this lease, and does not cure such failure within thirty days after written notice is provided by the Landlord specifying the default;

e. If Tenant abandons the leased premises; or

f. If proceedings are instituted for the reorganization, liquidation, or involuntary dissolution of Tenant, or for its adjudication as bankrupt or insolvent, or for the appointment of a receiver of the property of Tenant, and said proceedings are not dismissed and any receiver, trustee or liquidator appointed is not discharged within 30 days of the institution of such proceedings.

In the event of default, Landlord may elect to cancel and terminate this lease, or to reenter and take possession of the leased premises and terminate

Tenant's right to possession of the leased premises.

In the event of default, Landlord may elect to cure the default at Tenant's expense. Tenant shall reimburse Landlord for all amounts expended in connection with curing the default, including attorney fees and incidental costs. Such amounts, together with interest accruing at the rate of 10% per year from the date of expenditure, shall be deemed additional rent due and payable when the installment of rent immediately following the expenditure is due.

Failure by Landlord to declare Tenant in default and to terminate this lease does not operate as a waiver of any provision of this lease preventing Landlord from declaring Tenant in default and terminating the lease for a further default of the same or similar nature.

The remedies conferred upon Landlord by law and the remedies conferred upon Landlord under this lease are cumulative, and no remedy shall be deemed to exclude any other remedy. Each remedy may be exercised from time to time, as often as occasion arises.

14. DEFAULT BY LANDLORD. Should Landlord be in default under the terms of this lease, Landlord shall have a reasonable time of not less than thirty days after receipt of written notice of the default from Tenant to cure the default.

15. OPTION TO RENEW. Landlord hereby gives and grants to Tenant

an option to renew this lease for two additional ten year periods, commencing September 1, 2002, under the following conditions:

a. Tenant must notify Landlord of their intent to exercise this option for the first ten year period in writing after September 1, 2001 and before December 31, 2001;

b. Tenant must notify Landlord of their intent to exercise the option for the second ten year period in writing after September 1, 2011 and before December 31, 2011;

c. No default of this lease by the Tenant exists at the time the options are exercised;

d. Landlord has not, prior to receipt of Tenant's notice under subparagraph (a), sold, entered into an agreement of sale or placed the property on the market for sale to a third party; and

e. The terms and conditions of this lease shall apply during the option period year.

16. MISCELLANEOUS.

a. The provisions of this lease are binding upon and inure to the benefit of the devisees, legatees, heirs, legal representatives, successors

and assigns of the parties.

b. No amendment to this lease is effective unless expressed in writing and executed by the parties to this lease.

c. No delay or omission on the part of the parties in exercising any of their respective rights under this lease shall operate as a waiver of such right, or any other right.

d. Any demand or notice made or given by either party is effective when mailed, postage prepaid, or delivered to the address at which the party customarily communicates with the other.

e. Time is of the essence for the performance of any of the covenants of this agreement and for the fulfillment of any conditions or obligations hereunder.

f. The laws of the State of Alaska shall govern the validity, performance and enforcement of this lease.

g. The invalidity or unenforceability of any provisions contained in this lease shall not effect or impair the validity or enforceability of any other provisions of this lease.

h. The headings of the several paragraphs contained herein are for convenience only and do not define, limit or construe the contents of such

paragraphs.

i. Landlord to have access from time to time to do repairs or maintance or accept delivery of goods as needed.

DATED: 9/2/92

Dr. Louis Packer, Tenant

Ellen Varosi, Tenant

DATED: 9/2/92

Valley Lumber, Inc.

From: Teri Camery
To: Teri Camery
Subject: DOT and CBJ Engineering correspondence regarding Forget Me Not Marijuana
Date: Monday, October 02, 2017 11:45:00 AM
Attachments: image002.png

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Monday, September 11, 2017 2:55 PM
To: Teri Camery; Ron King
Cc: Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I received the information I needed to finalize a comment. DOT&PF is okay with the parking plan, provided the property owner receives a driveway permit. The design waivers have been approved; however, DOT will include a stipulation reserving the right to reconsider the waivers and/or the permit site plan if the operation of the lot requires the reconsideration.

Additionally, from the GIS site, it appears there is a right-of-way in the rear of the lot. We are not requiring it to be used at this time but it might be something the property owner should look into if traffic into this lot is drastically increased. Or, possibly, an agreement with Valley Lumber to utilize their closest driveway.

I will email the applicant directions to apply for the permit.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Thursday, September 07, 2017 3:56 PM
To: Haynes, Emily R (DOT); Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hello Emily and other DOT folks,

We need to wrap up this review and receive DOT's final response. Emily wrote in the email below, last Friday, "To summarize, I do not yet have a complete answer for you on the new design or if we need modifications and, if so, what those would be. I wish I had more of a solid response for you today."

I sent you the square footage as requested. Please tell me what your expected timeline is to complete your review, so I may inform the applicant.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward

Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Friday, September 01, 2017 10:26 AM
To: 'Haynes, Emily R (DOT)'; Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks for your reply, Emily.

I do have this information from the applicant in response to your question:

The square footage of the urgent care clinic is 1,900 sqft and the marijuana cultivation facility is 1650 sqft.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, August 31, 2017 4:12 PM
To: Teri Camery; Ron King
Cc: Heidemann, Marie E (DOT); Epstein, David B (DOT); Goins, Christopher B (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I identified a lot of design waivers we would have to issue for the driveway permit which will require further input from DOT staff to approve. As it would be, "August Madness" is happening right now and most of our staff are working overtime to meet federal deadlines so I haven't been able to receive that necessary input.

Here are the design waivers we would have to consider to approve the plan, which are substantial considerations:

1. Distance between driveways (43'-8")
   a. Per PCM Table 1190-3, with over 10 vph, they do not have space to have two access points
   b. Within the same table, they would still need 50' between driveways even if it was less than 10 vph
2. Edge clearance (15'-0" on south, appox 10'-0" on north)
   a. Per PCM 1190.5.8, the edge clearance (distance from property line) is equal to the return radii
   b. With a commercial driveway, we would normally require 40' radii; however, because the primary vehicles accessing will be passenger vehicles, we may reduce to 20' radii

Of course, we are taking into account CBJ's requirements as well which adds to the property owner's limitations to design to meet everyone's standards.

I haven't been able to figure out our specific authority on requiring a sidewalk for this property. The sidewalk would be located in the right of way and I believe we can require its construction if we have justification but whether or not this action necessitates that requirement, I'm still not sure. My initial opinion would be that would can only encourage its construction.

I have just realized I should ask you what the square footage of the Urgent Care will be and the square footage of the marijuana retail/cultivation facility. We need these to determine the expected traffic for this lot.

To summarize, I do not yet have a complete answer for you on the new design or if we need modifications and, if so, what those would be. I wish I had more of a solid response for you today.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 30, 2017 11:38 AM
To: Haynes, Emily R (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks very much, Emily.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Wednesday, August 30, 2017 11:35 AM
To: Teri Camery; Ron King
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

Thanks for bringing this one back up and I'm following-up with my request for comments. I will have those for you before noon on Friday.

Great point about the sidewalk requirement authority – I will need to look into that further and will include that in our response.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 30, 2017 11:28 AM
To: Ron King; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hello Ron, Emily, and Marie,

I have looked through my email messages since I returned from my trip, but I am not clear on DOT and CBJ Engineering's position and recommendations regarding the proposed parking and landscaping plan.

Specifically:

1) Do you have the information you need regarding property boundaries from the survey that Jonathan Yazzle sent, and have you accepted those property boundaries? Is any other information needed to complete the review?
2) What requirements will CBJ Engineering have, and do those requirements need to be a condition of the Conditional Use Permit, or would they be addressed through the building permit review process?
3) Have DOT's concerns been addressed? I saw a message about DOT requiring a sidewalk. It's not clear to me what DOT's authority is to require that (and I mean that respectfully), since my understanding is that the DOT right-of-way is outside of the property boundaries. Do DOT and/or CBJ Engineering have safety concerns regarding the proposed plan, or does the proposed landscaping provide a sufficient buffer from the road? If it's a clearly documented public safety issue, then I may be able to require a sidewalk as a condition of the Conditional Use Permit. If not, we would need to rely on DOT regulations and DOT implementation/enforcement.

Please respond to me by noon this Friday, September 1, so I can keep this moving along.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Thursday, August 17, 2017 1:56 PM
To: Ron King; 'Haynes, Emily R (DOT)'
Cc: 'Heidemann, Marie E (DOT)'
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Here is a survey, which I am passing along without time to review it myself since I leaving town and I am not actually here, I am just a figment of your imagination.

Ron, is this adequate to determine the accuracy of the plans?

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Teri Camery
Sent: Thursday, August 17, 2017 11:55 AM
To: Ron King; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks Ron. Am I correct from what you've written that we need some way to verify property lines before we can approve this plan?

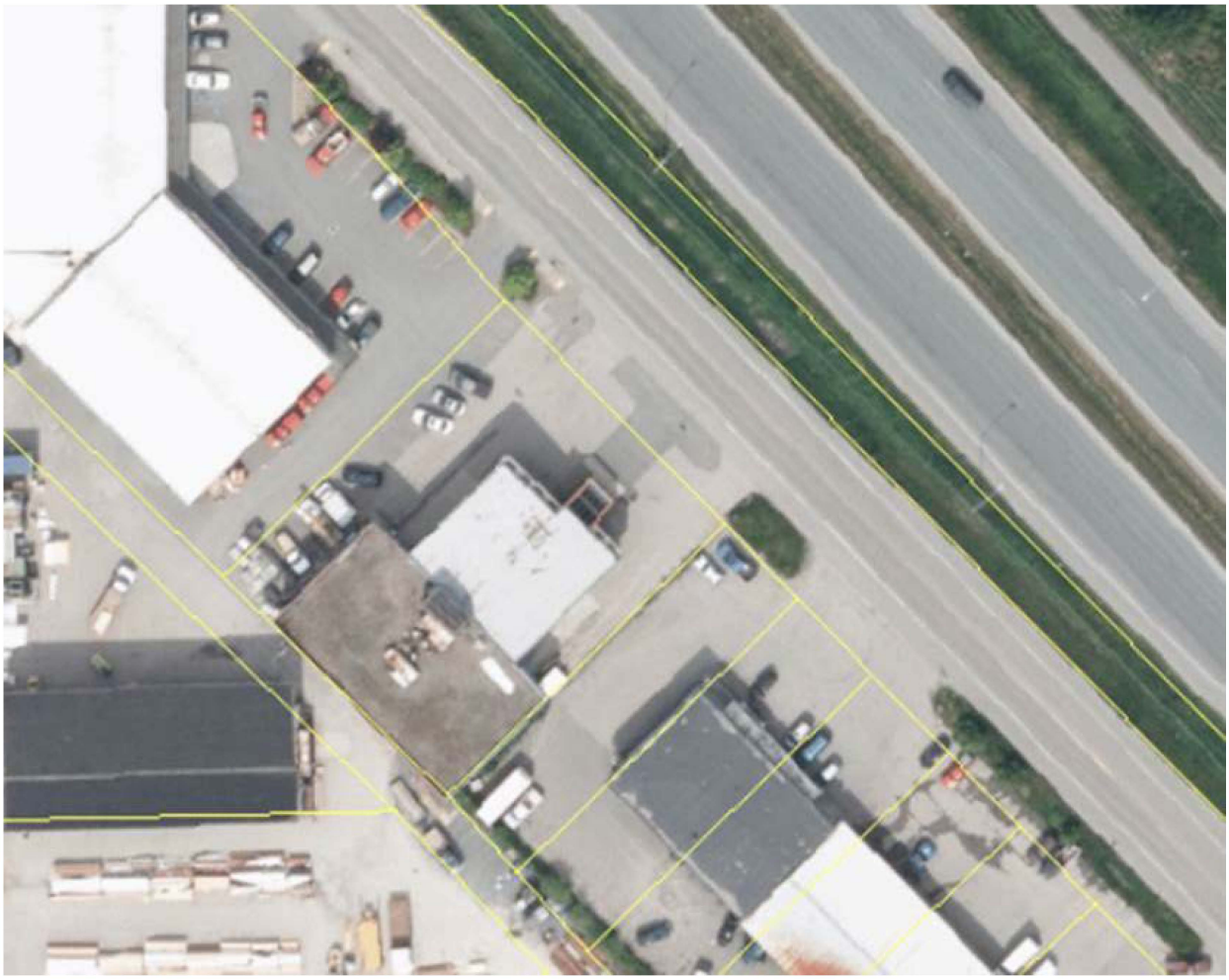
I've asked the applicant for an as-built survey. I could have sworn I asked for that before and that Jonathan Yazzle sent me something, but it's not showing up in a search of my emails. If he does not have an as-built survey, how else could we verify?

Thanks very much,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Ron King
Sent: Thursday, August 17, 2017 11:23 AM
To: Teri Camery; Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT); 'joanne.schmidt@alaska.gov'
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Good morning, I have not seen an **AS BUILT** of this facility. If the GIS is close than things don't fit. I did not attend the meeting at the site when a sidewalk was discussed. I believed they claimed the grade was too flat? Unfortunately GE cannot require a sidewalk as I don't have the code to back me up. Do you have any as builts for Old Dairy Road that will help determine the ROW line? Sidewalk your call .. let me know what the State decides .. thanks Ron



Attachment 13 - AK DOT & CBJ Parking correspondence

M

From: Teri Camery
Sent: Thursday, August 17, 2017 10:08 AM
To: Haynes, Emily R (DOT)
Cc: Heidemann, Marie E (DOT); Ron King
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Thanks for the reply, Emily.

I defer to Ron at CBJ Engineering—cc-above—regarding whether CBJ will require a sidewalk. My best guess is that we will not, but Ron can confirm after he has reviewed the latest plans.

The landscaping requirement must be addressed within the property boundaries. I can't recall if the ROW extends into the property in this situation or not. I believe their proposed landscaping is already up the property boundary along the road.

Thanks very much for your time coordinating this review.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

From: Haynes, Emily R (DOT) [mailto:emily.haynes@alaska.gov]
Sent: Thursday, August 17, 2017 8:43 AM

To: Teri Camery
Cc: Heidemann, Marie E (DOT)
Subject: RE: revised parking plans from Forget Me Not Marijuana at Urgent Care

Teri,

I've sent this one around for review and received one question. Is CBJ going to require a sidewalk? If not, we might be doing so.

We also have a few design waivers on the accesses we'd have to approve which is something we're discussing.

I have a question on CBJ's landscaping requirement. Could the property owner improve right of way to meet that minimum square footage? This isn't something I'm necessarily suggesting in this situation but, more so, for my own curiosity.

Emily Haynes

Right of Way Agent ¦ Permitting
Department of Transportation & Public Facilities
907.465.2838 ¦ fax: 907.465.8485

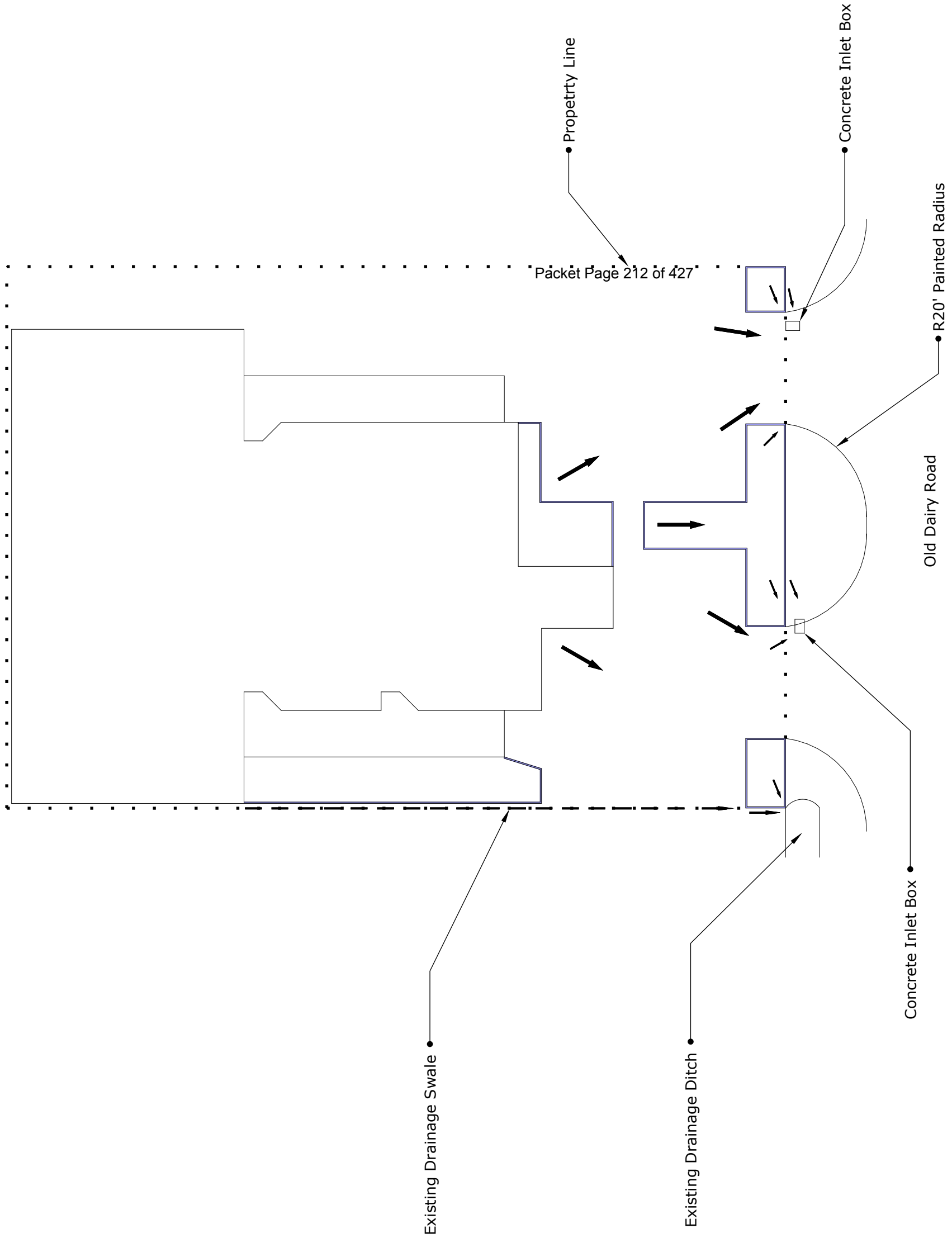
From: Teri Camery [mailto:Teri.Camery@juneau.org]
Sent: Wednesday, August 16, 2017 3:22 PM
To: Haynes, Emily R (DOT); Schmidt, Joanne M (DOT); Ron King
Subject: revised parking plans from Forget Me Not Marijuana at Urgent Care

Hi there,

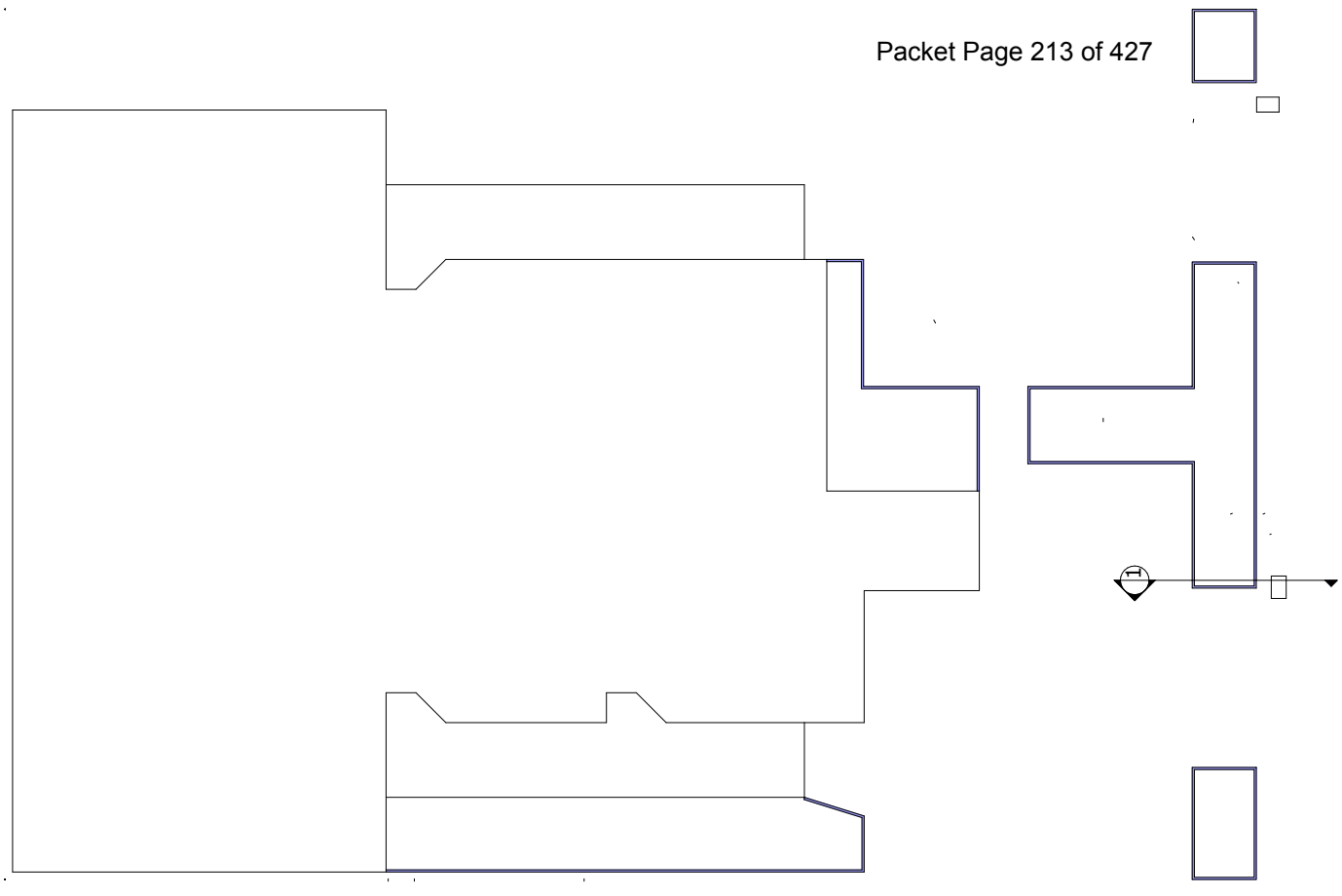
I've been working with Jonathan Yazzle for several weeks since we met at the site visit, and would appreciate your review of these new revised parking plans. Please let me know if this plan addresses DOT and CBJ Engineering concerns for the development.

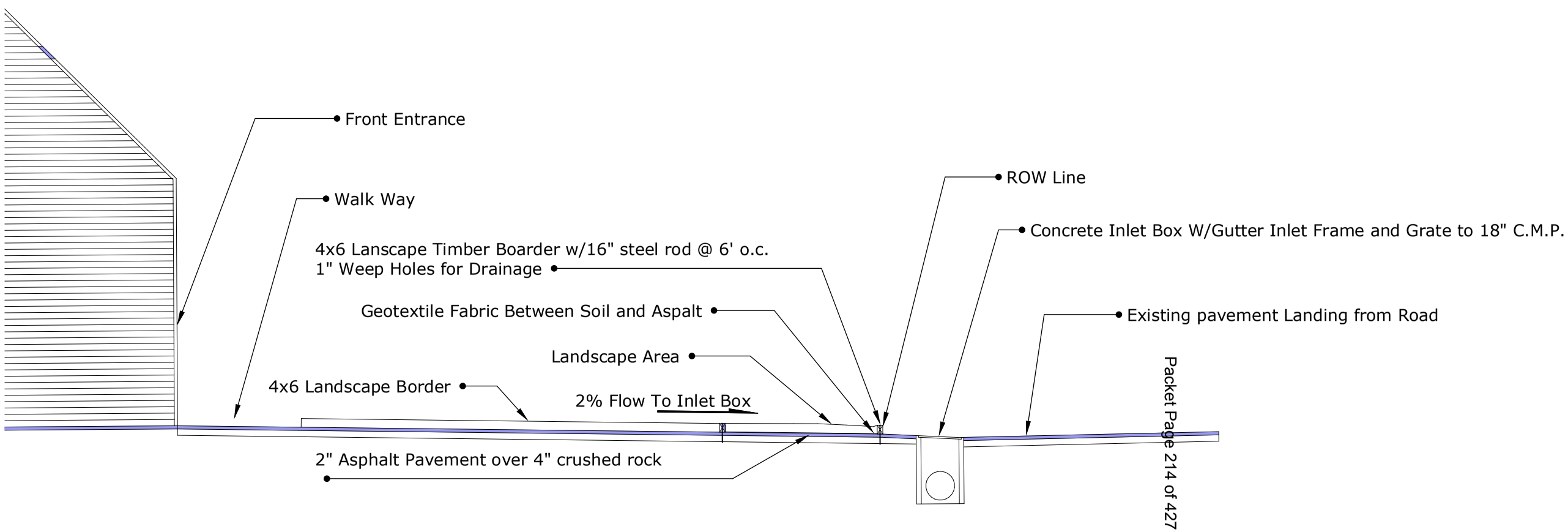
Thanks very much,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755



Attachment 14 - Drainage and Vegetative Cover Plan Details



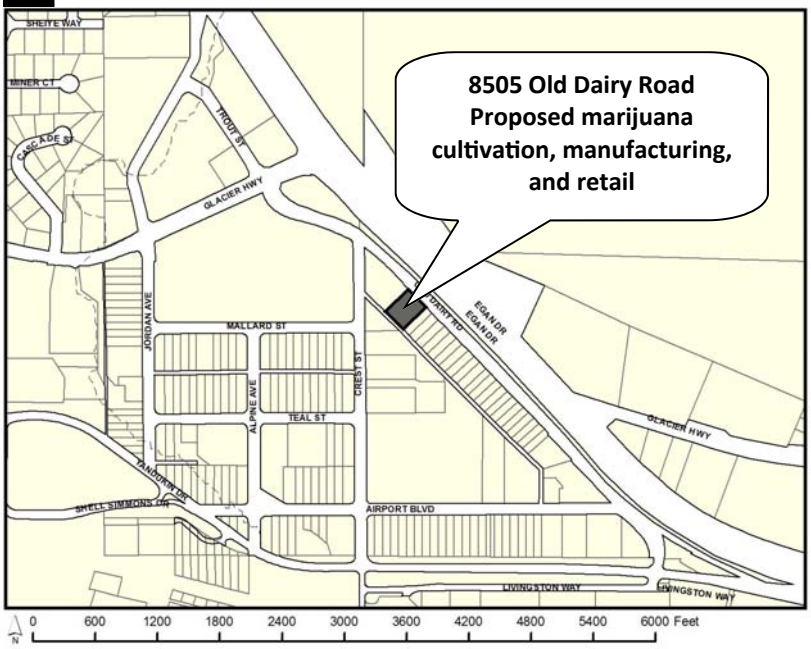

Front Entrance
Walk Way
4x6 Lanscape Timber Boarder w/16" steel rod @ 6' o.c.
1" Weep Holes for Drainage
Geotextile Fabric Between Soil and Aspalt
Landscape Area
4x6 Landscape Border
2% Flow To Inlet Box
2" Asphalt Pavement over 4" crushed rock
ROW Line
Concrete Inlet Box W/Gutter Inlet Frame and Grate to 18" C.M.P.
Existing pavement Landing from Road

Detail 1

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

Three applications have been submitted for consideration and public hearing by the Planning Commission for **conditional use permits** to allow **marijuana cultivation, manufacturing, and retail** at **8505 Old Diary Road** in the **General Commercial zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through Oct. 7, 2017

Your comments to the Planner, **Teri Camery**, will be included in the staff report.

Oct. 7, 2017 through 3 pm, Oct. 24, 2017

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Oct. 24, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Oct. 25, 2017

The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case Nos.: USE2017 0010 (manufacture), USE2017 0011 (retail), USE 2017 0012 (cultivation)
Parcel No.: 5B1501010080
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: September 22, 2017

Planning Commission
(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF DECISION

Date: October 26, 2017
File No.: USE2017 0022

Always Redeye LLC
ATTN: Casey Wilkins
PO Box 240588
Juneau, AK 99802

Proposal: A Conditional Use Permit for a Marijuana Cultivation Facility

Property Address: 2001 Anka Street

Legal Description: Lot 16, RSH III

Parcel Code No.: 5B1201330160

Hearing Date: October 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 12, 2017 and approved the marijuana cultivation facility to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure.

Attachments: October 12, 2017 memorandum from Chrissy McNally, Community Development Department, to the CBJ Planning Commission regarding USE2017 0022.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c).

Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, October 24, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or April 24, 2019, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Conditional use permits issued to marijuana establishments under CBJ chapter 49.65.1245(e) shall be subject to review by the commission every five years from the date of issuance. Such review shall be subject to CBJ 49.15.330 except that the commission may only amend or add conditions if necessary to ensure compliance with this title.

Project Planner:

Chrissy McNally, Planner
Community Development Department

Benjamin Haight, Chair
Planning Commission

Filed With City Clerk

November 3, 2017
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 12, 2017

TO: Planning Commission

FROM: Chrissy McNally, Planner
Community Development Department

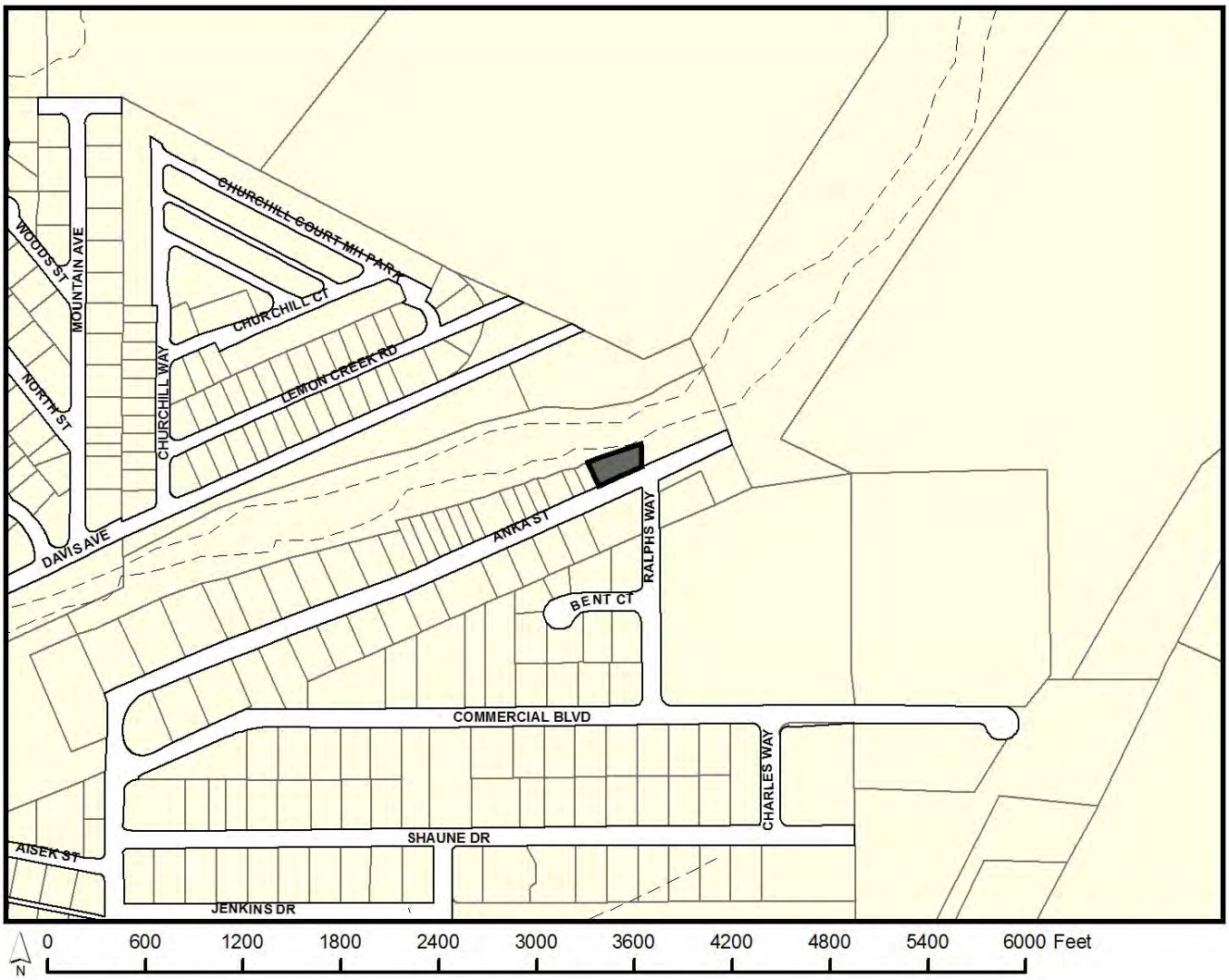
FILE NO.: USE2017 0022

PROPOSAL: A Conditional Use Permit for a Marijuana Cultivation Facility

GENERAL INFORMATION

Applicant:	Always Redeye LLC
Property Owner:	Casey Wilkins
Property Address:	2001 Anka Street
Legal Description:	Lot 16, RSH III
Parcel Code Number:	5B1201330160
Site Size:	12,738 sq. ft.
Comprehensive Plan Future Land Use Designation:	Light Industrial (LI)
Zoning:	Industrial (I)
Utilities:	City water and sewer
Access:	Anka Street
Existing Land Use:	Warehouse
Surrounding Land Use:	North - Lemon Creek South - Industrial/Southeast Furniture East - Industrial/ O'Reilly Auto Parts, Costco West - Industrial/Vacant, warehouse

VICINITY MAP



ATTACHMENTS

Attachment A: Conditional Use Permit Application
Attachment B: Plat 2002-2
Attachment C: Applicant narrative
Attachment D: Site Plan
Attachment E: Floor Plan
Attachment F: Security Plan
Attachment G: Photos of Warehouse
Attachment H: Public Comment
Attachment I: Public Notice

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of a 3,920 square foot marijuana cultivation facility in the Industrial zoning district at 2001 Anka Street.

BACKGROUND

The building for the proposed marijuana cultivation was constructed in 2005 (BLD2004 01085). Prior to construction the site was granted a variance to reduce the 50 foot streamside setback to 35 feet along Lemon Creek (VAR2003 00011). The building was originally used for boat repair. The applicant purchased the property for use as a marijuana establishment.

ANALYSIS

Project Site – The subject lot was platted in 2002 as part of a major subdivision (Attachment B). The subject lot is 132 feet wide and 78.62 feet deep. The total square footage is 12,738. The minimum lot size in the Industrial zone is 2,000 square feet.

There is one building on the lot with a footprint of 1,980 square feet (Attachment D). The first floor is open shop space, the second story contains office space and the third floor consists of a caretaker unit.

The lot is adjacent to Lemon Creek on the north side. The site received an approved variance to the streamside buffer requirement found in CBJ 49.70.310(a). The building was allowed to be constructed within 35 feet of the Ordinary High Water Mark (OHW). The building meets the front yard setback of 10 feet. There is a zero side yard setback in the Industrial zone.

The building permit for construction of the warehouse and caretaker unit was never issued a Certificate of Occupancy (CO). Several conditions of the building permit must be met prior to the issuance of a CO. Staff has been working with the applicant to address these conditions. Prior to the issuance of a CBJ Marijuana License a CO must be issued.

Project Design – The applicant has applied for a building permit to bring the building into compliance with Title 19 and Title 49 prior to operation. Once those items are complete the applicant will apply for building permits to renovate the building to accommodate the proposed marijuana cultivation facility.

The first two floors of the building will be dedicated to the marijuana cultivation operation. The third floor was originally proposed to be a caretaker unit. However the applicant has no plans to use the third floor or complete the caretaker unit at this time. Should the applicant decide to use the third floor as a caretaker unit in the future the appropriate building permits will be obtained. The first floor will consist of a vegetative room, flowering room, bathroom, and office. The second floor will have a flowering room, drying room, and trimming/packaging room (Attachment E). The applicant anticipates 3-4 full time employees.

CBJ 49.65.1245 identifies additional submittal requirements for marijuana establishments. Those items to be reviewed are detailed below.

Ventilation & Filtration (Odor) – The HVAC system will include carbon filters to scrub the air of odor before it exits the facility. Each cultivation room will be further supported by a cooling system, including fans for air circulation, and dehumidifiers. The combination of ventilation, fans and dehumidifiers will protect against mold and mildew.

The proposal includes the use of carbon dioxide for plant enrichment. The CO_2 tanks will be located inside the facility. CO_2 levels will be monitored electronically and a sensor will sound if levels are too high. The proposed CO2 usage is in compliance with the state and local regulations. CO_2 usage is subject to review by the CBJ Fire Marshal and will be inspected accordingly.

Fungicides & Pesticides – The Alaska Department of Environmental Conservation (DEC) has developed a partial list of pesticides that can "probably be used on marijuana without significant risk" based on several criteria which includes being registered with the US Environmental Protection Agency and DEC.[1] Three of the five pesticide and fungicides listed by the applicant are on the DEC list. The two not on the list are neem oil, a biopesticide commonly used in organic farming, and Green Cleaner which is exempt from registration with the U.S. Environmental Protection Agency as a minimum risk pesticide meaning it poses little to no risk to human health or the environment (Attachment C).

Security – According to CBJ 49.65.1245(a)(2) applicants are required to submit a security plan. State regulations require exterior lighting, alarm systems, video monitoring and commercial grade door locks. Eleven exterior lights will surround the building. There are currently two bay doors and three man doors. The applicant has stated the bay doors and one of the ground floor man doors and the second story man door will be sealed off from use. First- and second-story windows will also be sealed. There will be a single entrance which will be monitored from the exterior and the interior by security cameras. The door will be locked at all times and only staff will have the ability to open the door. Eleven security cameras will be located on the first floor and twelve cameras will be located on the second floor (Attachment F).

Waste disposal – The applicant proposes composting marijuana waste. Staff recommends as a condition of approval that all waste containing marijuana product shall be stored in a locked enclosure.

Screening – CBJ 49.65.1245(a)(4) prohibits marijuana product from being visible to the general public from the right-of-way. As stated in the project design description, the applicant will seal off all windows on the first and second floor with plywood and drywall. There will be no ability to see into the facility from the public right-of-way.

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[1] Alaska Department of Environmental Conservation (2016). *Information Regarding Pesticide Use in the Production of Marijuana in Alaska*. http://dec.alaska.gov/eh/pest/index.htm

CBJ 49.15.330(g) identifies the general items that staff reviews for all Conditional Use Permits. Those items are detailed below.

Traffic – Traffic to and from the site will consist of employees; supply delivery, including CO_2 deliveries; and marijuana product deliveries to other locations. The applicant anticipates 3-4 full time employees for the facility.

CO_2 canisters would likely be refilled once to twice a month. Other supply deliveries will include soil, fertilizers, state required tracking tags, packaging material, and any professional services required of any large warehouse. These deliveries are not expected more than once every two weeks.

CBJ 49.40.300 states that a traffic impact analysis is NOT required when a development is projected to generate less than 250 average daily trips. The expected traffic generated by the marijuana cultivation facility is no more than expected from other surrounding uses.

Parking and Circulation – According to CBJ 49.40.210 the total number of parking spaces required for the proposed cultivation facility is 6.

Use	Use parking space requirement	Size of use	Parking spaces required
Office	1 per 300 sf	285 sf	1
Marijuana Cultivation	1 per 1,000 sf	3,920 sf	4
Caretaker unit	1	N/A	1
Total			**6**

CBJ 49.40.210(b)(3) requires that for 1 to 25 parking spaces, one space must be ADA accessible. Accessible spaces are required to be 13 feet by 17 feet, including an access aisle that measures 5 feet by 17 feet.

Standard parking spaces are required to be 8.5 feet by 17 feet and parallel spaces are required to be 6.5 feet by 22 feet. There is space for six standard parking spaces with adequate circulation in the front and to the east of the building. Two spaces can be provided in front of the building and three standard spaces plus an accessible space provided on the east side of the building. Therefore, the site has adequate space to provide the required parking.

According to CBJ 49.40.210(c) (1) and (2), the site requires 1 off-street loading space. The off-street loading area is required to be a minimum of 30 feet by 12 feet and 14 feet high. In discussions with staff, the applicant proposes using the space in front of the building adjacent to the accessible space as a loading space.

The applicant's site plan for BLD2017 0520 included a parking plan. Staff will verify the parking plan is adhered to prior to the issuance of a CO. The caretaker unit is included in the parking

calculation so the space is identified should the applicant chose to utilize the space in the future.

Noise – Surrounding uses include warehouses for construction companies and several large retailers. All activity for the cultivation facility will take place inside the building. All windows and access points will be either blocked and/or secure at all times. The HVAC system in the cultivation facility will produce noise within the building, but it is not expected to be audible outside the building. Noise is expected to be less than other uses that may be permitted outright in the Industrial zone.

Public Health or Safety – As previously stated, a Certificate of Occupancy must be issued prior to the legal operation of the marijuana establishment. A CO will ensure the building meets all applicable codes.

Several aspects of public health and safety related to a marijuana cultivation facility were addressed in previous sections of this report including CO_2 use, pesticide use, security, and odor management. As previously stated CO_2 will be used in the cultivation process and governed by the requirements found in the International Fire Code and CBJ Title 19, the Building Code. CO_2 levels used to grow marijuana are well below the safe limits for sustained human exposure prescribed by OSHA at 5,000 ppm. However, an alarm will sound if CO_2 levels reach an unsafe threshold.

The applicant has indicated that they plan to use non-toxic fertilizers and use organic means of pest control. Therefore, any risk of toxic substances being transferred to a consumer is minimized by this growing method.

The applicant's proposal meets all the state and local requirements for security including an alarm system, video surveillance, lighting, door locks, and appropriate signage. Finally, carbon filters will be used in all grow rooms in the ventilation and filtration system to manage marijuana odor. Each of these items will be inspected by Community Development Department (CDD) staff prior to issuance of a Certificate of Occupancy and CBJ Marijuana License.

Habitat – As previously stated, development of the warehouse required a Variance to the 50 foot streamside buffer. The required buffer was reduced from 50 to 35 feet with VAR2003 00011. A condition of the approved variance was the submittal of a revegetation plan and installation or bond for the vegetation. A revegetation plan was never submitted to CDD. The building permit was also conditioned on the restoration of the streambank. A CO for the structure was never issued because none of the conditions were met. A CO is required for the marijuana establishment to operate.

CDD staff met with the U.S. Fish and Wildlife Service (USFWS) staff to determine whether the conditions related to the streambank were still applicable and what steps the applicant may have to take to meet the conditions of the building permit. CDD and USFWS staff concluded the bank is in a healthy state and no further revegetation is required. CDD staff informed the applicant that there was a significant amount of debris and stored materials within the 35 foot streamside setback and that those items would have to be removed. A second site inspection confirmed the applicant cleared the area behind the building (Attachment G).

Vegetative Cover – CBJ 49.50.300 requires five percent of the site be maintained with live vegetative cover. For this site, 636 square feet of vegetative cover is required. A site visit by staff confirmed the site exceeds the minimum vegetative cover requirement for the Industrial zoning district with approximately 7,500 square feet of vegetative cover.

Property Value or Neighborhood Harmony – Existing uses in the neighborhood include several large retailers such as Southeast Furniture, Costco, and various warehouses. This use is expected to generate less daily traffic and noise than other uses in the area. The proposed use is in harmony with surrounding industrial uses. There is no evidence to suggest the use will have impact on property value or be out of harmony with the neighborhood.

At the time this staff report was due, staff received comments from residents at Riveredge Condominiums across Lemon Creek from the subject property. The residents are concerned about increased noise and odor from the marijuana cultivation facility (Attachment H). There is no evidence to suggest that any noise generated by the marijuana cultivation facility will have negative off-site impacts. Traffic will be much less than the surrounding commercial uses and the entire operation will take place in a fully enclosed facility. As stated previously, odor is prohibited from being detected outside the facility and the applicant's plan indicates they will install carbon filters to mitigate against odor pollution.

Conformity with Adopted Plans – The subject site is located in Subarea 5 of the 2013 Comprehensive Plan and has a land use designation of Light Industrial (LI). According to the LI land use designation definition found on page 148 of the Comprehensive Plan, small to medium-scale food processing; printing and other business services; wholesale trade; research and development laboratories; light manufacturing processes; metal fabrication; warehousing, trucking; animal kennels; crematoria; indoor and outdoor storage; car, boat, and heavy equipment sales; and repair and maintenance activities should be allowed on these lands. The proposed marijuana cultivation facility is a similar type of use.

Staff further reviewed the 2013 Comprehensive Plan for policies that may be relevant to the proposal:

POLICY 5.1. TO DEVELOP AND SUSTAIN A DIVERSE ECONOMY, PROVIDING OPPORTUNITIES FOR EMPLOYMENT FOR ALL RESIDENTS.

POLICY 5.18. TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.

The proposed development would help to diversify the economy and is a new business as encouraged by these policies.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ 49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 14.240 for the Industrial zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 10, 2017 and October 23, 2017 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way. Further, the proposal, with

conditions, has been found to meet the requirements of CBJ 49.65.1245 related to marijuana cultivation.

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

No. The applicant has proposed a surveillance and security system that meets the minimum state and local regulations. Further, much of the use, aside from employee and other occasional delivery traffic, is contained indoors in a secure facility where unescorted non-employees are not permitted. Further, while the building does not currently meet Title 19 requirements, all Title 19 and Title 49 requirements must be met prior to the issuance of a CBJ Marijuana License ensuring the public health, safety and welfare.

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

No. The use is adjacent to several warehouses, vacant lots and large retailers. These uses include heavy machinery and generate significant traffic. The proposed marijuana cultivation facility is not expected to decrease the value of or be out of harmony with property in the neighborhood. The proposed improvements and compliance with T19 and T49 will not negatively affect property values in the neighboring area.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The development of private businesses in Juneau is supported by the Comprehensive Plan. Further, the Light Industrial (LI) land use designation supports manufacturing uses.

Per CBJ 49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

Yes.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana cultivation facility in the Industrial zone

The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure.

Always Red Eye.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 9/6/17
Project Name (City Staff to Assign Name)		

INFORMATION

Project Description: Marijuana Cultivation Facility

PROPERTY LOCATION

Street Address: 2001 Anka St | City/Zip: Juneau, AK 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): Parcel #. 5B1201530160 RSH 1114.16

Assessor's Parcel Number(s):

PROJECT / APPLICANT

LANDOWNER/ LESSEE

Property Owner's Name: Casey Wilkins	Contact Person: Casey Wilkins	Work Phone: 957 3877
Mailing Address: PO Box 240588	Home Phone: 957 3877	Fax Number:
E-mail Address: cjwalaska@gmail.com	Other Contact Phone Number(s):	

LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.

B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X Casey Wilk — Landowner/Lessee Signature — Date: 9-5-17

X _____ Landowner/Lessee Signature — Date

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name: Always Redeye LLC	Contact Person: Casey Wilkins	Work Phone: 957 3877
Mailing Address: PO Box 240588	Home Phone: 957 3877	Fax Number:
E-mail Address: alwaysredeyellc@gmail.com	Other Contact Phone Number(s):	

X Casey Wilk — Applicant's Signature — Date of Application: 9-5-17

---OFFICE USE ONLY BELOW THIS LINE---

STAFF APPROVALS

✓	Permit Type	***SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		9/6/17	USE 2017 0022.
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

***Public Notice Sign Form filled out and in the file.

Comments: PAC 2017 0012

Permit Intake Initials: TJF

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		use20170022	9/6/17.

TO BE COMPLETED BY THE APPLICANT

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)

☒ Use Listed in §49.25.300 (Table of Permissible Uses) (USE)

Please list the Table of Permissible Uses Category: 14.240 - Commercial Ag. Operations Marijuana cultivation >500 sq. ft

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. Please see attached narrative

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES – Case # _____

CURRENT USE OF LAND OR BUILDING(S): Storage, but currently vacant

PROPOSED USE OF LAND OR BUILDING(S): marijuana cultivation facility

UTILITIES PROPOSED: WATER: ☒ Public ☐ On Site SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 12,738 square feet Total Area of Existing Structure(s) 4,880 square feet

Total Area of Proposed Structure(s) _____ square feet

EXTERNAL LIGHTING:

Existing to remain ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- ☑ Site Plan
- ☑ Floor Plan of proposed buildings
- ☐ Elevation view of existing and proposed buildings
- ☐ Proposed Vegetative Cover
- ☑ Existing and proposed parking areas (including dimensions) and proposed traffic circulation
- ☑ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

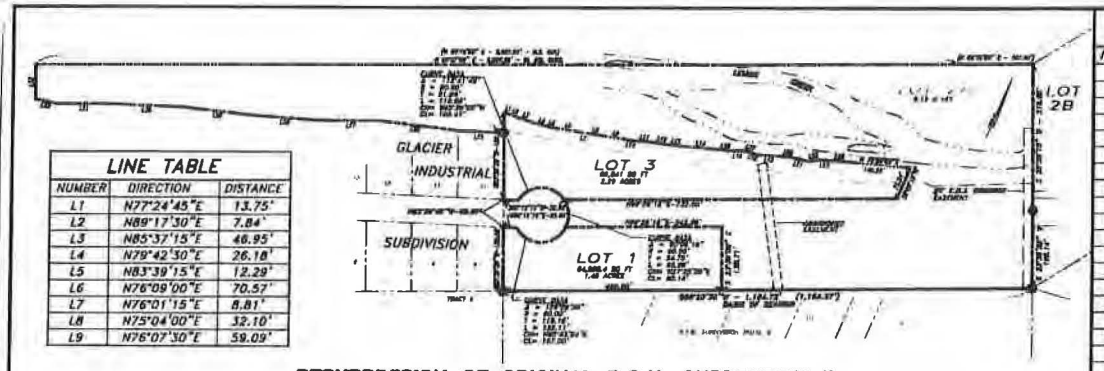
If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 350			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50			
Pub. Not. Sign Deposit	$ 100			
Total Fee	$ 500			

NOTE: MUST BE ACCOMPANIED BY* DEVELOPMENT PERMIT APPLICATION *FORM

R&M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS



LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N77°24'45"E	13.75'
L2	N89°17'30"E	7.84'
L3	N85°37'15"E	46.95'
L4	N79°42'30"E	26.18'
L5	N83°39'15"E	12.29'
L6	N76°09'00"E	70.57'
L7	N76°01'15"E	8.81'
L8	N75°04'00"E	32.10'
L9	N76°07'30"E	59.09'

RESUBDIVISION OF ORIGINAL R.S.H. SUBDIVISION II

PER PLAT #2001-16 ON FILE IN THE JUNEAU RECORDERS OFFICE

GRAPHIC SCALE IN FEET
0 90 180 270 360 450 540

LINE TABLE Cont'd.		
NUMBER	DIRECTION	DISTANCE
L10	N74°58'00"E	13.26'
L11	N71°13'30"E	40.34'
L12	N76°13'00"E	37.23'
L13	N71°44'00"E	23.99'
L14	N71°41'15"E	83.34'
L15	N72°32'30"E	32.46'
L16	N67°16'30"E	29.75'
L17	N82°16'00"E	12.13'
L18	N84°55'15"E	15.93'
L19	N70°16'30"E	53.67'
L20	N72°54'30"E	23.05'
L21	N80°15'15"E	37.98'
L22	N58°30'30"E	24.90'
L23	N70°20'45"E	16.91'
L24	N70°52'30"E	43.88'
L25	S69°00'15"W	93.13'
L26	S73°38'00"W	180.31'
L27	S66°50'45"W	131.28'
L28	S70°54'15"W	141.99'
L29	S73°19'45"W	162.24'
L30	S69°01'00"W	161.12'
L31	S66°47'00"W	112.59'
L32	S79°11'00"W	46.97'
L33	N23D41'15"W	75.36'

CERTIFICATE OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEY'S, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC AND PRIVATE USE AS NOTED.

DATE March 1, 2002

WITNESS _____ OWNER Ralph S. Horecny
Ralph S. Horecny

WITNESS _____ OWNER _____
Kef Aniakchak, Inc.,
A Corporation

NOTARY'S ACKNOWLEDGEMENT

UNITED STATES OF AMERICA)
STATE OF ALASKA) ss.

THIS IS TO CERTIFY THAT ON THIS 1st DAY OF March 2002, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, APPEARED RALPH S. HORECNY AND JAN VAN DORT TO ME KNOWN AND KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 12-12-04

NOTARY PUBLIC STATE OF ALASKA

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY THAT ON THIS 1st DAY OF March, 2002, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, APPEARED JAN VAN DORT, TO ME KNOWN AND KNOWN TO ME TO BE THE PERSONS THEY REPRESENT THEMSELVES TO BE AND THE OWNER OF OF THE ANIAKCHAK CORPORATION, WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS THE FREE ACT AND DEED OF THE SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED, BEING FULLY AUTHORIZED TO DO SO.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 12-12-04

NOTARY PUBLIC STATE OF ALASKA

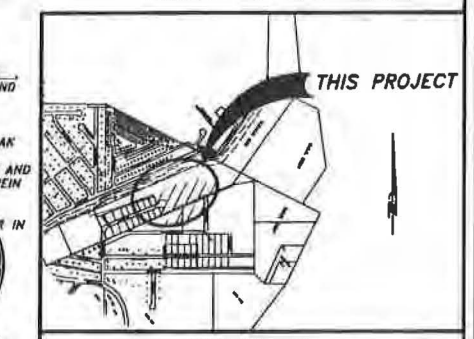
CERTIFICATE OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA AND THAT SAID PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION BY PLAT RESOLUTION NO. SUB2002-00001
DATED Feb 6, 20 02, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.
DATED: March 5, 20 02.

CHAIRMAN
CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

ATTEST:

CLERK CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION



VICINITY MAP
SOURCE: CITY MAPPING
GRAPHIC SCALE
SCALE IN FEET
0 400 800 1600 3200

LEGEND

- PRIMARY MONUMENT BY OTHERS (RECOVERED THIS SURVEY)
- 1410-S PRIMARY MONUMENT (RECOVERED THIS SURVEY)
- 1410-S SECONDARY MONUMENT (RECOVERED THIS SURVEY)
- 1410-S PRIMARY MONUMENT (ESTABLISHED THIS SURVEY)
- 1410-S SECONDARY MONUMENT (ESTABLISHED THIS SURVEY)
- NO MONUMENT ESTABLISHED OR RECOVERED
- BOUNDARY/PROPERTY LINE
- CENTERLINE
- STREAM EDGE
- EASEMENT LINE
- EXISTING TOP OF BANK AT 10/2000
- TOE OF BANK

GENERAL NOTES:

1. THE BASIS OF HORIZONTAL CONTROL FOR THIS SURVEY WAS BETWEEN RECOVERED MONUMENTS FOR THE NORTHEAST CORNER OF TRACT "C" & "E" S.S.G. IV SUBDIVISION HAVING A RECORD BEARING OF S 88°20'30" W.
2. ALL BEARINGS SHOWN HAVE BEEN ROUNDED TO THE NEAREST 0° 00'15" OF ARC.
3. WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM THAT OF ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES, THE ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES ARE SHOWN WITHOUT PARENTHESES, WHILE THE RECORD COURSE IS SHOWN WITHIN PAREN- THESES, THUSLY: N 44°09'30" W - 361.12 (361.09').
4. LEMON CREEK IS A DESIGNATED STREAM CORRIDOR AND DEVELOPMENT WITHIN THE SUBDIVISION MAY BE SUBJECT TO TITLE 49 HABITAT-BASED SETBACK REQUIREMENTS.
5. PORTIONS OF THIS PLAT ARE DESIGNATED WITHIN AREAS OF 100-YEAR BASE FLOOD ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). FEDERAL INSURANCE ADMINISTRATION, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAPS (FEMA) FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA (PANEL 885 OF 1050), DATED FEBRUARY 4, 1981. BASE FLOOD ELEVATIONS RANGE FROM APPROXIMATELY 38.5 FEET TO APPROXIMATELY 47 FEET. DEVELOPMENT WITHIN THE SUBDIVISION MAY BE REGULATED FOR FLOOD HAZARD. SEE THE SUBDIVISION ELEVATION TABLE ON THIS PLAT.
6. THE 30' EASEMENT FOR ACCESS TO U.S.S. 2487 CREATED BY INSTRUMENT RECORDED IN BOOK 234 AT PAGE 78 WAS EXTINGUISHED BY INSTRUMENT RECORDED IN BOOK 562 AT PAGE 948 JUNEAU RECORDING DISTRICT. OTHER ACCESS EASEMENTS HAVE BEEN RELOCATED TO CONFORM TO THE AREA OF ACTUAL USE AND TO BE CO-EXTENSIVE TO AND WITHIN THE DEDICATED EXTENSION OF ANKA STREET AS SHOWN ON THIS PLAT.
7. NOTHING IN THIS PLAT SHALL CREATE OR EXPAND ANY EXISTING ADVERSE RIGHT TO USE ANY PORTION OF THE LAND IN U.S.M.S. 609 FOR ANY PURPOSE BY ANY PERSON OR ORGANIZATION.
8. THE TEMPORARY CUL-DE-SAC AT THE BEGINNING OF THE SUBDIVISION IS VACATED BY THIS PLAT.

RSH 3 | LOT 1 | LOT 2 | R/W
2002
1410-S

PRIMARY MONUMENT

3" DIA. ALUMINUM BERNSTEN FEDERAL A-1 MAGNETIZED CAP ON 2-1/2" DIA. SHANK SET 24" IN GROUND

MENZIES
1410-S

SECONDARY MONUMENT

1-1/4" DIA. YELLOW PLASTIC SURV-CAP ON 5/8" DIA. x 36" IRON PIN EXPOSED 2"

TYPICAL MONUMENTS
(ESTABLISHED THIS SURVEY)

SUBDIVISION ELEVATION TABLE
(IN FEET)

DISTANCE FROM BEGINNING OF SUBD.	BASE FLOOD ELEV.
110'	39.2'
270'	39.9'
360'	40.6'
450'	41.5'
540'	42.2'
630'	43.0'
720'	43.7'
820'	45.2'
DATUM: GASTINEAU CHANNEL MLLW = 0.00'	

NOTE: BASE FLOOD ELEVATIONS DETERMINED FROM "FLOOD INSURANCE STUDY, CITY & BOROUGH OF JUNEAU, ALASKA, FEDERAL EMERGENCY MANAGEMENT AGENCY, REVISED: SEPTEMBER 28, 1990."

CBJ FILE COPY
The official recorded copy of this document is on file at the office of the Juneau Recording District, as Plat No. 2002-12 recorded on 4/19/02

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

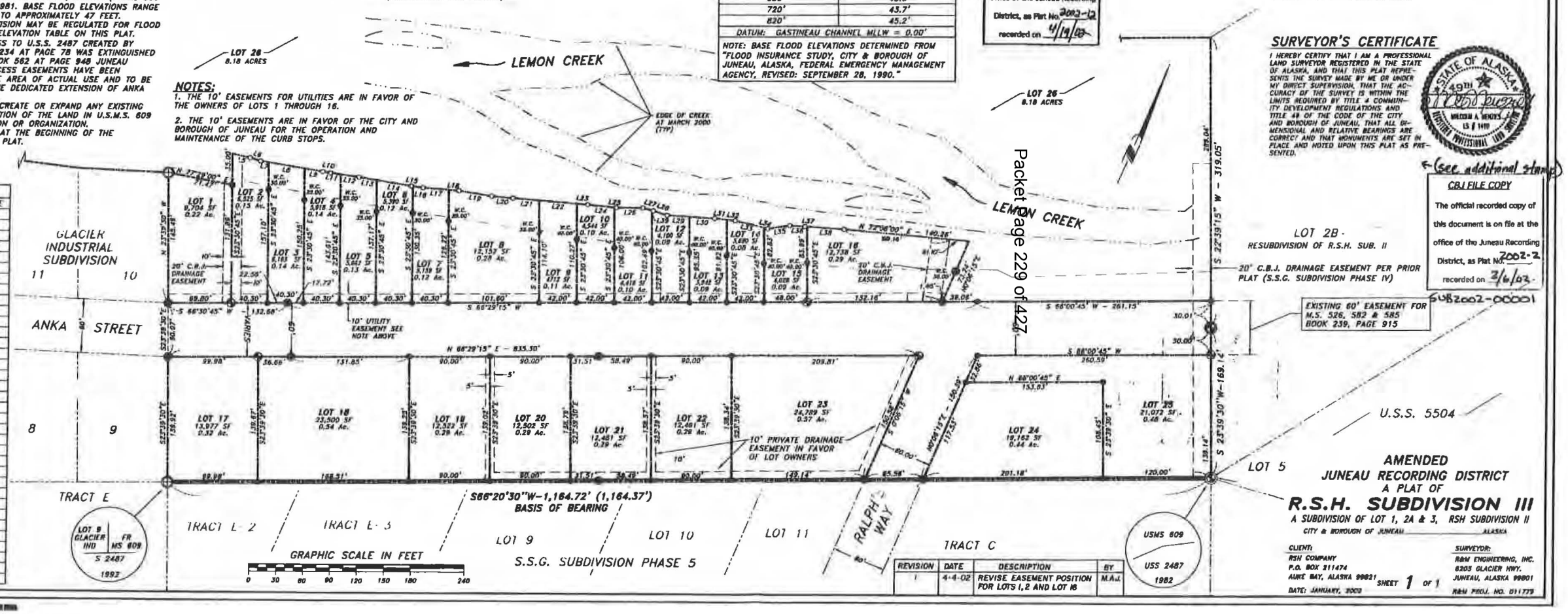
STATE OF ALASKA 49TH WILLIAM A. BEKES III

(see additional stamp)

CBJ FILE COPY
The official recorded copy of this document is on file at the office of the Juneau Recording District, as Plat No. 2002-2 recorded on 3/6/02.
SUB2002-00001

NOTES:

1. THE 10' EASEMENTS FOR UTILITIES ARE IN FAVOR OF THE OWNERS OF LOTS 1 THROUGH 16.
2. THE 10' EASEMENTS ARE IN FAVOR OF THE CITY AND BOROUGH OF JUNEAU FOR THE OPERATION AND MAINTENANCE OF THE CURB STOPS.



REVISION	DATE	DESCRIPTION	BY
1	4-4-02	REVISE EASEMENT POSITION FOR LOTS 1, 2 AND LOT 16	MAJ

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L5	N 79°42'30" E	20.85'
L6	N 83°39'15" E	12.29'
L7	N 76°09'00" E	8.38'
L8	N 76°09'00" E	40.88'
L9	N 76°09'00" E	21.31'
L10	N 76°01'15" E	8.81'
L11	N 75°04'00" E	10.72'
L12	N 75°04'00" E	21.38'
L13	N 76°07'30" E	19.44'
L14	N 76°07'30" E	39.65'
L15	N 74°58'00" E	1.22'
L16	N 74°58'00" E	12.04'
L17	N 71°13'30" E	28.49'
L18	N 71°13'30" E	11.85'
L19	N 76°13'00" E	37.23'
L20	N 71°44'00" E	23.99'
L21	N 71°41'15" E	29.33'
L22	N 71°41'15" E	42.17'
L23	N 71°41'15" E	11.84'
L24	N 72°32'30" E	30.38'
L25	N 72°32'30" E	2.08'
L26	N 67°16'30" E	29.75'
L27	N 82°16'00" E	10.58'
L28	N 84°55'15" E	15.93'
L29	N 70°16'30" E	25.45'
L30	N 70°16'30" E	28.22'
L31	N 72°54'30" E	13.93'
L32	N 72°54'30" E	9.12'
L33	N 80°15'15" E	33.91'
L34	N 80°15'15" E	4.07'
L35	N 58°30'30" E	24.90'
L36	N 70°20'45" E	16.91'
L37	N 70°52'30" E	3.53'
L38	N 70°52'30" E	41.35'
L39	N 82°16'00" E	1.81'

AMENDED
JUNEAU RECORDING DISTRICT
A PLAT OF
R.S.H. SUBDIVISION III
A SUBDIVISION OF LOT 1, 2A & 3, RSH SUBDIVISION II
CITY & BOROUGH OF JUNEAU ALASKA

CLIENT:
RSH COMPANY
P.O. BOX 211474
AUKE BAY, ALASKA 99821

SURVEYOR:
R&M ENGINEERING, INC.
8303 GLACIER HWY.
JUNEAU, ALASKA 99801

DATE: JANUARY, 2002 SHEET 1 OF 1 R&M PROJ. NO. 011779

R.S.H. SUBDIVISION III

Conditional Use Permit (CUP) Application - Marijuana Cultivation
By Always Redeye LLC

Project Overview
Always Redeye LLC seeks to open a marijuana cultivation facility (>500 sq ft) at the 2001 Anka St. building owned by Casey Wilkins. Marijuana cultivated on-site will be sold and transported to licensed marijuana retail or product manufacturing establishments. Significant improvements will be made to the building to 1) bring it up to code and 2) build out a marijuana cultivation facility that meets state and local requirements. Once operational, the facility is not expected to cause significant increases in traffic and noise, or cause negative impacts to property values and public safety.

Existing Site & Building
The existing site is at 2001 Anka St. in Juneau, Alaska. The legal description is RSH III LT 16. The lot is 12,738 square feet and the existing building has a footprint of 1,960 sq. ft. It is bordered on the northern property line by Lemon Creek, on the east by an undeveloped lot owned by Coalaska Inc, on the south by Anka Street, and on the west by another undeveloped lot, also owned by Casey Wilkins. The site is flat with lots of vegetation. Open areas exist for parking.

The existing building is a 3-story, metal sided structure that, as of the time of this application, remains unfinished (no drywall, insulation, electrical, plumbing, mechanical, and more). Property owner Casey Wilkins is currently seeking building permits to bring the building up to code, at which point Always Redeye LLC will seek tenant improvements to develop a 3,920 sq. ft. marijuana cultivation facility on the first two floors of the building. The third floor will not be used and will remain a dry attic. A sprinkler system will be installed to meet building and fire codes.

Zoning
The site is zoned I (industrial). While marijuana cultivation of greater than 500 sq ft. is allowed in the industrial zone, a conditional use permit (CUP) is required for all commercial marijuana establishments. Due to its proximity to Salmon Creek, a streamside setback is in place on the north side of the property. A 10' utility easement is present on the south property line. There are no side yard setbacks in the industrial zone.

Utilities
The site is served by municipal sewer and water, though some additional plumbing connections must be made. Power is provided via underground conduit.

Habitat
The property is bordered by Salmon Creek to the north and contains stream habitat. When originally permitted, the property received a streamside variance allowing construction within the streamside setback. Now, development within this 50' setback is limited or restricted. To maintain and improve habitat, much of the current vegetation will be preserved and some cleanup of the streambank will occur. The cleanup is a requirement of the conditions of occupancy (CO).

Development Schedule & Noise
Improvements to the facility will mostly occur during normal working hours (7 a.m. to 6 p.m.). Sound and noise consistent with construction will occur during this time. Once operational, the marijuana cultivation facility will be operating 24/7 with 2-3 full-time employees. The vast majority of work and associated neighborhood impacts will occur during normal working hours. Sound and noise during standard operation of the cultivation facility is expected to be minimal (no heavy equipment, etc.).

Property Value & Neighborhood Harmony
The proposed use of the 2001 Anka Street property matches the current mixed industrial/commercial uses currently occurring in the area. Neighboring property owners should not be negatively affected by the proposed operations. Additionally, it is expected that there will be a positive impact on neighboring property values once the currently-vacant building is renovated and repaired, and the proposed site and adjoining two lots are maintained and improved.

Negative impacts from noise and traffic are expected to be minimal, and the risk to the public from operations and chemicals is low, especially with proper safeguards in place.

Public Health & Safety
On-site operations will minimize threats and risk to public safety and the natural environment. Appropriate sensors and shutoff will be installed on the CO2 enrichment system, and system components will meet fire and other safety codes. A fire detection and suppression system will be installed. No chemicals, nutrients, or nutrient enriched solutions will enter the local waterway or the sewer system.

All nutrients, sprays, additives, and supplements will be stored per the manufacturer's instructions, and in a way that follows best practices for employee safety and spillage prevention.

Product	Class	Manufacturer
Green Cleaner	Insecticide, fungicide	Central Coast Garden Products
Organocide	Fungicide	Plant Doctor
AzaMax	Insecticide	General Hydroponics
Pure Neem Oil	Preventative spray	Dyna-Gro
Eliminator	Insecticide, fungicide	Doctor Zymes
Forge	Bacteria additive	Blacksmith Bioscience
Cal-Mag Plus	Supplement	Botanicare
Pure Blend Pro Grow	Nutrient - vegetative	Botanicare
Silica Blast	Supplement	Botanicare
Pure Bloom Pro Bloom	Nutrient - flowering	Botanicare

Table 1. Chemical and fertilizer list.

Lighting
Surface-mounted exterior lighting discourage loitering and unlawful entry, and will utilize shades to prevent light spillage off the property.

Parking, Traffic & Circulation
The cultivation facility is not expected to generate a significant increase in ingress or egress traffic, or significantly alter current traffic circulation flows, once operational. Parking for the 2-3 employees will be provided on-site. Since the south side of the property is graded to the level of Anka Street, no driveway is needed. Required parking stalls are calculated in the table below. For layout of parking space, please see the attached Site plan.

Use	Parking stall per sq ft gross area	Gross Area	Required stalls
Warehouse/Manufacturing	1 per 1000 sq ft	3,920	4
Accessible stall(s)	1 per 25 stalls	N/A	1
		Total	4 (1 ADA)

Commercial Marijuana Establishment CUP application requirements

- **Site plan** with buildings housing marijuana, and floor plans showing restricted access areas: Please see the attached Site Plan. Note: The entire building will be a restricted access area.
- **Security plan**: Please see Security Plan showing security cameras and exterior lighting. Plans and processes for lighting to facilitate surveillance, video surveillance, security and alarm systems, restricted area access, loitering, record keeping, product tracking and diversion, transportation, and employee training will all meet or exceed state requirements.
    - The single exterior access point to the premise (a commercial grade exterior door) will remain locked at all times. A security system will be continuously active to ensure no unauthorized access occurs. Required signage stating "Restricted access area. Visitors must be escorted." will be posted on the exterior door, as the entirety of the interior space is a restricted access area. Video of the entrance area will be provided by the required surveillance system,
    - After initial verification of identity and age, each visitor will be given a visitor identification badge. All visitors will have required information recorded.
    - Exterior lighting will be sufficient to facilitate surveillance, as well as discourage loitering.
    - Motion detection alarms will be installed throughout the facility and there will be sensors on non-boarded/unsecured windows and doors. These alarms will notify law enforcement if any intruders are detected. Additionally, panic buttons will be installed throughout the facility.
    - Video equipment will be procured to meet identification standards required by state law and regulation. Numerous cameras in each room will ensure that any area where marijuana is grown, processed,packaged, or stored, or where marijuana waste is destroyed, is video recorded and free from obstructions of equipment. An exterior camera will record video of an area 20' from the facility entrance. Camera(s) will record video of the interior of the facility entrance.

  - Significant amounts of cash will not be kept onsite.
- **Waste Disposal plan**: All waste, trash, and waste water disposal will meet federal, state, and local requirements
  - There will not be liquid waste, as the amount of nutrient enriched water mixed will match the needs of the plants and will be entirely taken up. Any excess nutrient enriched water that does exist will be utilized on-site for landscaping. Water from dehumidifiers will be utilized on-site for landscaping. No waste water will enter the sewer system.
  - Expired growing medium will be mixed with marijuana waste in at least an equal amount and taken off-site for composting.
  - Non-marijuana waste will be picked up by the local waste hauler weekly.
- **Screening Plan:** All ground floor windows will be boarded and secured. The exterior access point will be a commercial grade metal door that prevents observation into the interior of the building. An arctic entry will prevent observation when the front door is open. The building envelope will be very tight, preventing outside observation.
- **Ventilation and filtration plan**, including CO2 enrichment system: Please see Lighting and Ventilation Plan for the ventilation, filtration, and CO2 enrichment plans. All systems will meet building and fire codes, and comply with state law.
  - As currently designed, there will not be a continuously running exhaust system. Additionally, the building envelope will be very tight to prevent significant amounts of air from escaping the building. Continuously running carbon filter "scrubbers" will cycle the air and eliminate odors. In the event than an exhaust fan is required, an additional carbon filter will treat the exhausted air as well.
  - Carbon filters will be replaced annually;
  - The CO2 enrichment system will use equipment and processes that meet the requirements of the International Fire Code and the NPFA where applicable. Appropriate sensors and shut-offs will be installed to ensure safety of employees and the public.
- **Mold prevention and wastewater discharge**;
  - Cleanliness and sanitation will be a priority of Red Eye LLC. Appropriate handwashing equipment and procedures will be in place. Cultivation facilities will be cleaned as needed. Dehumidifiers will reduce humidity in the air and hamper mold formation;
  - Please see Table 1 for a list of chemicals and fertilizers to be used during cultivation.

Submitted September 5, 2017
By Always Redeye LLC
alwaysredeyellc@gmail.com

COMMERCIAL LEASE

This Lease Agreement (this "Lease") is dated as of September 05, 2017, by and between Casey James Wilkins ("Landlord"), and Always Redeye LLC ("Tenant"). The parties agree as follows:

PREMISES. Landlord, in consideration of the lease payments provided in this Lease, leases to Tenant the structure and land legally described as RSH III LT 16. (the "Premises") located at 2001 Anka St, Juneau, AK 99801.

TERM. The lease term will begin on October 01, 2017 and will terminate on September 30, 2018.

LEASE PAYMENTS. Tenant shall pay to Landlord monthly installments of $6,000.00, payable in advance on the fifth day of each month. Lease payments shall be made to the Landlord at PO Box 240588, Juneau, Alaska 99801. The payment address may be changed from time to time by the Landlord.

SECURITY DEPOSIT. At the time of the signing of this Lease, Tenant shall pay to Landlord, in trust, a security deposit of $6,000.00 to be held and disbursed for Tenant damages to the Premises (if any) as provided by law.

POSSESSION. Tenant shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Landlord on the last day of the term of this Lease, unless otherwise agreed by both parties in writing. At the expiration of the term, Tenant shall remove its goods and effects and peaceably yield up the Premises to Landlord in as good a condition as when delivered to Tenant, ordinary wear and tear excepted.

PROPERTY INSURANCE. Landlord and Tenant shall each maintain appropriate insurance for their respective interests in the Premises and property located on the Premises. Landlord shall be named as an additional insured in such policies. Tenant shall deliver appropriate evidence to Landlord as proof that adequate insurance is in force issued by companies reasonably satisfactory to Landlord. Landlord shall receive advance written notice from the insurer prior to any termination of such insurance policies. Tenant shall also maintain any other insurance which Landlord may reasonably require for the protection of Landlord's interest in the Premises. Tenant is responsible for maintaining casualty insurance on its own property.

LIABILITY INSURANCE. Tenant shall maintain liability insurance on the Premises with personal injury limits of at least $100,000.00 for injury to one person, and $1,000,000.00 for any one accident, and a limit of at least $300,000.00 for damage to property. Tenant shall deliver appropriate evidence to Landlord as proof that adequate insurance is in force issued by companies reasonably satisfactory to Landlord. Landlord shall receive advance written notice from the insurer prior to any termination of such insurance policies.

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UTILITIES AND SERVICES. Tenant shall be responsible for all utilities and services incurred in connection with the Premises.

TAXES. Taxes attributable to the Premises or the use of the Premises shall be allocated as follows:

REAL ESTATE TAXES. Landlord shall pay all real estate taxes and assessments for the Premises.

TERMINATION UPON SALE OF PREMISES. Notwithstanding any other provision of this Lease, Landlord may terminate this lease upon 30 days' written notice to Tenant that the Premises have been sold.

DEFAULTS. Tenant shall be in default of this Lease if Tenant fails to fulfill any lease obligation or term by which Tenant is bound. Subject to any governing provisions of law to the contrary, if Tenant fails to cure any financial obligation within 5 days (or any other obligation within 10 days) after written notice of such default is provided by Landlord to Tenant, Landlord may take possession of the Premises without further notice (to the extent permitted by law), and without prejudicing Landlord's rights to damages. In the alternative, Landlord may elect to cure any default and the cost of such action shall be added to Tenant's financial obligations under this Lease. Tenant shall pay all costs, damages, and expenses (including reasonable attorney fees and expenses) suffered by Landlord by reason of Tenant's defaults. All sums of money or charges required to be paid by Tenant under this Lease shall be additional rent, whether or not such sums or charges are designated as "additional rent". The rights provided by this paragraph are cumulative in nature and are in addition to any other rights afforded by law.

LATE PAYMENTS. For each payment that is not paid within 1 days after its due date, Tenant shall pay a late fee of $200.00 per day, beginning with the day after the due date.

CUMULATIVE RIGHTS. The rights of the parties under this Lease are cumulative, and shall not be construed as exclusive unless otherwise required by law.

REMODELING OR STRUCTURAL IMPROVEMENTS. Tenant shall have the obligation to conduct any construction or remodeling (at Tenant's expense) that may be required to use the Premises as specified above. Tenant may also construct such fixtures on the Premises (at Tenant's expense) that appropriately facilitate its use for such purposes. Such construction shall be undertaken and such fixtures may be erected only with the prior written consent of the Landlord which shall not be unreasonably withheld. Tenant shall not install awnings or advertisements on any part of the Premises without Landlord's prior written consent. At the end of the lease term, Tenant shall be entitled to remove (or at the request of Landlord shall remove) such fixtures, and shall restore the Premises to substantially the same condition of the Premises at the commencement of this Lease.

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NOTICE. Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, addressed as follows:

LANDLORD:

Casey James Wilkins
5675 North Douglas Hwy
Juneau, Alaska 99801

TENANT:

Always Redeye LLC
PO Box 240588
Douglas, Alaska 99824

Such addresses may be changed from time to time by any party by providing notice as set forth above. Notices mailed in accordance with the above provisions shall be deemed received on the third day after posting.

GOVERNING LAW. This Lease shall be construed in accordance with the laws of the State of Alaska.

ENTIRE AGREEMENT/AMENDMENT. This Lease Agreement contains the entire agreement of the parties and there are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Lease. This Lease may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.

SEVERABILITY. If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provision, it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

WAIVER. The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Lease.

BINDING EFFECT. The provisions of this Lease shall be binding upon and inure to the benefit of both parties and their respective legal representatives, successors and assigns.

LANDLORD:

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Casey Wilkins

Date: 9-5-17

Casey James Wilkins

TENANT:
Always Redeye LLC

By: Casey Wilkins

Date: 9-5-17

Casey James Wilkins,
Owner

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ALWAYS RED EYE

Permit Set

ARCHITECT	MECHANICAL ENGINEER	ELECTRICAL ENGINEER
NorthWind Architects LLC 126 Seward St Juneau, AK 99801 907- 586-6150 James Bibb, AIA	Modern Mechanical 11001 Black Bear Rd Juneau AK 99801 907-789-9320 Shane Hooten PE	Gorman Engineers 10761 Horizon Dr, Juneau AK 99801 907- 463-6721 Pat Gorman PE

GENERAL REQUIREMENTS:

1. THE CONTRACTOR IS RESPONSIBLE FOR THE FABRICATION AND INSTALLATION OF ALL MATERIALS AND EQUIPMENT IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE (IBC 2009 EDITION, AS AMENDED BY THE CBJ) AND ALL ITS RELATED DOCUMENTS AND AMENDMENTS. ALL MATERIALS SHALL BE STORED, HANDLED AND INSTALLED PER MANUFACTURERS' OR MATERIAL ASSOCIATIONS' INSTRUCTIONS AND RECOMMENDATIONS
2. THE CONTRACTOR SHALL COORDINATE AND VERIFY ALL CONDITIONS AFFECTING THE PROJECT SCOPE OF WORK, AND WILL NOTIFY THE OWNER OF ANY DISCREPANCIES AND/OR VARYING CONDITIONS THE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION RELATED ACTIVITIES WITH THE OWNER PRIOR TO EXECUTING ANY WORK OF THIS CONTRACT
3. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO THE FABRICATION AND INSTALLATION OF ANY MATERIALS CONTRACTOR SHALL PROTECT ALL WORK AREAS FROM DAMAGE DUE TO CONSTRUCTION, RELATED WORK AND WEATHER DAMAGED AREAS WILL BE RESTORED TO THEIR ORIGINAL CONDITION AT NO ADDITIONAL COST TO THE OWNER
4. CONTRACTOR IS RESPONSIBLE FOR THE DESIGN OF ALL ROOF CEILING AND FLOOR MOUNTED CONSTRUCTION RIGGING CONTRACTOR WILL BE RESPONSIBLE FOR ALL TEMPORARY SHORING AND ANY TEMPORARY WORK OPENINGS IN THE BUILDING ENVELOPE ALL OPENINGS WILL BE REPAIRED WITH MATERIALS AND ASSEMBLIES TO MATCH EXISTING
5. UTILITIES: OWNER WILL FURNISH ELECTRICAL POWER (120V AND 220V) FOR EQUIPMENT AND LIGHTING CONTRACTOR IS REQUIRED TO FURNISH ALL TEMPORARY SERVICES, CONSTRUCTION LIGHTING AND HEAT CONTRACTOR SHALL PROVIDE AND MAINTAIN SEPARATE TOILET FACILITIES DURING CONSTRUCTION
6. THE CONTRACTOR SHALL PROVIDE TO THE OWNER AT THE TIME OF CONTRACT CLOSE-OUT, THE PRODUCTS, SPARE PARTS, EXTRA STOCK, AND MAINTENANCE MATERIALS IN QUANTITIES SPECIFIED IN ADDITION TO THAT USED FOR CONSTRUCTION OF THE WORK
7. THE CONTRACTOR SHALL ENSURE COORDINATION AND CONTINUITY BETWEEN TRADES, AND SHALL CONFIRM ALL CONDITIONS NECESSARY TO PROCEED WITH ANY COMPONENT OF THE WORK, INCLUDING PREPARATION OF ANY NEW OR EXISTING MATERIAL SUBSTRATE OR SURFACE TO RECEIVE FINISHES AND/OR EQUIPMENT
8. ALL ITEMS IDENTIFIED FOR SALVAGE BUT NOT REINCORPORATED IN THE WORK ARE TO BE TURNED OVER TO OWNER UNLESS OTHERWISE NOTED OR DIRECTED

DRAWING SCALE: THIS SET OF DRAWINGS HAS BEEN PRODUCED WITH SCALE INDICATORS AND BARS

Zoning Review:
CBJ Title 49 Land Use

Zoning - Industrial

Proposed use - Marijuana product manufacturing facility subject to be reviewed and approved by planning commission

Legal Description - RSH Subdivision III LT 1E

Lot Area - 1, 2738 sq ft

Building Height - 3 stories

Building Gross Area	5,880 sq ft
1st floor Cultivation Facility 1	1,960 sq ft
2nd floor Cultivation Facility 2	1,960 sq ft
3rd floor Attic	1,960 sq ft

Front yard setbacks - 10 ft
Side yard setbacks - 0 ft
Lemon creek/ Rear yard setback - OHW 50 ft

Table 49.40.210 Parking Requirements:

Manufacturing facility	4 spaces
ADA	1 space

Parking space dimensions:
Standard - 8'-6" x 17'
Standard - 6 1/2' x 22'
ADA - 13' x 17' w/ 5' width access aisle

Code Analysis of Existing Building:
IBC 2012

Occupancy Classification:
Factory F1 - Level 1 &2 Phase I
TBD - Level 3 Phase II

Construction - Type VA

Allowable Building Height and Areas Table 503
F-1: 2 stories, 14,000 sq ft

Sprinkled - Yes (Phase I)
Required separation of occupancies - None

SHEET INDEX

GENERAL

G00	COVER, SHEET INDEX, GENERAL NOTES, ANALYSIS, SITE PLAN

ARCHITECTURAL

A1.0	DEMOLITION PLAN
A2.0	FLOOR PLANS
A3.0	BUILDING SECTIONS
A4.0	INTERIOR ELEVATIONS, DETAILS

MECHANICAL

M-1	FIRST FLOOR PLAN
M-2	SECOND FLOOR PLAN
M-3	THIRD FLOOR PLAN
M-4	HEATING PIPING DIAGRAM

ELECTRICAL

E1.0	LEGEND, NOTES & SPECIFICATION, SINGLE LINE
E2.0	FIRST & SECOND FLOOR ELECTRICAL PLAN, SHEET NOTES
E2.1	THIRD FLOOR ELECTRICAL PLAN, PANEL SCHEDULES, SHEET NOTES

SITE PLAN
SCALE: 1" = 30'

ALWAYS RED EYE
2005 Anka St
Juneau, AK 99801
NWA - 1721

SHEET # G00

PLOT DATE 8/31/2017
ISSUE DATE ** ISSUE DATE **

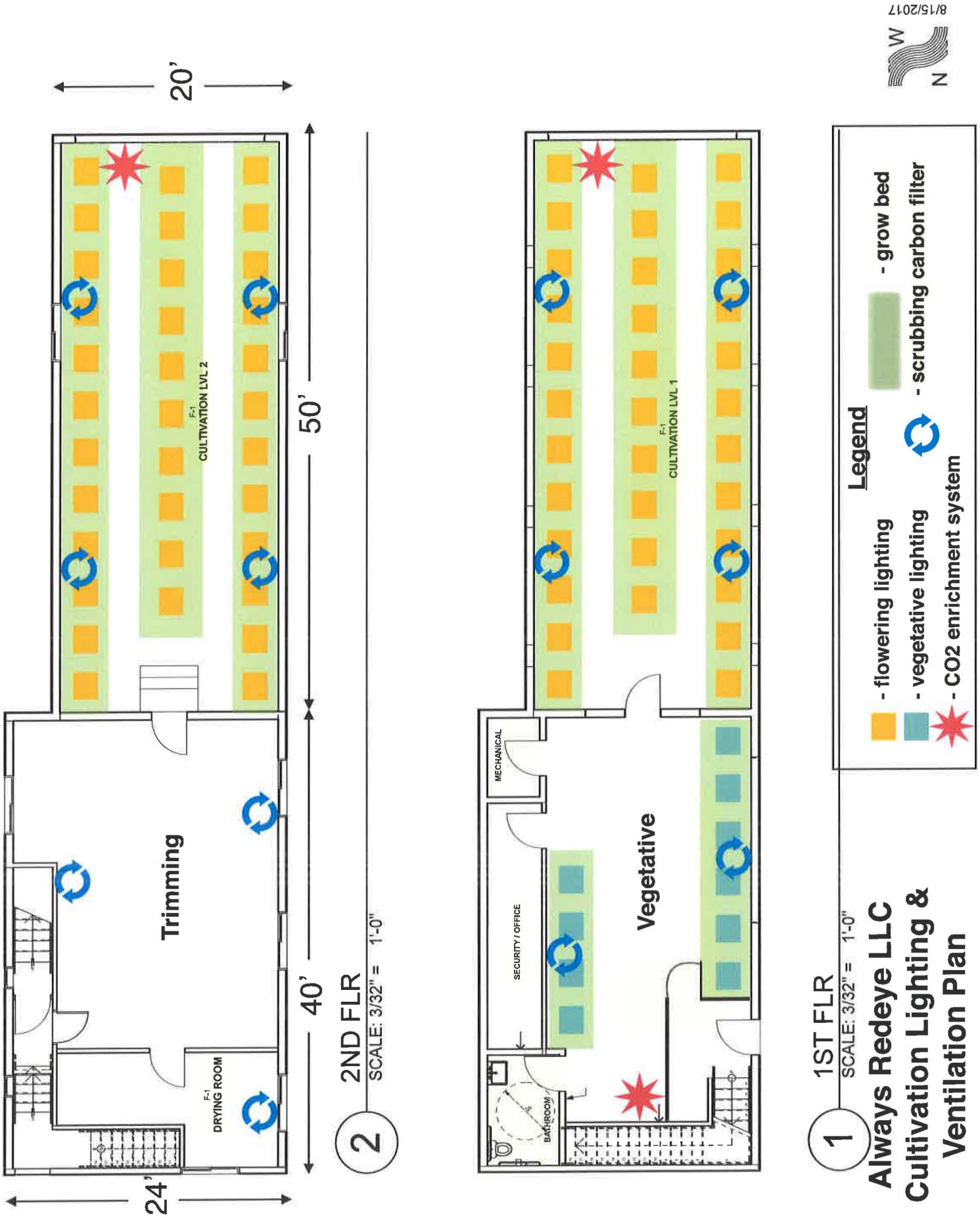
Always Redeye LLC Cultivation Site Plan

Legend

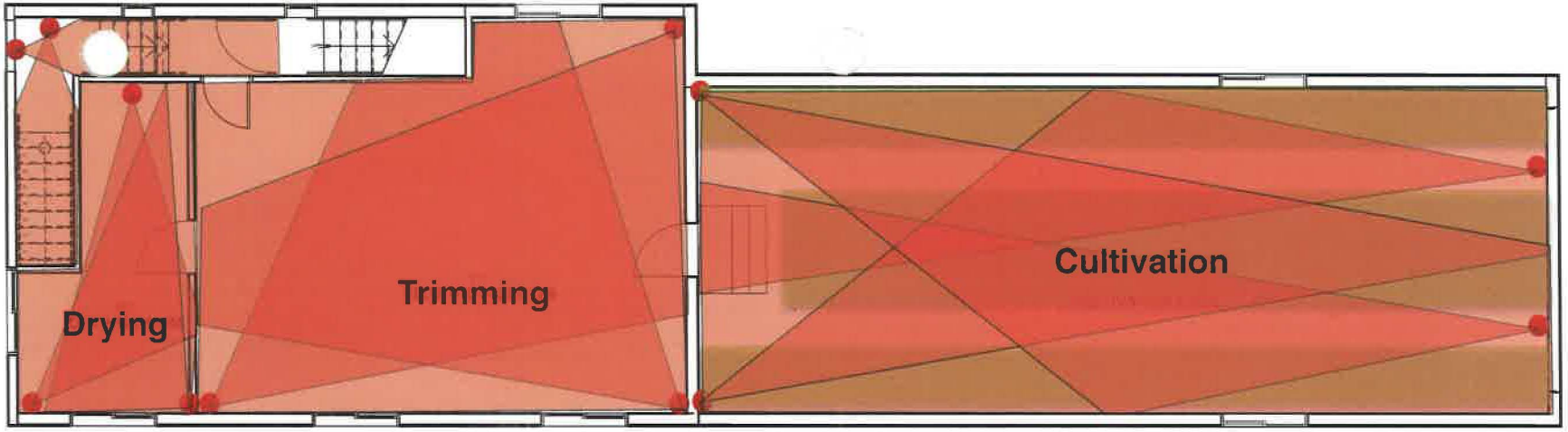
- Restricted access area
- Vegetated area

*Note - the entire facility is a restricted access area

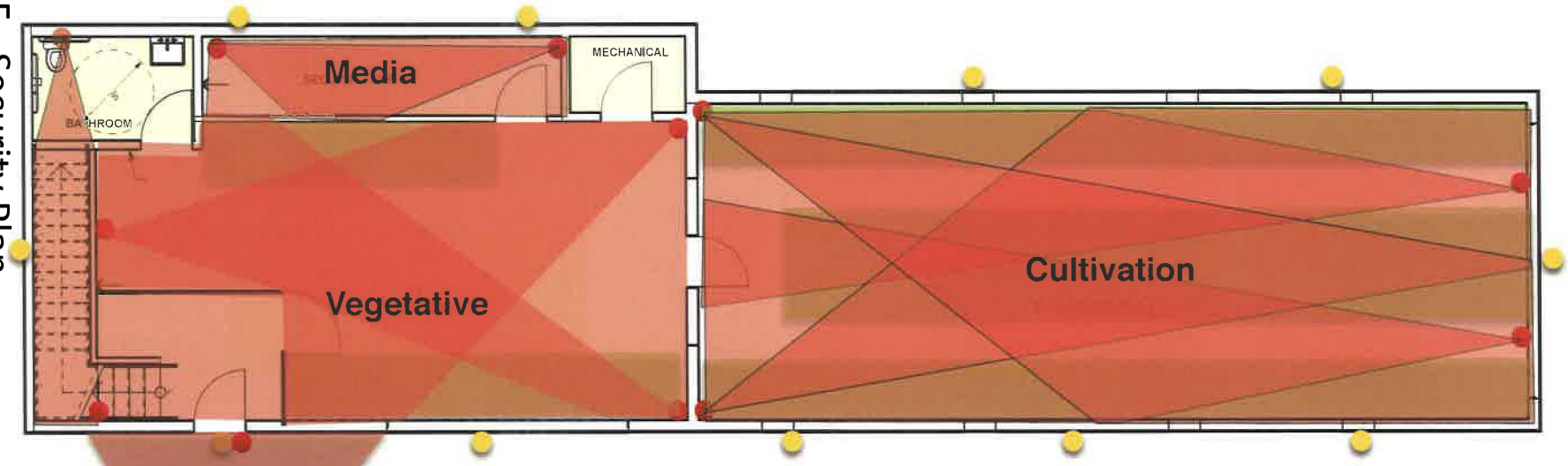
Attachment D - Site Plan



Attachment E - Floor Plan



2 2ND FLR
SCALE: 3/32" = 1'-0"



1 1ST FLR
SCALE: 3/32" = 1'-0"

Legend

- security camera
- camera coverage area
- grow bed
- exterior light

*Note - the entire facility is a restricted access area

Always Redeye LLC
Cultivation Security Plan

N W

Attachment F - Security Plan

Attachment G - Photos of Warehouse

Attachment G - Photos of Warehouse

Attachment G - Photos of Warehouse

Attachment G - Photos of Warehouse

Attachment G - Photos of Warehouse

From: PC_Comments
Sent: Monday, October 02, 2017 11:22 AM
To: Christine McNally
Subject: FW: USE2017 0022

From: Michael Dau [mailto:dauntoit@gci.net]
Sent: Monday, October 02, 2017 10:00 AM
To: PC_Comments
Cc: Jesse Kiehl
Subject: USE2017 0022

Dear Chrissy,

We're absolutely certain these comments will be added to the hopper and be of little value to you and your team. We take no issue with good folks trying to build a business but noise and smell are very real concerns.

We already have a pit mine so CBJ can get cheap gravel, IN the creek. We have what is building to be constant and excessive truck traffic back and forth, all day, rock in and rock out of Lemon Creek 'Hidden Valley' – there is noise AND vibration that comes with that. There is beer-powered-beer that, when brewing, releases steam (whistle) every three minutes. Try that in the little valley there in the quiet nights of winter. And trust us, it smells like gym socks sometimes. We're going to have a landfill up the way if we're not paying attention, with more truck traffic, and that scent wafting down the valley is not one any of us are excited about. With the zoning at the time of our purchase being considered Heavy Commercial/Light Industrial, we never saw all this coming. Nobody would.

We are no longer able to say, 'it's temporary' to future tenants or buyers. All this activity and disruption is coming, without barriers, from an area less than a Juneau block away. It's insulting that you expect people to live like this.

These grows must have ventilation and will have traffic. Please do not allow another noise or scent to impact our neighborhood. That's right. Our neighborhood. You continually choose to disregard many, many Juneau friends and neighbors. Proof again provided by a display that does not include us. An entire neighborhood. Right or wrong, for God's sake, at least recognize that we're there because a manipulative contractor got permits to build condos, bail and then build apartments. We're pleading with you for those that can't throw in the towel and just move, to please start looking out for our welfare and our right to a peaceful neighborhood.

For what it's worth.

Thank you very much

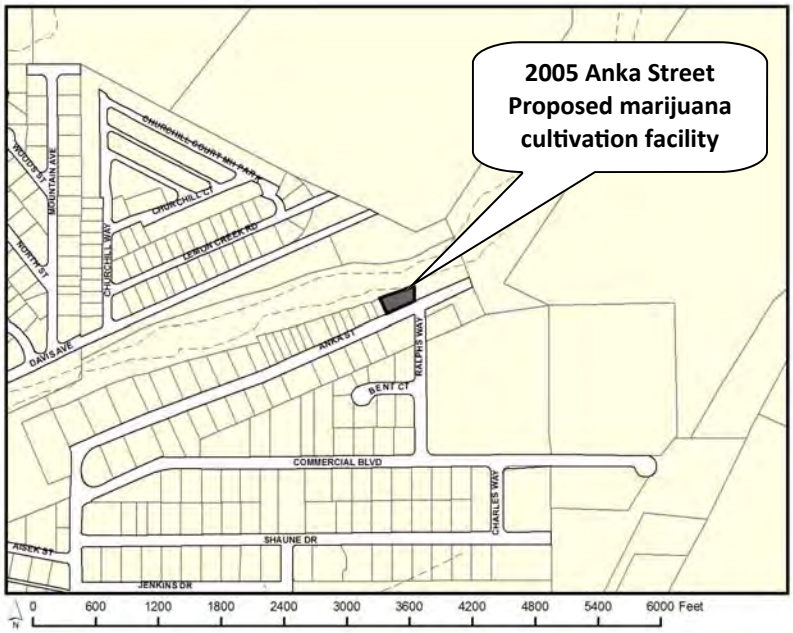
OUR neighborhood: The 21 RIVEREDGE CONDOMINIUMS AND THE 23 APARTMENTS
of Families and Friends at 1901 DAVIS AVENUE

Michael and Cynthia Dau
Owners
1901 Davis Ave A-10 and A-11

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use Permit** for a **marijuana cultivation facility** located at **2005 Anka Street** in the **Industrial zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through Oct. 2, 2017	Oct. 2, 2017 through 3 pm, Oct. 24, 201	HEARING DATE & TIME 7:00 pm, Oct. 24, 2017	Oct. 25, 2017
Your comments to the Planner, **Chrissy McNally**, will be included in the staff report.	Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.	You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.	The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

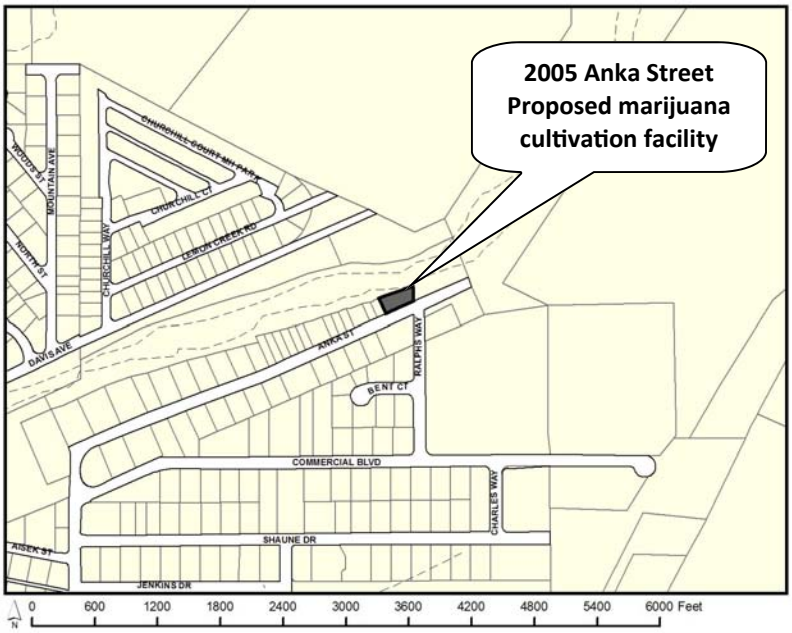
Case No.: USE2017 0022
Parcel No.: 5B1201330160
CBJ Parcel Viewer: h. p://epv.juneau.org
Date notice was printed: September 22, 2017

Attachment I - Public Notice

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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Oct. 2, 2017 through 3 pm, Oct. 24, 201

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Oct. 24, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Oct. 25, 2017

The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: USE2017 0022
Parcel No.: 5B1201330160
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: September 22, 2017

USE2017-22

Conditional Use Permit to Allow a Marijuana Cultivation Facility in an Industrial Zoning District

Regular Planning Commission Hearing

October 24, 2017

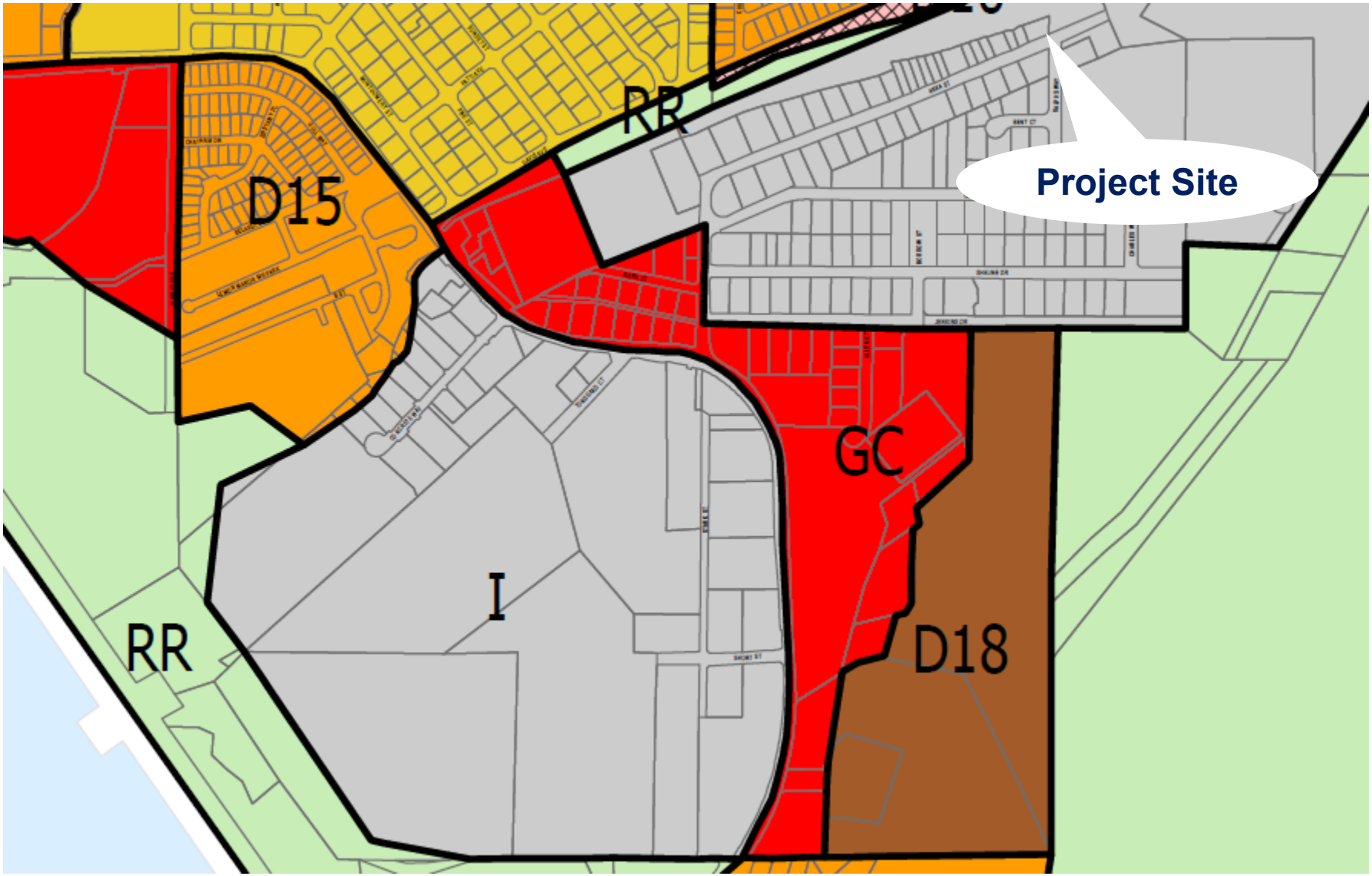
CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

USE17-22

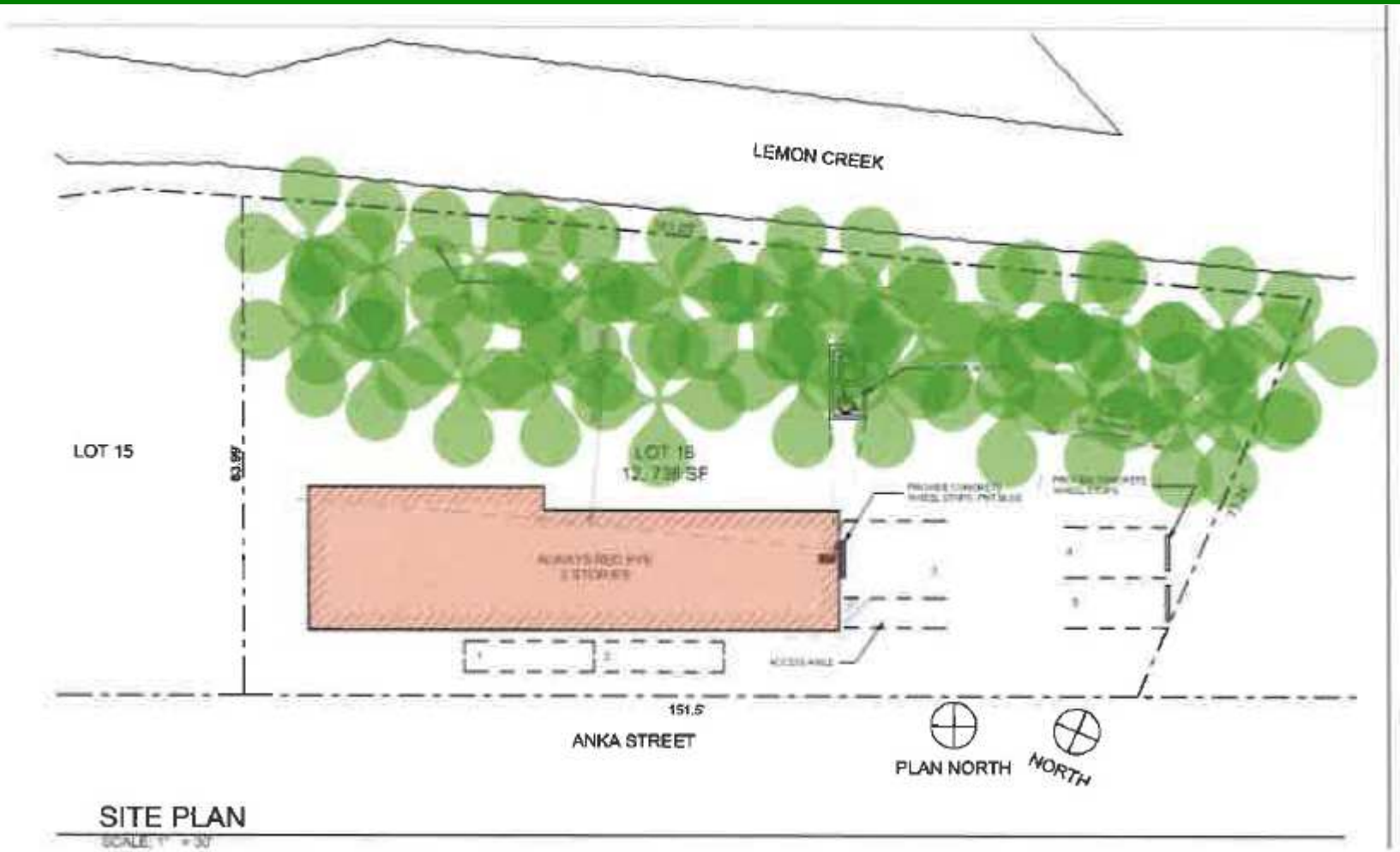
Applicant :	Always Redeye, LLC
Property Owner:	Casey Wilkins
Property Address:	2001 Anka Street
Site Size:	12,738 square feet
Comprehensive Plan Future Land Use Designation:	Light Industrial (LI)
Zoning:	Industrial (I)
Utilities:	CBJ Water & Sewer
Access:	Anka Street
Existing Land Use:	Vacant Warehouse

Aerial Photo

Area Zoning



Site Plan



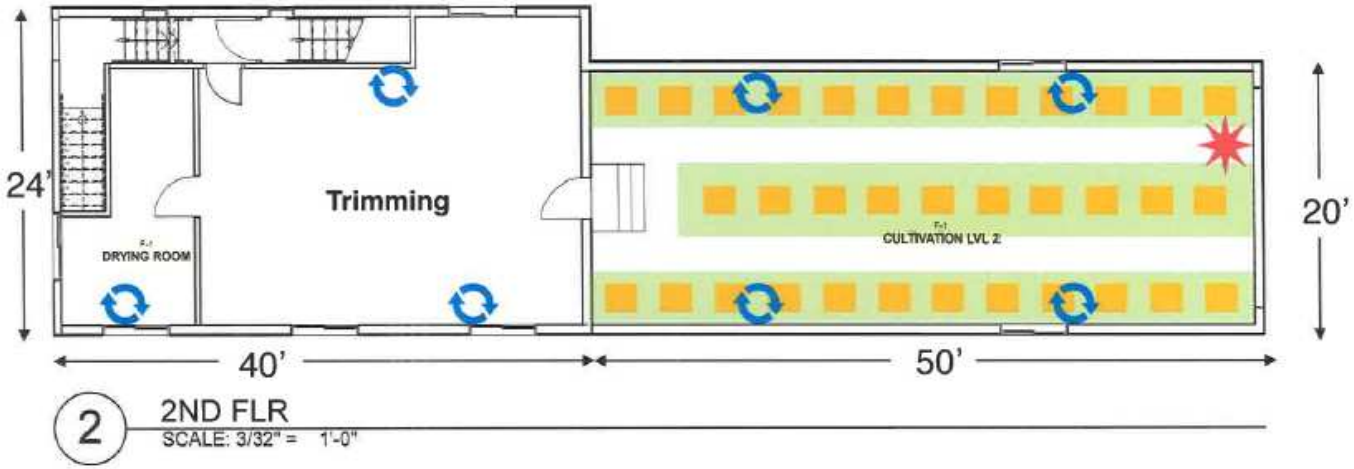
Industrial Zone Setbacks

Front & Rear: 10 feet
Side: 0 feet

CBJ 49.40.210 Parking

Accessory dwelling: 1
Marijuana cultivation: 5 (including 1 ADA space

Floor Plan



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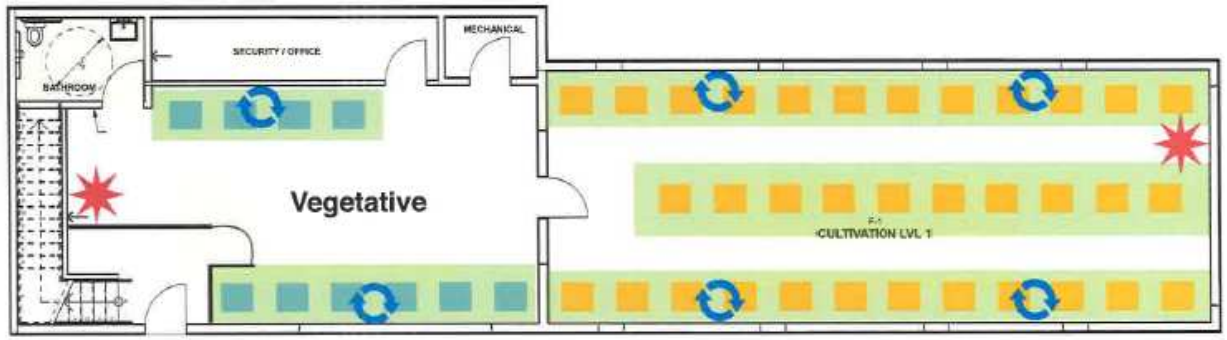
SCALE: 3/32" = 1'-0"



1 1ST FLR
SCALE: 3/32" = 1'-0"

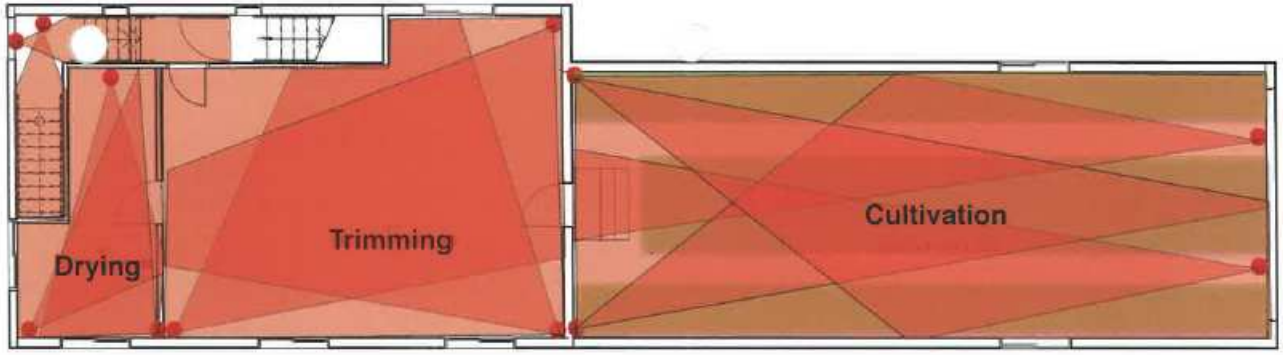
Always Redeye LLC Cultivation Lighting & Ventilation Plan

Legend

- flowering lighting
- vegetative lighting
- CO2 enrichment system
- grow bed
- scrubbing carbon filter

W N 8/15/2017

Parking & Surveillance



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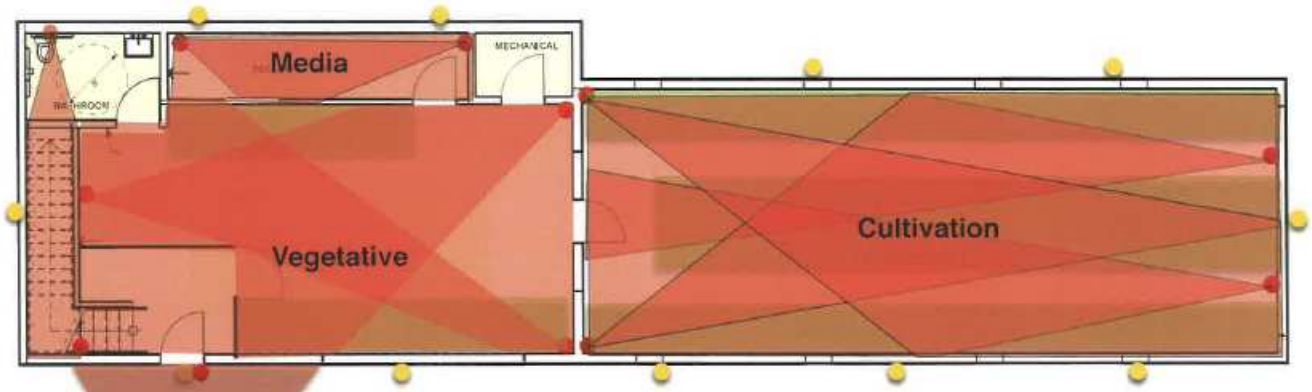


1 1ST FLR
SCALE: 3/32" = 1'-0"

Always Redeye LLC
Cultivation Security Plan

Legend
- security camera
- grow bed
- camera coverage area
- exterior light

*Note - the entire facility is a restricted access area

W
N
8/15/2017

Site Photos

Garage bay doors and windows to be sealed

Site Photos

Rear of the building is 15 feet within the 50 foot streamside buffer (VAR2003 00011).

Analysis

Conditional Use Permit Application Submittal Requirements

- ❑ Security Plan
- ❑ Waste Management Plan
- ❑ Ventilation & Filtration Plan
- ❑ Carbon Dioxide Use Disclosure
- ❑ Mold Prevention Methods

Special Use Requirements

- ❑ Odor
- ❑ Signage

STANDARD CUP REVIEW CRITERIA

- ❑ Parking and Circulation
- ❑ Traffic
- ❑ Noise
- ❑ Lighting
- ❑ Public Health and Safety
- ❑ Property Value and Neighborhood Harmony
- ❑ Conformity with Comprehensive Plan

POLICY 5.1. TO DEVELOP AND SUSTAIN A DIVERSE ECONOMY, PROVIDING OPPORTUNITIES FOR EMPLOYMENT FOR ALL RESIDENTS.

Implementing Actions

5.1 – IA1 Work with private-sector industries and businesses and public sector agencies that are interested in locating or expanding within the City and Borough of Juneau, and consider offering land, tax incentives, or other benefits to encourage new development.

POLICY 5.18. TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.

Public Comment

STAFF RECEIVED TWO COMMENTS FROM THE PUBLIC:

IN OPPOSITION:

Michael and Cynthia Dau, 1901 Davis Avenue (condominium complex northwest across Lemon Creek)

Law Offices of Simpson, Tillinghast, Sorensen & Sheehan, P.C. representing Granite Mountain Properties Limited Liability Company, 5441 Commercial Boulevard & 1740 Ralphs Way (both south of subject property)

Findings

1. Is the application for the requested conditional use permit complete?

   Yes.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

   Yes.

3. Will the proposed development comply with the other requirements of this chapter?

   Yes.

Findings

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

   No.

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

   No.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan or other officially adopted plans?

   Yes.

Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use permit, USE2017 0022. The permit would allow for the development of a marijuana cultivation facility in the Industrial zoning district.

Conditions

The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure.

USE2017-22

Conditional Use Permit to Allow a Marijuana Cultivation Facility in an Industrial Zoning District

QUESTIONS?

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF DECISION

Date: October 26, 2017
File No.: USE2017 0025

Marathon Development, Inc.
ATTN: Ted Johnson
12600 SE 38th Street
Suite 210
Bellevue, WA 99806

Proposal:	Request for an Extension to the Conditional Use Permit for Riverview Senior Community (USE2016 0015)
Property Address:	Clinton Drive
Legal Description:	Lots 31A; 32; 33; 34; 35; 36; 37; 38, Block C, Vintage II Subdivision
Parcel Code No.:	5B1601440311; 5B1601440320; 5B1601440330; 5B1601440340; 5B1601440350; 5B1401440360; 5B1601440370; 5B1601140380
Hearing Date:	October 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 13, 2017 and approved the Request for an Extension to the Conditional Use Permit for Riverview Senior to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).
2. The lots will be consolidated into one lot, including Lot 31A.
3. All runoff from outside the paved areas, including roof drains, will be directed to the Mendenhall River drainage system.
4. Stormwater run-off within the paved areas will be collected and directed into an oil/water separator immediately prior to connecting into the Clinton Street existing storm drain system.

5. A 12" CPP will be allowed from the oil/water separator to the catch basin in Clinton Drive.
6. The catch basin in Clinton Drive will be replaced prior to the project connection.
7. The river bank will be restored and vegetated, if needed.

Attachments: October 13, 2017 memorandum from Jill Maclean, Senior Planner, Community Development, to the CBJ Planning Commission regarding USE2017 0025.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Planning Commission, October 24, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or April 24, 2019, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

Jill Maclean, Senior Planner
Community Development Department

Benjamin Haight, Chair
Planning Commission

Filed With City Clerk

November 3, 2017
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 13, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP, Senior Planner
Community Development Department

FILE NO.: USE2017 0025

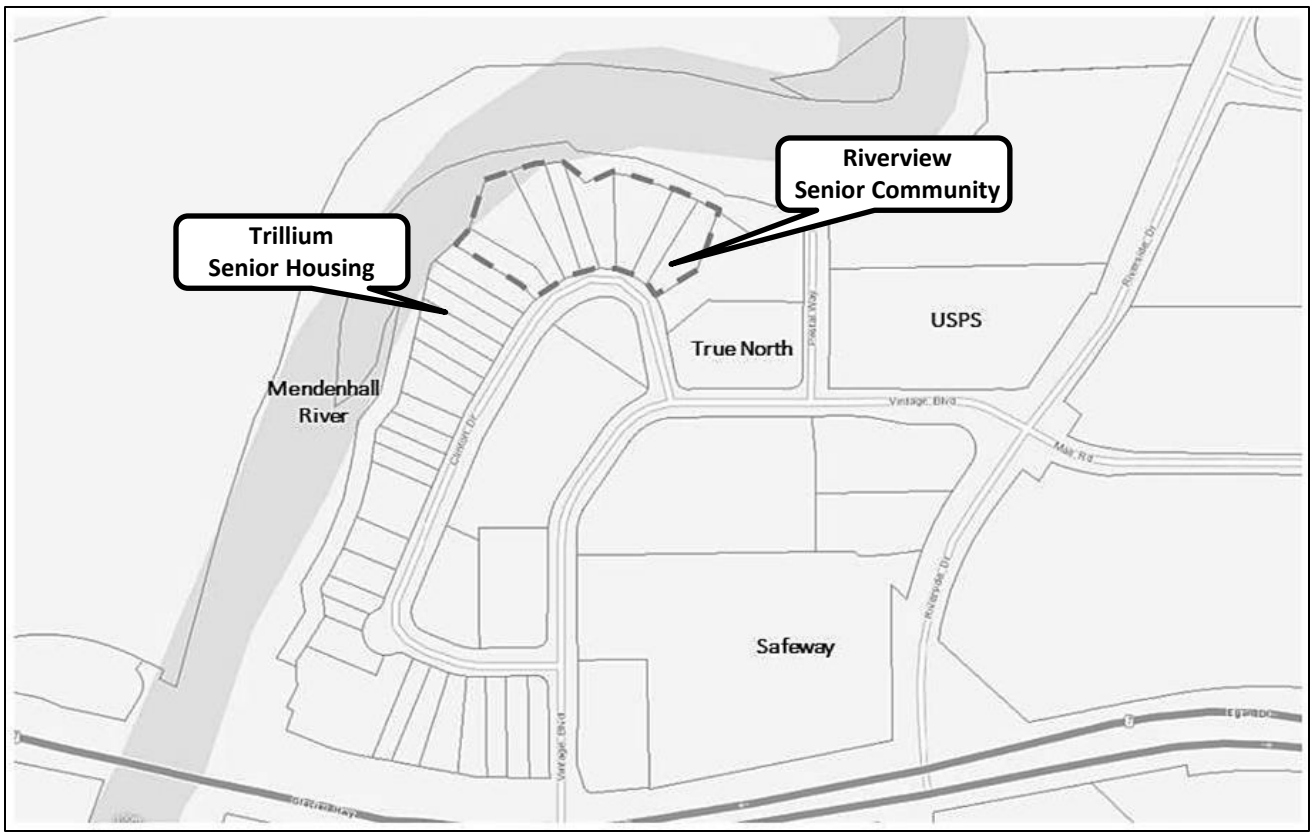
PROPOSAL: Request for an Extension to the Conditional Use Permit for Riverview Senior Community (USE2016 0015)

GENERAL INFORMATION

Applicant:	Marathon Development, Inc.
Property Owner:	William Bauer Living Trust
Property Address:	Clinton Drive
Legal Description:	Lots 31A; 32; 33; 34; 35; 36; 37; 38, Block C, Vintage II Subdivision
Parcel Code No.:	5B1601440311; 5B1601440320; 5B1601440330; 5B1601440340; 5B1601440350; 5B1401440360; 5B1601440370; 5B1601440380
Site Size:	Approximately 2.5 acres
Comprehensive Plan Future Land Use Designation:	Traditional Town Center (TTC) – High density residential and non-residential uses around shopping centers, employment centers, and public transportation; 18 units or more per acre.
Zoning:	MU (Mixed Use)
Utilities:	CBJ Water / Sewer

Access:	Clinton Drive		
Existing Land Use:	Vacant		
Surrounding Land Use:	North	-	Mendenhall River/Vacant (D1)
	South	-	Vacant (LC)
	East	-	Vacant & True North (MU & LC)
	West	-	Vacant/Commercial Buildings (MU & LC)

VICINITY MAP



ATTACHMENTS

Attachment A – Application
Attachment B – USE2016-15 Staff Report
Attachment C – USE2016-15 Notice of Decision
Attachment D – Public Comment

PROJECT DESCRIPTION

Due to project financing issues, the applicant requests an extension to the Conditional Use Permit for Riverview Senior Community (USE2016 0015). The applicant is not seeking any modifications to the Conditional Use Permit.

Riverview Senior Community will consist of 80 units with 88 beds. The assisted living section will consist of 54 units, and the memory care section will consist of 26 units with 32 beds. The proposed 70,865 sq. ft. building consists of a 3-story structure for the assisted living facility, attached to a 1-story structure for the memory care facility (see Attachment B).

BACKGROUND

The Planning Commission approved a Conditional Use Permit (USE2016 0015), effective June 28, 2016, allowing the development of an 80 unit and 88 bed assisted living and memory care facility with the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).
2. The lots will be consolidated into one lot, including Lot 31A.
3. All runoff from outside the paved areas, including roof drains, will be directed to the Mendenhall River drainage system.
4. Stormwater run-off within the paved areas will be collected and directed into an oil/water separator immediately prior to connecting into the Clinton Street existing storm drain system.
5. A 12” CPP will be allowed from the oil/water separator to the catch basin in Clinton Drive.
6. The catch basin in Clinton Drive will be replaced prior to the project connection.
7. The river bank will be restored and vegetated, if needed.

A recent subdivision (MIP2016 0003) changed the original parcel 5B16011440310, Lot 31, Block C. That parcel was included in the original USE2016 0015 but was recently changed by MIP2016 0003. The parcel is now Lot 31A, Block C, the parcel number is now 5B1601440311, and is 1,656 sq. ft. smaller. This should not affect the proposal (Plat No. 2016-19).

ANALYSIS

CBJ 49.14.240 establishes the requirements for Development Permit Extensions, which are:

- An application to extend a development permit must be submitted at least 30 days before the expiration of an existing major development permit.

The application for extension of USE2016-15 was received September 22, 2017, more than 30 days prior to the December 28, 2017 expiration date.

- The burden of proof of the justification for a permit extension rests with the applicant.

The applicant has stated that the need for an extension is due to the amount of time it is taking to obtain the proper financing for the project and no changes or amendments are needed to be made to the Conditional Use Permit at this time (see Attachment A).

- A maximum of two 18 month extensions are allowed.

This is the first extension request for this permit. If this extension is granted, the applicant is eligible for one more 18 month extension request.

- At least ten days prior to the hearing, notice of the extension request must be mailed to adjacent property owners. At least two days prior to the hearing, a general notice shall be printed in the newspaper of general circulation in the municipality.

Public notice of this project was provided in the October 13, 2017 and October 23, 2017 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel.

- Conditions contained in the permit cannot be changed.

No requests to modify the project have been made. The applicant understands that the project must comply with the conditions of approval. If the project does not comply with the conditions of approval, a new permit will be required.

PUBLIC COMMENTS

Comment was received from the public (see Attachment D):

> Juneau Senior Housing Partners Limited Partnership, Emily Breidenbach, GMD Development: *As the neighbor directly adjacent to the proposed Riverview Senior Community, we fully support its request to extend the conditional use permit. This is an important project for the Juneau, and when developed will provided much needed additional senior housing for the community. Our building, the Trillium Landing Apartments, has been open for approximately 2 weeks. In that time it is 50% leased with pending applications on another 25%. Our housing is independent living and we have had to turn away prospective residents who need the higher level of care that will be provided at Riverview. Extending the*

CUP to allow for further predevelopment time is a reasonable request and we urge the planning commission to grant it.

FINDINGS

Per CBJ 49.15.250, Development Permit Extension, the director makes the following findings on the criteria for granting the requested conditional use permit extension:

1. **Was the application for the requested development permit extension complete and received on time?**

Yes. The application contains the information necessary to complete a full review of the proposed permit extension. Further, the appropriate fees were submitted with the application. The requested conditional use permit extension was received more than 30 days prior to the initial permit's expiration date.

2. **Has the applicant submitted justification for the permit extension?**

Yes. The applicant has explained in an email that that the need for an extension is due to the amount of time it is taking to obtain the proper financing for the project.

3. **Is the extension within the allowable number of permit extensions?**

Yes. CBJ 49.15.250 allows no more than two 18 month extensions. This is the first permit extension application for USE2016-0015.

4. **Have notices of the extension request been mailed to adjacent property owners at least ten days prior to the hearing and has a general notice been printed in a newspaper of general circulation at least two days prior to the hearing?**

Yes. Public notice of this project was provided in the October 13, 2017 and October 23, 2017 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel on October 2, 2017.

5. **Will the proposed development comply with the Juneau Coastal Management Program?**

Yes. As stated in the staff analysis for USE2016-0015, the proposed project is outside of the 50ft. no-development setback from the Mendenhall River and does not affect any other sensitive habitats.

6. **Have conditions on the permit been changed?**

No. The applicant has not requested any amendments.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit extension with the following conditions. The permit would allow the development of an 80 unit, 88 bed assisted living and memory care facility.

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).

2. The lots will be consolidated into one lot, including Lot 31A.

3. All runoff from outside the paved areas, including roof drains, will be directed to the Mendenhall River drainage system.

4. Stormwater run-off within the paved areas will be collected and directed into an oil/water separator immediately prior to connecting into the Clinton Street existing storm drain system.

5. A 12” CPP will be allowed from the oil/water separator to the catch basin in Clinton Drive.

6. The catch basin in Clinton Drive will be replaced prior to the project connection.

7. The river bank will be restored and vegetated, if needed.

From: Andrew Montero
To: Jill Maclean
Cc: "Sioux Douglas"; Ted Johnson
Subject: Riverview Senior Community - CUP Extension Request
Date: Monday, October 02, 2017 9:27:28 AM

Hello Jill,

At this time we have no need for changes or amendments to be made to the Conditional Use Permit, simply an extension to the expiration of the approval. The reason for our requesting an extension is due to the amount of time it is taking to obtain the proper financing for the project.

Thank you,

Andrew Montero
Project Manager
Marathon Development, Inc.
Mobile | 425.269.5516
Office | 425.233.6974
Fax | 425.675.4599
www.marathondev.com

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 9/22/17
Project Name (City Staff to Assign Name)		

INFORMATION

Project Description
CUP extension request for the Riverview Senior Community. 80 unit / 88 bed assisted living and memory care facility.

PROPERTY LOCATION

Street Address	City/Zip
3031 Vintage Boulevard	Juneau, Alaska 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)
Lots 31, 32, 33, 34, 35, 36, 37, 38, BLOCK C, VINTAGE II SUBDIVISION, according to Plat 85-58 (& 31)

Assessor's Parcel Number(s)
5B1601440380, 5B1601440370, 5B1601440360, 5B1601440350, 5B1601440340, 5B1601440330, 5B1601440320,

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
William Bauer Living Trust	Budd Simpson	586-1400
Mailing Address	**Home Phone:**	**Fax Number:**
c/o One Sealaska Plaza, Ste 300, Juneau		586-3065
E-mail Address	**Other Contact Phone Number(s):**	
bsimpson@stsl.com		

LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X [signature], Trustee — Landowner/Lessee Signature — Date 9/22/2017

X [signature], Trustee — Landowner/Lessee Signature — Date 9/22/17

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

PROJECT / APPLICANT

APPLICANT If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name	Contact Person:	Work Phone:
Marathon Development, Inc.	Ted Johnson	425-233-6972
Mailing Address	**Home Phone:**	**Fax Number:**
12600 SE 38th St, Suite 210, Bellevue, WA 98006	425-890-3420	425-675-4599
E-mail Address	**Other Contact Phone Number(s):**	
tjohnson@marathondev.com	425-233-7264	

X [signature] — Applicant's Signature — Date of Application 9.22.2017

—OFFICE USE ONLY BELOW THIS LINE—

STAFF APPROVALS

✔	Permit Type	***SIGN	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			Extension CUP20 / USE 16-15 USE17-025
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials: JMM

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
	Riverview Senior Community	USE17-025	9/22/17

TO BE COMPLETED BY THE APPLICANT

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)

☐ Use Listed in §49.25.300 (Table of Permissible Uses) (USE)

Please list the Table of Permissible Uses Category: CUP - Assisted Living Facility

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

The Riverview Senior Community project is an assisted living and memory care facility. Land is currently zoned LC and Assisted Living Facilities are an allowed use with a CUP. This is a request to extend our existing, approved, CUP.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☐ NO ■ YES – Case # USE2016-15

CURRENT USE OF LAND OR BUILDING(S): Vacant, treed, land with private community trail and river access.

PROPOSED USE OF LAND OR BUILDING(S): Development of an 80 unit/ 88 bed facility consisting of 54 assisted living and 26 unit/32 bed memory care.

UTILITIES PROPOSED: WATER: ■ Public ☐ On Site SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 102,366 square feet Total Area of Existing Structure(s) n/a square feet

Total Area of Proposed Structure(s) 70,865 square feet

EXTERNAL LIGHTING:

Existing to remain ■ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☐ No ■ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- ■ Site Plan
- ■ Floor Plan of proposed buildings
- ■ Elevation view of existing and proposed buildings
- ■ Proposed Vegetative Cover
- ■ Existing and proposed parking areas (including dimensions) and proposed traffic circulation
- ■ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 250.00	313		9/22/17
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$			
Pub. Not. Sign Deposit	$			
Total Fee	$			

NOTE: MUST BE ACCOMPANIED BY* DEVELOPMENT PERMIT APPLICATION *FORM

Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: June 14, 2016

TO: Planning Commission

FROM: Jill Maclean, Senior Planner
Community Development Department

FILE NO.: USE2016 0015

PROPOSAL: Conditional Use Permit for an Assisted Living Facility.

GENERAL INFORMATION

Applicant:	Marathon Development, Inc.
Property Owner:	William Bauer Living Trust
Property Address:	Clinton Drive
Legal Description:	Vintage II Block C Lot 31, 32, 33, 34, 35, 36, 37, 38
Parcel Code Number:	5-B16-0-144-031-0; 5-B16-0-144-032-0; 5-B16-0-144-033-0; 5-B16-0-144-034-0; 5-B16-0-144-035-0; 5-B16-0-144-036-0; 5-B16-0-144-037-0; 5-B16-0-144-038-0;
Site Size:	Approximately 2.5 acres
Comprehensive Plan Future Land Use Designation:	Traditional Town Center (TTC) – High density residential and non-residential uses around shopping centers, employment centers, and public transportation; 18 units or more per acre.
Zoning:	Mixed Use (MU)
Utilities:	CBJ Water & Sewer
Access:	Clinton Drive

Existing Land Use:	Vacant		
Surrounding Land Use:	North	-	Mendenhall River/Vacant (D1)
	South	-	Vacant (LC)
	East	-	Vacant & True North (MU & LC)
	West	-	Vacant/Commercial Buildings (MU & LC)

Vicinity Map

ATTACHMENTS

Attachment A – Application
Attachment B – AME2016-08 NOR
Attachment C – Vintage Final Plat 4-29-16
Attachment D – Public Notice

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of Riverview Senior Community. Riverview Senior Community will consist of 80 units with 88 beds. The assisted living section will consist of 54 units, and the memory care section will consist of 26 units with 32 beds. The proposed 70,865 sq. ft. building consists of a 3-story structure for the assisted living facility, attached to a 1-story structure for the memory care facility (see Attachment A).

BACKGROUND

The project consists of Lots 31A (see Attachment C) through 38 of Vintage II Subdivision. This land was part of Vintage Subdivision, originally a homestead of U.S. Survey 1193 that was left mostly undeveloped. In 1984, the land was sold to Mr. William Bauer, and was designed as a business park. The site was cleared of the natural vegetation and graded to accommodate buildings and parking. A lot line adjustment for Lots 26A and Lot 31A of Vintage II Subdivision (see Attachment C) was recently approved. The project was reviewed as if the lots were consolidated. Therefore, as a condition of approval, the lots related to this project should be consolidated into one lot.

In January 2016, a zoning change from Light Commercial to Mixed Use was proposed (see Attachment B). On April 12, 2016 the Planning Commission recommended adoption of this zone change to the Assembly. On May 23, 2016 the Assembly adopted the zone change from LC to MU, which will become effective 30 days from that hearing date. As the staff report was due during this 30-day period, the application was reviewed under both the LC and MU zoning districts.

The proposed use (assisted living), and the site design/layout, conforms to the current LC zoning requirements, and also meets the MU zoning requirements. Once the zoning change is effective, the use, structure, and site will continue to be conforming. A Conditional Use Permit is required under both zoning districts. For further clarification of the LC and MU zoning requirements please refer to the table below.

	LC	**MU**	**Riverview Senior Community**
Minimum Lot Size	2,000 sq. ft.	4,000 sq. ft.	102,366 sq. ft.
Minimum Lot Width	20’	50’	445’
Minimum Lot Depth	80’	80’	183’
Minimum Lot Coverage	None	None	Approx. 70%
Maximum Height	45’	None	
Front Yard Setback	25’	0’	27.45’
Rear Yard Setback	10’	0’	10.44’
Side Yard Setback	10’	0’	10.1’
Minimum Vegetative Cover	15%	0%	19.9%

ANALYSIS

Project Site

The proposed site is located at Clinton Drive off of Vintage Boulevard. The site is located in what is currently a Light Commercial-zoned district. The site will be zoned a Mixed Use district effective June 23, 2016 (Ordinance 2016-16 adopted May 23, 2016). City water and sewer are available. The site is 2.35 acres. The site is located adjacent to the Mendenhall River, an anadromous fish stream, with a 50ft streamside setback. The proposed structure is located outside the 50-foot streamside setback, and parking is not allowed in the setback area.

Project Design

As stated above, Riverview Senior Community will have 80 units with 88 beds. The assisted living section will consist of 54 units, and the memory care section will consist of 26 units with 32 beds. The proposed 70,865 sq. ft. building consists of a 3-story structure for the assisted living facility, attached to a 1-story structure for the memory care facility. The project includes a kitchen, dining area, lobby, an administrative office area, courtyard, walking paths, activities room, laundry, and parking.

Traffic

As the project consists of housing for assisted living, residents will not be driving. Traffic will be generated by employees and visitors. Riverview Senior Community anticipates approximately 45 employees (including full-time and part-time).

The proposed eighty (80) unit assisted living facility is classified as "Assisted Living" Land Use in the Trip Generation Manual (9th Edition 2012). The Handbook establishes the standards for traffic impact analysis for development projects. The standard number of trips during the week is 2.74 per resident, totaling 241 weekday trips; standard number of trips on Saturday is 2.20 per residents, totaling 194 trips on Saturday; and the standard number of trips of Sunday is 2.44, totaling 215 trips on Sunday. CBJ 49.40.300 states that a traffic impact analysis is not required when a development is projected to generate less than 250 average trips in a day.

Given the existing access in and around Vintage Park, which was designed as a business park, the traffic generated by this project should have minimal impacts on the surrounding area. The peak hours of increased traffic coincide with the morning and evening commutes, given that the employees generate the traffic for the assisted living facility.

Parking and Circulation

Under the newly adopted parking requirements, in CBJ 49.40.210 (a) Table of minimum parking standards, assisted living facilities are required to provide 0.4 parking spaces per maximum number residents. Riverview Senior Community, at an 88 maximum resident count, must accommodate 36 parking spaces on site, of which 2 are required to be ADA. The facility is also required under CBJ 49.40.210 (c) to provide for 1 loading space.

The project provides 37 parking spaces, of which 2 are required to be ADA, plus 1 loading space.

Exterior Lighting

A lighting plan was not submitted with the Conditional Use Permit application. CBJ 49.15.330(g)(17) and CBJ 49.40.230(d) require exterior lighting in parking areas, along pedestrian pathways, and immediately adjacent to the building. All exterior lighting should have appropriate cut-off optics and house-side shields to efficiently focus light in the desired areas and to minimize the impacts to adjacent neighbors. As a condition of approval staff recommends that prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements at CBJ 49.40.230(d).

Landscaping

The MU district does not require any of the lot be maintained with live vegetative cover (CBJ 49.50.300). However, the project strives to create an inviting and natural landscape for the residents, and proposes almost 20% of the site with vegetated cover. The project includes a walking path along the Mendenhall River; pathways connecting the site internally and to adjacent properties and sidewalks; a patio area with planters; a secure garden and patio area for the memory care unit; a 4ft to 6ft high hedge along the easterly property line with a 6ft high good neighbor fence which must transition to a maximum 4ft high fence/hedge line along Clinton Drive (CBJ49.25.430(L) Yard setbacks); an atrium located within the memory care unit; plantings along all foundation walls and ornamental trees located throughout the property.

Signs

Per CBJ 49.45 a separate permit process requires that all signs proposed by the development be submitted to CDD staff for review and approval.

Noise

The surrounding area is a mix of vacant, retail, and commercial uses. There may be minimal increase in traffic noise generated on neighboring streets during commute times. The proposed assisted living facility expects residents to use the walking trails, paths, garden areas, and memory garden located on the property. No excess or considerable amount of noise is expected as a result of this development.

Public Health or Safety

Beyond impacts addressed in other sections of this report there are no anticipated negative impacts to public health or safety that result from this development. Issues related to construction and building will be addressed during the review of the plans prior to issuance of a Building Permit. At this stage the Building Division has no issues with the project. Capital City Fire and Rescue has no concerns with the project.

Habitat
The site is located adjacent to the Mendenhall River, an anadromous fish stream. The proposed structure is located outside the 50-foot streamside setback, and no parking is proposed in the setback area. The site is located in a Zone X flood zone. Flood Zone X are moderate flood hazard areas located between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. Any flood permits required will be determined during the building permit review. No other known habitats regulated by Title 49 are located on the site.

Property Value or Neighborhood Harmony
The Conditional Use Permit is for an assisted living facility. The purpose of the MU zoning district according to CBJ 49.25.230 is:

> *"…to reflect the existing downtown development pattern and is intended to maintain stability in the downtown area. Multifamily residential uses are allowed and encouraged."*

While the project is not located downtown, it is located in an area classified as Traditional Town Center by the Comp Plan Land Use Maps, which strives to create village-like centers similar to a downtown (see below for more information).

As the surrounding land uses are primarily public (post office), retail (grocer, salons) and commercial (healthcare, bank), and lend themselves to typical village center uses, no negative impacts to neighboring property values from the proposed project are foreseen. The project is of a scale, massing, and architecture that is in harmony with other surrounding buildings and uses.

Conformity with Adopted Plans
2013 Comprehensive Plan
As stated above, the Comp Plan Land Use Maps designate this area as Traditional Town Center (TTC). The designation supports higher density housing located in shopping centers, with access to public transportation. The project site is located in an established shopping area, within a half mile of the Safeway grocery store, a transit stop, bank, and a post office.

Chapter 4 – Housing Element, Policy 4.2 states that the CBJ should facilitate the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups. The following standard operating procedures apply:

> 4.2 - SOP1 Designate on the Comprehensive Plan Land Use Maps adequate sites and supporting infrastructure within the Urban Service Area Boundary to accommodate a diversity of housing types, size, price and types of neighborhood scale and character to satisfy the desires of all residents.

> 4.2 - SOP2 The CBJ government should monitor the inventory of all types of housing and should focus efforts, funding and resources on producing the types of housing that have not yet reached a sufficient supply to meet demand.
>
> 4.2 - SOP3 The CBJ government should seek and facilitate new housing production, for all types, at an annual rate that mimics the growth rate of new households in Juneau, in order to maintain adequate choice of residence type, location, and cost.

Policy 4.8 calls for the CBJ to balance the protection and preservation of the character and quality of life of existing neighborhoods within the urban service area while providing opportunities for a mixture of new housing types.

Given these policies and procedures, the Riverview Senior Community development is found to conform to the Comprehensive Plan.

Title 49

CBJ 49.25.300 Table of Permissible Uses (TPU) Section 7.200, allows for assisted living facilities with a conditional use permit in the LC zoning district (and within the MU zoning district).

The project is consistent with the TPU.

Draft Housing Action Plan

The Draft Housing Action Plan states that the borough does have a shortage of senior housing, which is supported by the findings of the 2014 Juneau Senior Housing and Services Market Demand Study. The Plan includes solutions for addressing the housing challenges facing Juneau over the next 30 years. *Solution 4: Production Targets*, states that the need for assisted living units is 330 units over 30 years, with the development of 11 units annually.

The project is consistent with the Draft Housing Action Plan.

Juneau Economic Development Plan

The Juneau Economic Development Plan (JEDP) developed eight economic development priorities, including to "Promote Housing Affordability and Availability". In order to accomplish the priorities set forth, the Plan states Initiatives, Goals, and Actions. Specifically relating to housing is the initiative "Build the Senior Economy", which calls for the support of development that creates a range of housing options and support services that meet the needs of Juneau's senior population.

Given these priorities and initiatives, the Riverview Senior Community development is found to conform to the JEDP.

Area-Wide Transportation Plan

The Area-Wide Transportation Plan (AWTP) addresses land use revisions and enhancements that developments should provide in projects. These enhancements include sidewalks, creating pathways that eliminate vehicular conflict points, and encourage infill development and redevelopment. The Riverview Senior Community is working with the neighboring property, which is proposing senior housing, to ensure that parking and access needs are met while eliminating excess asphalt, vehicular conflicts, and providing pedestrian connectivity among the surrounding properties.

Given these enhancements, the Riverview Senior Community development is found to conform to the AWTP.

Juneau Non-Motorized Transportation Plan

The purpose of the Juneau Non-Motorized Transportation Plan (JNMTP) is "to promote active transportation by guiding development of a community-wide bicycle and walking network that can be used by all Juneau residents for all types of trips". Specifically, this project meets Goal 2 "to Encourage an increase in bicycling, walking and other active forms of transportation by providing safe, efficient and easy- to-use facilities that connect activity centers". The thoughtful site design includes tree-lined sidewalks, a walking path along the river, connectivity to adjacent properties and uses, and linkages to public transit.

The project is consistent with the goals of the JNMTP.

AGENCY & PUBLIC COMMENTS

The application was provided to applicable CBJ departments and state and federal agencies. As of this staff report, comments were received by CBJ General Engineering (see below). No public comments were received by staff.

CBJ General Engineering

- The property as shown includes Lot 31A from a recent subdivision. The lots will be consolidated to include Lot 31A.
- The CBJ Manual of Best Management Practices encourages clean runoff to be directed into a bio-swale or drain-way and not directly into a storm drain system.
- All runoff from outside the paved areas including roof drains will be directed to the Mendenhall River drainage system.
- Stormwater run-off within the paved areas will be collected and directed into an Oil/Water separator immediately prior to connecting into the Clinton Street existing storm drain system.
- A 12" CPP will be allowed from the Oil/Water Separator to the catch basin in Clinton Drive.
- The catch basin in Clinton Drive will be replaced prior to the project connection.

Per General Engineering's review, the items listed above should be conditions of approval.

US Fish & Wildlife Services

- Stormwater runoff originating from parking lots can contain hydrocarbons and other pollutants that are harmful to aquatic life. Stormwater runoff from parking lots in the proposed development should not be directed to a stormwater system that discharges to the Mendenhall River. The CBJ Manual of Stormwater Best Management Practices provides several examples of systems, structures, and practices that can be used to reduce or eliminate the need for direct discharge of runoff into the river. We encourage the CBJ to require the use of stormwater BMPs that are designed to attenuate stormwater, e.g. through infiltration or other means, on site.

- Existing riparian vegetation within the 25-foot setback should not be removed to construct stream bank armoring systems. If stream bank armoring is necessary to prevent bank erosion, protect existing vegetation by limiting riprap placement to the toe of the bank and areas where the bank is unstable or actively eroding.

Per USFWS's review, the restoration of the river bank should be a condition of approval.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. *Is the application for the requested conditional use permit complete?*

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.330.

2. *Is the proposed use appropriate according to the Table of Permissible Uses?*

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 7.200 for the Mixed Use zoning district.

3. *Will the proposed development comply with the other requirements of this chapter?*

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the June 17, 2016 and June 27, 2016 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

No. Based on the preceding analysis, there is no evidence to suggest that the assisted living/memory care facility in the Mixed Use zoning district will materially endanger the public health or safety.

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

No. Based on the preceding analysis, staff finds that the proposed assisted living/memory care facility will not substantially decrease the value of or be out of harmony with property in the neighboring area.

6. *Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

Yes. Based on the preceding analysis, staff finds that the proposed assisted living/memory care facility is in general conformity with the land use plan and Comprehensive Plan.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

Yes. The proposed project is outside of the 50ft. no-development setback from the Mendenhall River, and does not affect any other sensitive habitats.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of an 80 units/88 beds assisted living and memory care facility. The approval is subject to the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).
2. The lots will be consolidated into one lot, including Lot 31A.
3. All runoff from outside the paved areas including roof drains will be directed to the Mendenhall River drainage system.
4. Stormwater run-off within the paved areas will be collected and directed into an Oil/Water separator immediately prior to connecting into the Clinton Street existing storm drain system.
5. A 12" CPP will be allowed from the Oil/Water Separator to the catch basin in Clinton Drive.
6. The catch basin in Clinton Drive will be replaced prior to the project connection.
7. The river bank will be restored and vegetated, if needed.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 4-29-16
Project Name (City Staff to Assign Name)		

INFORMATION

Project Description
The Riverview Senior Community will be an 80 unit/88 bed facility providing assisted living and memory care for the senior citizen community.

PROPERTY LOCATION

Street Address	City/Zip
3031 Vintage Boulevard	Juneau, Alaska 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)
Lots 31, 32, 33, 34, 35, 36, 37, 38 BLOCK C, VINTAGE II SUBDIVISION, according to Plat 85-58, Records of the Jun

Assessor's Parcel Number(s)
5B1601440380, 5B1601440370, 5B1601440360, 5B1601440350, 5B1601440340, 5B1601440330, 5B1601440320, 5B1(

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
William Bauer Living Trust	Budd Simpson	586-1400
Mailing Address	**Home Phone:**	**Fax Number:**
c/o One Sealaska Plaza, Ste 300, Juneau		586-3065
E-mail Address	**Other Contact Phone Number(s):**	
bsimpson@stsl.com		

LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits; not needed on Building/ Engineering Permits****

I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X William Bauer Living Trust By: B. Budd Simpson 4/6/16
Attorney-in-Fact for William Bauer, Trustee
Landowner/Lessee Signature — Date

X
Landowner/Lessee Signature — Date

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name	Contact Person:	Work Phone:
Marathon Development, Inc	Ted Johnson	425-233-6972
Mailing Address	**Home Phone:**	**Fax Number:**
12600 SE 38th St, Suite 210, Bellevue, WA 98006	425-890-3420	425-675-4599
E-mail Address	**Other Contact Phone Number(s):**	
tjohnson@marathondev.com	425-233-6974	

X
Applicant's Signature — Date of Application

PROJECT / APPLICANT

---OFFICE USE ONLY BELOW THIS LINE---

STAFF APPROVALS

	Permit Type	Division	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			USE20160015
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials: JMM

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
USE20160015	Riverview Senior Community	PAC 2016-0017	5-2-16

TO BE COMPLETED BY THE APPLICANT

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)

☐ Use Listed in §49.25.300 (Table of Permissible Uses) (USE)

Please list the Table of Permissible Uses Category: CUP - Assisted Living Facility

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

The Riverview Senior Community project is an assisted living and memory care facility. Land is currently zoned LC and and Assisted Living Facilities are an allowed use with a CUP.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ■ NO ☐ YES – Case # _____

CURRENT USE OF LAND OR BUILDING(S): Vacant, treed, land with a private community trail and river access.

PROPOSED USE OF LAND OR BUILDING(S): Development of an 80 unit/ 88 bed facility consisting of 54 assisted living units and 26 unit/32 bed memory care.

UTILITIES PROPOSED: WATER: ■ Public ☐ On Site SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 102,366 square feet Total Area of Existing Structure(s) n/a square feet

Total Area of Proposed Structure(s) 70,865 square feet

EXTERNAL LIGHTING:

Existing to remain ■ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☐ No ■ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- ■ Site Plan
- ■ Floor Plan of proposed buildings
- ■ Elevation view of existing and proposed buildings
- ■ Proposed Vegetative Cover
- ■ Existing and proposed parking areas (including dimensions) and proposed traffic circulation
- ■ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees ☑	$ 1600	285		
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50			
Pub. Not. Sign Deposit	$ 100			
Total Fee	$ 1750	285	8022	May 2 16

NOTE: MUST BE ACCOMPANIED BY* DEVELOPMENT PERMIT APPLICATION *FORM

Allowable/Conditional Use Permit Application Instructions

Pre-Application Conference: A pre-application conference is required prior to submitting an application. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

Forms: A completed Allowable/Conditional Use Permit Application and Development Permit Application form. The "land owner or lessee consent" signature is mandatory for all landowners on the Development Permit Application form.

Fees: The fee is dependent upon the class of the proposed use. Land Use fees generally range from $350 to $1,600. Any development, work or use done without a permit issued will be subject to double fees. All fees are subject to change.

Project Description: A detailed letter or narrative describing the project.

Plans: All plans are to be drawn to scale and clearly show the items listed below:

A. Site plan, floor plan and elevation views of existing and proposed structures
B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
C. Proposed traffic circulation within the site including access/egress points and traffic control devices
D. Existing and proposed lighting (including cut sheets for each type of lighting)
E. Existing and proposed vegetation with location, area, height and type of plantings
F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All information that is submitted as part of an application shall be submitted in either of the following formats:

A. Electronic copies may be submitted by CD, DVD or E-mail in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif .xlm, .rtf or other formats pre-approved by the Community Development Department.
B. Paper copies may not be larger than 11" X 17" (Unless a larger paper size is preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: As part of the Allowable/Conditional Use permitting process, all permit requests must be given proper public notice, which consists of the following:

Community Development Department: Will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail abutters notices to all property owners within 500-feet of the project site.

Applicant: Will post a sign on the site at least 14-days prior to the meeting. The sign shall be visible from a public right-of-way or where determined to be appropriate by the Department. Signs may be produced by the Community Development Department for a preparation fee of $50, and a $100 deposit that will be refunded in full if the sign is returned by 4:30 p.m. on the Monday following the scheduled hearing date. If the sign is returned later than the Monday after the Planning Commission meeting, but within two weeks of the meeting, $50.00 may be refunded. The applicant may make and erect their own sign. Please speak with the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Marathon Development, Inc.

Project Overview:
March 22, 2016

Property Name:	Riverview Senior Community
Property Location:	3031 Vintage Boulevard Juneau, Alaska 99801
Project Schedule:	Commence site work late 2016. Vertical construction 1Q 2017
Unit Mix:	80 Units / 88 beds consisting of 54 Assisted Living Units and 26 Units/32 Beds of Memory Care.
Property Size:	2.35 Acres
Zoning:	LC – Light Commercial, in the process of rezoning to MU – Mixed-Use a Conditional Use Permit is required and will be submitted for CBJ review and processing April 2016.
Building Size:	Three Story Assisted Living with one level Memory Care Community consisting of 70,865 s.f. Licensed by the State of Alaska Department of Health & Social Services.
Building Construction:	Wood Frame, fully sprinkled. Code analysis will be provided by Northwind Architects.
Exterior Building Surface:	To be determined
Project Sponsor:	Senior Citizens Support Services, Inc. (SCSSI) Sioux Douglas, President.
Project Team:	Marathon Development, Bellevue, WA., Developer, Northwind Architects, Juneau, AK., Architect, R & M Engineering, Juneau, AK., Civil, Structural & Geotechnical Engineer, Halvorson Construction, Kirkland, WA., General Contractor.
Project Contact:	Ted Johnson, President Marathon Development, Inc. 12600 SE 38th Street, STE 210 Bellevue, WA 98006 (425) 233-6972 direct (425) 890-3420 cell tjohnson@marathondev.com

CIVIL ENGINEERING SCHEMATIC DESIGN NARRATIVE

INTRODUCTION

Per Marathon Development notice to proceed, R&M Engineering, Inc. (R&M) has prepared a schematic design narrative for the Riverview Senior Community project. The project site is located on Lots 31 through 38 of Vintage II Subdivision in the Mendenhall Valley. Vintage Subdivision is part of an original homestead of U.S. Survey 1193 that was left largely undeveloped until 1984 when sold to Mr. William Bauer. The property is currently owned by the Senior Citizens Support Services Inc. and is zoned LC (Light Commercial) per the current City and Borough of Juneau (CBJ) zoning maps. NorthWind Architects provided R&M with a pdf of the concept site plan on February 2, 2016 which was used to develop the civil narrative and schematic plan.

Vintage Subdivision was designed as a business park in 1984. The site was mostly cleared of trees and vegetation and the site graded to support future buildings and parking surfaces. Some Sitka Spruce and Hemlock trees exist near the north edge of the property. Two roadways were constructed to access Vintage Subdivision, Vintage Boulevard and Clinton Drive. Both of these roadways are paved surfaces with curb and gutter and concrete sidewalks on both sides of the street. CBJ owns and maintains these roadways. On street parking exists in some areas of the subdivision. In 1985-86 the first office buildings were constructed and periodic development of the area has occurred since that time. Lots 31 through 38 are fairly level with the slopes gently sloping away from Clinton Drive toward the Mendenhall River which borders the north side of the lots. A survey previously conducted by R&M indicates site elevations vary from 29' to 30' excluding the soil mound area. A 6' wide asphalt pedestrian path is located on the north side adjacent the top of the Mendenhall River bank. In the late 1990's material from the Riverbend Elementary School project was stockpiled on Lots 36, 37 and 38. The quality and quantity of this stockpiled material is unknown.

The proposed Riverview Senior Community project is to include a single story Memory Care Unit wing, a three story assisted living area with kitchen, dining area, lobby, admin/office areas, offices, courtyard, activities room, laundry and parking facilities.

SITE UTILITIES

CBJ public water and sanitary sewer utilities existing within Clinton Drive. An 8" ductile iron water line exists within Clinton Drive on the north side of the street beneath the existing concrete sidewalk as identified in underground locates and available as-built information. The existing 8" water line is reported to be buried approximately 5' in depth. It is assumed that the required domestic and fire service lines can connect to this CBJ line and a new water line routed to the building. It is assumed at this time that a 6" ductile iron line with gate valves would be installed to the proposed buildings. An existing fire hydrant is located near the intersection of Clinton Drive and Vintage Boulevard.

An 8" PVC sanitary sewer main exists within Clinton Drive with a 4" PVC sewer service stubbed out to Lot 37. It is not known if a 4" PVC sewer service will be large enough for

this development. If a 6" sewer service is required then a new line would have to be installed to the manhole located in Clinton Drive asphalt roadway. This would involve asphalt pavement, concrete sidewalk, curb and gutter removal and replacement. The invert elevation of the sewer service entering the existing sewer manhole is 24.64'. It is estimated that a new 200' sewer service would be required to collect wastewater from the Riverview Senior Community buildings to the existing sewer manhole. Cleanouts would be placed at 100' intervals. Maintaining gravity flow sewer methods is important for this site development to avoid expensive pumping/maintenance of wastewater to the existing gravity flow sewer system in Clinton Drive. Once the wastewater enters the existing sanitary sewer mainline pipe in Clinton Drive it flows by gravity to the CBJ Mendenhall Valley wastewater treatment plant where the waste will be treated.

Power, telephone and television cable services are provided by underground conduits and conductors coming off of Clinton Drive southeast of the project site. Some street lighting exists on Clinton Drive.

STORM WATER SYSTEM

South of Lots 36 through 38 within Clinton Drive is existing CBJ storm drain system consisting of 12" CMP pipe, catch basins and storm drain manhole structures. This is the nearest storm drain connection location for the project site. Storm water surface runoff from the parking lots will be collected in storm drain catch basins and routed underground via new 12" CPP storm drain pipe to the existing underground storm drain system located in Clinton Drive. This would involve removing and replacing asphalt pavement, concrete sidewalk and curb and gutter in Clinton Drive. An oil/water separator is recommended to be installed at the last storm structure on the project before exiting the site. All storm drain structures and pipes will be installed per current CBJ Engineering Department Standard Specifications and Details. New roof drains where feasible would be connected to the new underground storm drain system.

SITE ACCESS/IMPROVEMENTS

Riverview Senior Community project site will be accessed off of Clinton Drive. Access to the parking area on site will involve removal of existing concrete sidewalk and curb and gutter to construct a new egress/ingress access driveway. Site improvements include excavation of the existing silty/sandy/gravels to create vehicle parking lots and internal site access roads. The pavement section will involve excavation approximately 12" deep and replacing with 9-1/2" depth 2-inch minus shot rock with base course and then a 2-1/2" depth asphalt pavement. Parking stalls will be striped and signed. A minimum of two (2) Americans with Disabilities Act (ADA) stalls with access aisle will be constructed.

SITE GEOLOGY AND SOILS

Soils at the investigation site are geologically young, having been deposited since the retreat of the last regional glacier. The height of the last glacial period was ~18,000 years before present, when the ice thickness in the valley ranged between 4,000 and 5,000 feet thick. Melting started about 1,000 years later and the landscape is believed to have become ice-free by 11,000 to 7,500 years before present as far north as the present toe of the Mendenhall glacier.

During deglaciation, sedimentation in the lower Mendenhall Valley consisted of marine deposits followed by glacial outwash. From 10,000 to 4,500 years before present, the site of the Vintage II Subdivision was below sea level, resulting in deposition of marine clay, silt, sand and fossils mixed with rocks from glacier melt and icebergs. After 4,500 years before present, sedimentation changed from marine to terrestrial, dominated by 'glacial outwash deposits'. Outwash in the immediate vicinity of the Vintage II subdivision is defined as generally gray silty sand which is locally rich in boulders. It ranges from 10 to 60 feet in thickness but is generally about 40 feet thick beneath the Mendenhall River valley floor. Sedimentation in the lower Mendenhall Valley today is still influenced by the Mendenhall Glacier, as well as by a rising land surface (0.79 inches/year) created by rebound following glacier melt.

BUILDING SITE PREPARATION METHODS

The ground elevations of the project site are at or above approximate elevation 29.0, mean lower low water (MLLW) with the site located immediately south of the Mendenhall River. Mendenhall River is tidally affected and within the maximum high water tidal range of the Auke Bay tidal datum effluence. The maximum high water level of Auke Bay is 22.0 feet, MLLW. The FEMA flood plain elevation for this area is approximately 23.0 feet, MLLW. The site's area and groundwater elevation may be somewhat affected through Auke Bay tidal pressure. The site civil and building foundation design and construction must account for these possible conditions. Any work at, or below elevation 23.0 feet, MLLW may, in some instances, require some type of dewatering.

No site specific geotechnical investigation has been performed for the Riverview Senior Community building at the time of this writing. The foundation is assumed to be constructed on structural fill after all silty Sand, organic material, vegetation and trees have been removed. The building foundation may consist of concrete perimeter strip footings and individual spread column footings bearing on the engineered fill. The finish floor elevations should be situated to allow positive drainage away from the buildings.

The following site preparation methods are assumed (actual recommendations to be confirmed after geotechnical investigation completed) for a shallow concrete foundation over improved fill:

- Install erosion and sediment control devices prior to beginning construction per approved SWPPP.
- Install dewatering devices to lower the ground water level as necessary to keep the bottom of excavation reasonable dry. This typically involves installing slotted vertical pipes with submersible pumps and discharge piping.
- Over-excavate the area beneath the building foundation footprint (6' outside each side of the building foundation) down to 1' below the bottom of the concrete footing/column footing elevation. Shoring or stable side excavation slope will be required to prevent collapse of the excavation.
- Static proof-roll the bottom of the building excavation using a 10-ton, self-propelled compactor, or tracked excavator. Should soft or weak areas be observed to "pump" or "settle", remove the observed soft/weak material and replace with compacted 6"-minus shot rock material.
- After proof rolling has been approved, then placement of 6"-minus non-frost susceptible (NFS) material compacted with a vibratory grid roller (minimum

centrifugal force shall be 50,000 lb) with minimum 4 passes (1 pass = 1 down and back) prior to placement of subsequent lift shall take place. Initial lift thickness shall be a maximum of 18" in depth with subsequent lifts of 12". NFS material can be either shot rock or pit run fill consisting of clean material containing no muck, frozen materials, roots or other deleterious materials. The material shall have a plasticity index not greater than 6 as determined by AASHTO T90 and shall contain no more than 3% passing the #200 sieve based on material that passes a 3-inch screen.

- Beneath the building concrete footings/column footings the top of the NFS fill place 4" depth of base course, grading D-1 placed and compacted to 95% of the maximum dry density unit weight as determined by the modified proctor (ASTM D1557).
- Place a 6" depth of base course grading D-1 compacted to at least 95% of the maximum dry density unit weight as determined by modified proctor (ASTM D1557) beneath the building concrete floor slab.

REQUIRED DEVELOPMENT PERMITS

The following is a list of development permits that most likely will be required from the City and Borough of Juneau and other agencies to construct the Riverview Senior Community project:

- CBJ Grading and Drainage Permit
- CBJ Utility Connection Permit
- CBJ Right of Way Permit for working in the Right of Way
- CBJ Building Permit
- ADEC Storm Water Pollution Prevention Plan (SWPPP)

1 / L100 **Landscape Plan**
SCALE: 1"=20'-0" @ 22x34

Drawing J:\NWA-16-01 River View Assisted Living\2 - CAD\Corvus-Sheets - River View.dwg last saved on 4/8/2016 3:59 PM was plotted by Erik Jones on 4/8/2016 3:59 PM

Corvus Design

Landscape Architecture • Planning • Industrial Design

Riverview Senior Community Design Narrative – Landscape

Overall Design

The landscape design for the Riverview Senior Community project provides for a functional site but also provides a framework for the development of a site and landscape that meets the special needs of its residents, staff and visitors. The landscape shall assist residents in achieving and maintaining their highest level of physical, social and cognitive function and while supporting their well-being. Sites and landscape that provides interaction with nature and social interaction provides the highest value. The simple act of looking at nature and landscapes can have a positive healing effect on residents. Assumed goals for the site and landscape are as follows:

- Create a pleasant and comfortable homelike environment
- Support abilities and compensate for needs
- Provide opportunities for pursuing hobbies, work and interests
- Create a sense of security and belonging
- Create places for physical activity
- Create spaces for social interaction including multi-generational activities
- Establish a sense of pride, independence and freedom
- Create public gathering spaces and places for privacy
- Allow unobstructed viewing of all areas and secure needed areas
- Allow visual connections to the landscape and nature from within the buildings
- Establish connections and awareness of nature, time, and the seasons
- Allow programing opportunities within to flow into the surrounding landscape

These goals establish the development of a therapeutic or healing garden environment for the Riverview Senior Community project. Additionally the site design shall provide good connections to the campus and surrounding neighborhood that is unified through the use of common design elements and well-connected spaces with a focus on longevity and reasonable expected maintenance.

Scope of Landscape and Site Design

The scope for the landscape and site design is to address form and function. The specific functional aspects required for this project include: pedestrian and vehicular use (flow and connection for on-site and connection to off-site), solar orientation, visual connections to the river and natural landscape, and

the creation of outdoor spaces and facilities that support the landscape goals. The design elements that speak to form and aesthetics include how the above are designed in an aesthetic fashion, development and application of a refined planting palette, design form integration into the campus, site lighting, and architectural elements on the site such as landscape structures. All of the above elements require coordination with other team members to ensure integration.

Sustainable Design (Is this desired?)

A component of the proposed design for the Riverview Senior Community project will be sustainable design. Whether philosophy, materials or methods, the site design will be held to high standards for how it conveys this ethic. While we will subscribe to the guidance set out within such frameworks as LEED (Leadership in Energy and Environmental Design), and professional BMPs (Best Management Practices), we will try to exceed them where feasible and appropriate.

Existing Site Conditions

The site is located in Juneau within the Mendenhall Valley along the Mendenhall River and within Vintage Park. Detailed existing site conditions can be found within the civil/site design narrative.

Pedestrian Circulation

Pedestrian circulation within the site provides clearly defined access to the main entrance of the building from the parking lot(s). Sidewalks will be provided along roadways to connect this site to adjacent sites. Main circulation routes will be paved concrete without elaborate paving patterns, meeting ADA and should have a minimum width of five feet.

Within the campus, pedestrian circulation should also be concrete paving for primary routes and gathering areas. Again paving patterns (colors and score lines) need to be minimal and neutral colored to prevent glare and visual confusion. Borders of paved areas should have a contrasting color to distinguish edges. All paved areas need to meet ADA. Paved areas should have a minimum width of 6 feet to allow two wheelchairs to pass. Access beyond the campus shall be gated to prevent exit and entry to the property. A hierarchy of circulation routes can be established with the smallest being compacted crushed gravel with a minimum width of 3 feet and meeting ADA. All routes within the campus should be looped in nature and return to their place of origin to reduce confusion by users. A primary loop path should provide access from the primary patio/gathering area adjacent to the facility to the elements within the campus as outlined in the Site Amenities. This path should be a minimum of 6 feet wide and could be pavement or could be a poured in place safety surfacing as used for playgrounds to reduce injuries from falls. A gateway or easily identifiable element should be located at the start of the loop route to assist residents to visually find their way back home to the facility and safety.

Landscaping

Landscaping will be composed of functional and aesthetic plantings. The peripheral areas of the site will blend with the natural landscape through use of native, low maintenance species. High profile locations such as entryways, vehicle drop off points, gathering areas, and primary pedestrian pathways will receive a higher landscape aesthetic through the use of ornamentals, perennials, and other aesthetic

plantings. This gradient of native to ornamental plantings will aid in blending the site into its natural surroundings. Any non-native species will be adapted introduced species that are not considered to be invasive. Plants within the campus and adjacent to gathering areas and circulation routes shall provide a high level of sensory experience through providing color, pleasant smells, movement, and interesting textures. Plants shall also provide opportunities to attract small animals such a birds, butterflies and small mammals. Landscaped areas shall be densely planted to create a mass planting to reduce the likelihood of entry by residents. Mass plantings within the campus should be approximately 3-4 feet tall to allow viewing and can be accented by larger trees to create a sense of enclosure. Plantings along the campus perimeter can be taller. The use of thorny, toxic or other plants that could cause harm shall not be used. The use of turf grass will be minimized. Due to the existing soil conditions, all landscaped areas should be expected to receive 18 inches of manufactured planting soils and three inches of mulch. Turfed areas shall have four inches of manufacturer planting soil. Illuminate landscaping in key locations including at main entries and patios, gathering areas, from key views within the building and along pedestrian routes. Lighting shall be pedestrian scale and provide visual interest during the winter months. Provide electrical outlets at key locations for holiday lighting. Irrigation systems would not be needed.

Site Amenities

In combination with architectural elements, site amenities will be provided to encourage exterior use. This may include raised garden beds, gathering areas with benches and tables, picnic areas with firepit, a variety of seating, a playground, and canopies. Site amenities will be designed/chosen to meet the site and building aesthetic and provide use in a variety of weather conditions.

A hierarchy of spaces will be provided on the site to encourage and facilitate use. The entryway provides a vehicular drop off area, where residents and visitors can wait for transportation off-site. This area allows for circulation to and from the building, and will be a popular space for watching people come and go and therefore should have a large gathering area with seating adjacent and under the entry canopy. This area will be a social space for interacting, people watching, waiting for guests at the drop-off area, and enjoying the outdoors this sunny location within the campus. This area is positioned as to not impede circulation, yet not too secluded to deter use. The rear of the facility is a more private setting for residents, visitors and staff.

Gathering Areas

Gathering areas shall be provided at main building entries at both the front and back of facilities. These areas shall be paved patios with an architectural canopy that could be association with the building or free standing. A variety of benches and tables shall be provided in these areas.

A large central gathering area shall be provided with the landscape that creates a destination for residents. The gathering shall be a comprised of a large paved patio surrounded by landscaping and could include a large gazebo or similar wooden canopy structure to provide shelter and accommodate large groups. The gathering area could include a fire pit, BBQ facilities and should include a variety of benches, tables and seating.

Paving shall meet the requirement as indicated in Pedestrian Circulation and benches, tables and seating shall meet the requirements as indicated in Site Furnishings.

Site Furnishings

Site furnishings shall facilitate the use by a variety of users and include benches with backs and arm rests to assist getting on and off benches. Tables shall include an accessible space for those in a wheelchair. Site furnishings shall be constructed of metal or similar durable material that will dry quickly.

Site furnishings shall be grouped in a variety of setting including large gathering areas and small intimate private settings. In gathering areas furniture shall be movable. In smaller areas provide fixed furnishings. Small intimate areas shall provide a sense of enclosure and be located far enough from active areas to allow private conversations in a comfortable setting. Include 'gun-fighter' seats with landscaping or short walls behind them and arranged to allow interaction within a small paved patio. Numerous seating opportunities with a variety of sizes shall be located throughout the site.

Gardening

Gardening will provide a popular activity and needs to be configured to allow use by a variety of residents. Gardening shall be provided as at grade gardening and as raised garden beds that are accessible and allow resting (seating) while gardening. At grade beds shall be within 12 inch timber garden boxes and no wider than 4 feet if access if from both sides (2.5' for single sided access). Raised beds shall be constructed of concrete and be 30-36" tall and allow for gardening while standing or use by someone in a wheelchair. Provide a seat top along a portion of the top of the raised bed walls to allow sitting while gardening. Follow dimensions for width as indicated above. Beds shall be filled with 24 inches of high quality gardening soil (or manufactured planting soil). All garden beds shall have 4 foot wide paving or accessible surfacing on all sides.

Provide a small gardening shed/potting shed for storage of tools and other gardening equipment in close proximately to garden beds. If desired, a small green house could be provided to extend the gardening season for residents. Provide water sources at gardening areas.

Playground

A small accessible playground should be provided to allow multi-generational interaction with visitors and residents. The playground should be geared towards children of an age of six and older and promote social interaction and creative play. Play equipment shall meet ADA, CPSC (Consumer Product Safety Commission) and IPEMA (International Play Equipment Manufacturers Association) certifications. Avoid the use of timber play equipment. Play equipment shall include an accessible safety surfacing such as poured in place or tiles within the critical fall zones and be enclosed with a safety fence. Provide benches, tables and perimeter landscaping as part of the playground.

Games and Sport

Provide structured games and sport activities that might include bocce, shuffleboard, lawn bowling, putting green, and other low risk activities that provide physical activity and social interaction. Provide benches adjacent these areas to allow resting and viewing by others.

Art and Sculptures

Art, sculptures and other objects in the landscape provide opportunities for the familiar, interaction and adding to the landscape aesthetics. Elements that allow residence interaction such as flagpoles, bird baths and kinetic objects and sculptures provide the highest value. These elements can also assist those with cognitive needs.

Memory Courtyard

Within the Memory Care Facility is an enclosed courtyard. This courtyard should include a single looped pedestrian route with nodes of seating. The loop should a minimum of 4 feet wide and could be either concrete paving or poured safety surfacing and needs to meet the characteristics as indicated in Pedestrian Circulation. The entrance to the building should have a focal point or gateway to bring residents back to the facility's door. A small patio and canopy could also be located at the entry. Landscape shall be rich with material that stimulates the senses and attracts birds. The space needs to have a setting that creates a sense of personal security and comfort. Special attention need to be paid to the surrounding building massing to minimize shade and the creation of a cold environment. Art, sculptures and water would be opportunities to stimulate cogitative responses within the courtyard.

Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

Case Number:	PAC 2016-0017
Project Description:	Development of an 80 Unit Assisted Living Facility
Applicant:	Marathon Development, Inc.
Property Owner:	William Bauer Living Trust
Property Address:	Clinton Drive
Parcel Code Number:	5B1601440310 thru 5B1601440380
Site Size:	2.35 acres
Zoning:	Light Commercial (LC)
Existing Land Use:	Vacant

Conference Date:	March 23, 2016 10:30 am
Report Issued:	March 24, 2016

List of attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Jill Maclean	Senior Planner	Jill.Maclean@juneau.org
Ron King	General Engineering	Ron.King@juneau.org
Dan Jager	Fire Chief	Dan.Jager@juneau.org
Sven Pearson	Deputy Fire Chief	Sven.Pearson@junea.org
Ted Johnson	Marathon Development	Tjohnson@marathondev.com
Andrew Montero	Marathon Development	Amontero@marathondev.com
James Bibb	NorthWind Architects	james@northwindarch.com
Sean Boily	NorthWind Architects	sean@northwindarch.com
Sioux Douglas	SCSSI	Sioux@gci.net
Kathleen Strasburg	SCSSI	kjstrasburgh@gmail.com

Neighborhood Association/Contact: N/A

Conference Summary

Questions/issues/agreements identified at the conference that were not already identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

1. **Zoning** – LC – Assisted Living Facilities are an allowed use with a Conditional Use Permit
   a) Minimum lot size is 2,000sq ft.
   b) Minimum lot width is 20ft and depth 80ft.
   c) No minimum lot coverage.
2. **Setbacks** – LC setbacks are 25ft front yard, 10ft rear yard, and 10ft side yard.
3. **Height** – 45ft for permissible use and 35ft for accessory use.
4. **Parking** – Currently, assisted living does not have its own parking category in the TMP, and most closely relates to "hospital, nursing, convalescent home", requiring 2 spaces per bed or 1 per 400 sq. ft. AME2015 0016 was favorably recommended to the Assembly by the PC on March 8, 2016. This amendment to the TMP, if adopted, creates a category for assisted living facility with a parking requirement of at 0.4 parking spaces per maximum number residents. Current drawings accommodate deliveries and loading. The applicant anticipates approximately 40 employees.
5. **Landscaping** – 15% vegetative cover.
6. **Lighting** – No issues at this time.
7. **Building** – No issues at this stage—applicant to contact John Young for plan review.
8. **Fire District** – Fire is comfortable with the 2009 Code requirement being used for this facility. Facility will be sprinkled. Postal Way is suitable access for the east side of the facility.
9. **Traffic** – No issues at this time.
10. **Engineering** – No issues at this time.
11. **Noise** – N/A
12. **Drainage** – No issues at this time.
13. **Utilities** – (water, power, sewer, etc.) CBJ water and sewer.
14. **Wetlands** – N/A
15. **Habitat** – (Eagle, Riparian, etc.) – The facility is along the Mendenhall River – an anadromous stream requiring a 50ft setback (no variances permitted), however a parcel of land is located between the development site and the river. No known eagle nests are within 330ft. of the development.
16. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
17. **Flood** – Located within Zone X.
18. **Plat or covenant restrictions** – None were apparent for this review.

19. **Other Agency Reviews** – (DOT&PF, Alcohol Beverage Control Board, Corps of Engineers, DEC waste-water, DNR, USF&WL, FAA, US Coast Guard, Corrections etc.) – DOT, ADFG

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. **Development Permit Application**
2. **Conditional Use Permit Application**

Additional submittal requirements:

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

3. A copy of this pre-application conference report.
4. A site plan, construction details, drainage report, landscaping, architectural drawings.

Fee estimates

The conditional use permit application fees listed below can be found in the CBJ code section 49.85.100 (3)(E)(iii) Class V uses.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Conditional Use Permit application - $1,600

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org.

Submit your completed application

You must submit your application(s) in person with payment to:

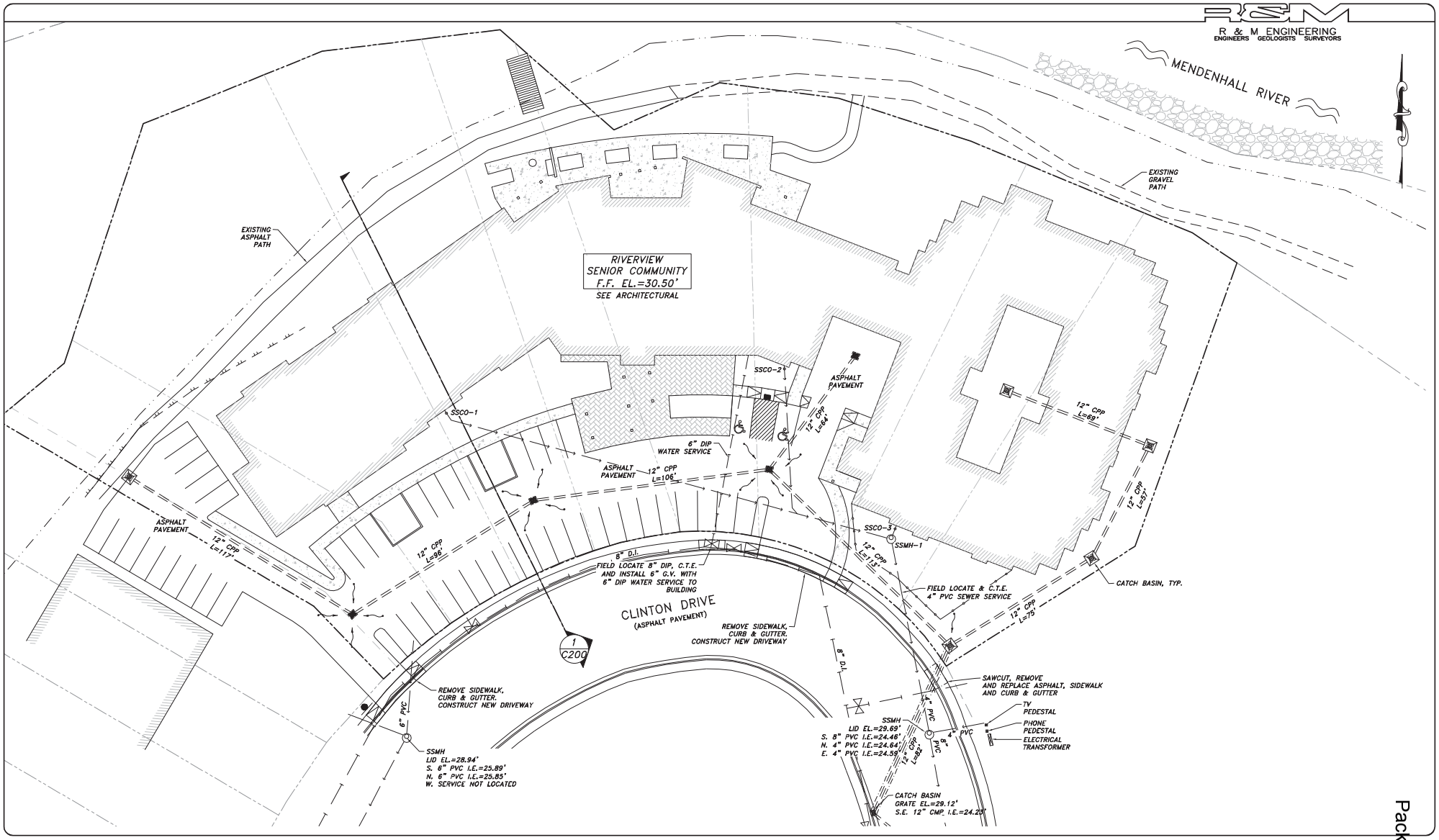
City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.Juneau.org

Marathon Development, Inc.

Project Overview:
March 15, 2016

Property Name:	Riverview Senior Community
Property Location:	3031 Vintage Boulevard Juneau, Alaska 99801
Project Schedule:	Commence site work late 2016. Vertical construction 1Q 2017
Unit Mix:	80 Units / 84 beds consisting of 52 Assisted Living Units and 28 Units/32 Beds of Memory Care.
Property Size:	2.35 Acres
Zoning:	LC – Light Commercial, in the process of rezoning to MU – Mixed-Use a Conditional Use Permit is required and will be submitted for CBJ review and processing April 2016.
Building Size:	Three Story Assisted Living with one level Memory Care Community consisting of 70,865 s.f. Licensed by the State of Alaska Department of Health & Social Services.
Building Construction:	Wood Frame, fully sprinkled. Code analysis will be provided by Northwind Architects.
Exterior Building Surface:	To be determined
Project Sponsor:	Senior Citizens Support Services, Inc. (SCSSI) Sioux Douglas, President.
Project Team:	Marathon Development, Bellevue, WA., Developer, Northwind Architects, Juneau, AK., Architect, R & M Engineering, Juneau, AK., Civil, Structural & Geotechnical Engineer, Halvorson Construction, Kirkland, WA., General Contractor.
Project Contact:	Ted Johnson, President Marathon Development, Inc. 12600 SE 38th Street, STE 210 Bellevue, WA 98006 (425) 233-6972 direct (425) 890-3420 cell tjohnson@marathondev.com



DESIGN	JMP
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CHECK	JMP
APPROVED	JMP
FILE:	

No.	DATE	REVISION	BY	APRVD.

CONCEPT SITE PLAN

GRAPHIC SCALE
0' 10' 20' 40' 80'

STATE OF ALASKA 49TH
Joseph M. Pusich
CE 8152
REGISTERED PROFESSIONAL ENGINEER

R & M ENGINEERING
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY
JUNEAU, AK. 99801
Phone 907-780-6060
Fax 907-780-4611
rmengineering@rmjuneau.com

RIVERVIEW SENIOR COMMUNITY

CITY & BOROUGH OF JUNEAU, ALASKA

DATE: MARCH 11, 2016
R&M NO. 16034JN
SHEET C200

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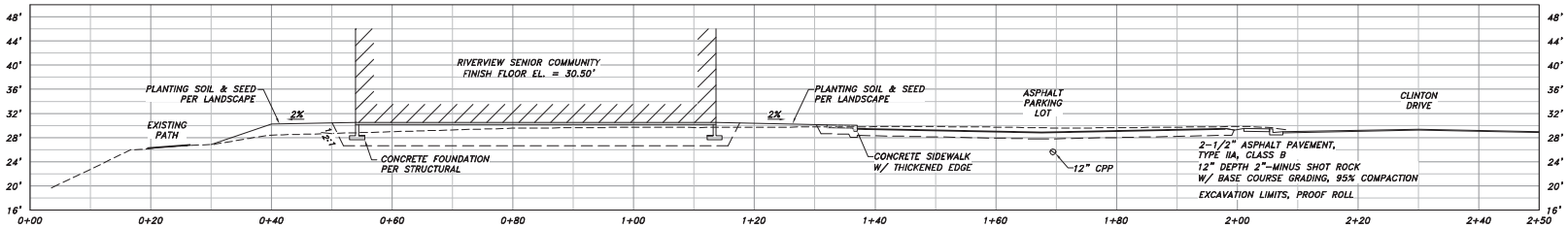
R & M ENGINEERING
ENGINEERS GEOLOGISTS SURVEYORS



1 TYPICAL SECTION

DESIGN	JMP
DRAWN	JAG
CHECK	JMP
APPROVED	JMP
FILE:	

No.	DATE	REVISION	BY	APRVD.

CONCEPT DESIGN
TYPICAL SECTION

GRAPHIC SCALE
0' 5' 10' 20' 40'

STATE OF ALASKA 49TH
Joseph M. Parisch
CE 8152
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6205 GLACIER HIGHWAY
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rmengineering@rmjuneau.com

RIVERVIEW SENIOR COMMUNITY

CITY & BOROUGH OF JUNEAU, ALASKA

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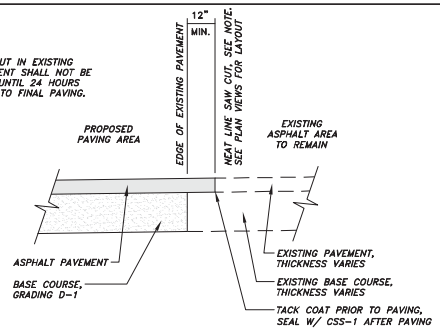
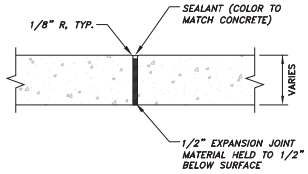
ENGINEERS GEOLOGISTS SURVEYORS

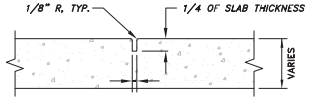
NOTE:
1. SAW CUT IN EXISTING PAVEMENT SHALL NOT BE MADE UNTIL 24 HOURS PRIOR TO FINAL PAVING.



1 PAVEMENT MATCH JOINT DETAIL
N.T.S.



EXPANSION JOINT

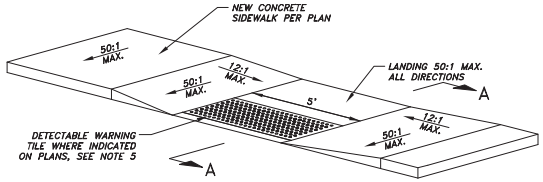


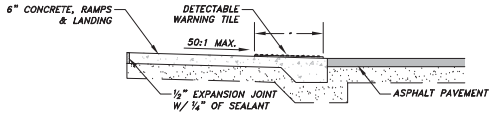
CONTROL JOINT

NOTES:
1. UNLESS OTHERWISE NOTED, CONTROL JOINTS SHALL OCCUR AT DISTANCES EQUAL TO THE WIDTH OF SIDEWALKS, WITH EXPANSION JOINTS NO FARTHER THAN 10 FEET APART
2. UNLESS OTHERWISE NOTED, ALL CONCRETE FLATWORK TO BE OF LIGHT BROOM FINISH, WITH BROOM FINISH PATTERN RUNNING PERPENDICULAR TO FLOW OF TRAFFIC

3 EXPANSION AND CONTROL JOINTS
N.T.S.

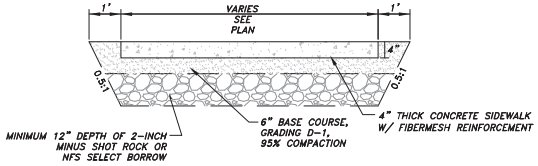
NOTES:
1. RAMP RUNS AND ACCESS LANDINGS SHALL BE 3,000 PSI STRENGTH CONCRETE AT 28 DAYS.
2. RAMP RUN LENGTHS SHOWN PERTAIN TO 6" CURB HEIGHTS AND NO LONGITUDINAL SIDEWALK SLOPE. FOR OTHER HEIGHTS AND SLOPES, INCREASE OR DECREASE RUN LENGTHS TO MAINTAIN THE SLOPES SHOWN. IN CASES WHERE SIDEWALK SLOPE MAKES IT NECESSARY TO LENGTHEN A RAMP RUN TO AVOID EXCEEDING THE ALLOWABLE SLOPE, IT SHOULD NOT BE MADE LONGER THAN 15 FEET FOR A 6" CURB HEIGHT OR, IN GENERAL, 30 TIMES THE CURB HEIGHT. THE SLOPE RESULTING FROM THAT RUN LENGTH IS ACCEPTABLE, EVEN IF IT EXCEEDS THE MAXIMUM SLOPE SHOWN.
3. THE 12:1 AND 50:1 SLOPES SHOWN ARE THE STEEPEST SLOPES ALLOWED BY LAW (EXCEPT AS PROVIDED UNDER NOTE 2).
4. CONCRETE SHALL RECEIVE A COARSE BROOM FINISH RUNNING PERPENDICULAR TO THE CURB ON RAMP RUNS AND UPPER LANDINGS AND PARALLEL TO THE CURB ON LOWER LANDINGS.
5. INSTALL 24" WIDE BY 12' SAFETY YELLOW CAST-IN-PLACE COMPOSITE DETECTABLE WARNING TILES WITH TRUNCATED DOME DETECTABLE WARNING TEXTURE ON THE STREET SIDE EDGE OF LOWER LANDINGS AS SHOWN. DOMES SHALL BE IN A SQUARE PATTERN. ALIGN TRUNCATED DOME PATTERN IN THE PREDOMINANT DIRECTION OF WHEELCHAIR TRAVEL TO PERMIT WHEELS TO ROLL BETWEEN THE DOMES.





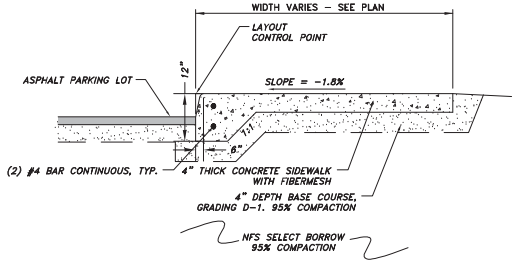
SECTION A-A

4 ACCESS CURB RAMP DETAIL
N.T.S.

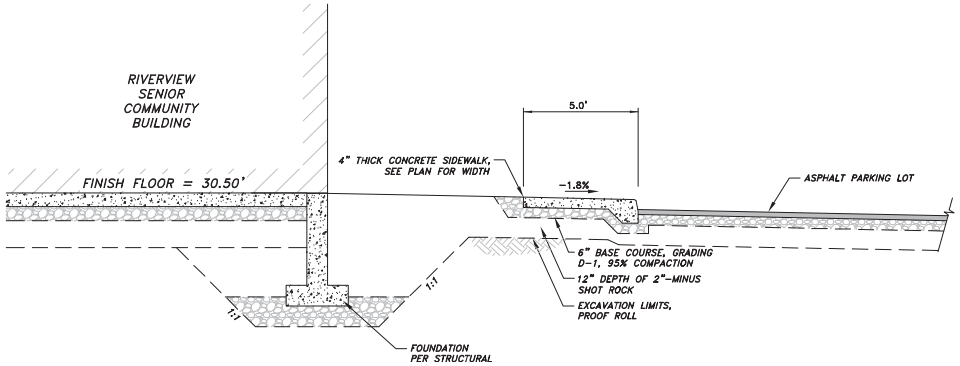


2 CONCRETE ENTRY SIDEWALK
N.T.S.

SIDEWALK NOTES:
1. ALL STEEL MUST HAVE A MINIMUM OF 2" OF CONCRETE COVER.
2. ALL JOINTS AND SEAMS SHALL BE EDGED.
3. EXPANSION JOINTS SHALL BE MAX. 1/2", MIN. 1/4", WITH NO GAPS FOR WATER INTRUSION. JOINTS SHALL BE MAX. 30' O.C.
4. STEEL TROWELING FINISH REQUIRED PRIOR TO LIGHT BROOM FINISHING ON ALL SURFACES PERPENDICULAR TO DIRECTION OF TRAVEL.
5. CONCRETE INTERNATIONAL CORPORATION ASHFORD FORMULA OR APPROVED EQUAL SHALL BE APPLIED AS A CURING COMPOUND. APPLICATION SHALL CONFORM TO THE MANUFACTURER'S RECOMMENDATIONS.



6 THICKENED EDGE SIDEWALK
N.T.S.



5 DOOR LANDING TYPICAL SECTION
N.T.S.

DESIGN	JMP
DRAWN	JAG
CHECK	JMP
APPROVED	JMP
FILE:	

No.	DATE	REVISION	BY	APRVD.

CONSTRUCTION DETAILS

STATE OF ALASKA 49TH Joseph M. Pusich CE 8152 REGISTERED PROFESSIONAL ENGINEER

R & M ENGINEERING
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY
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RIVERVIEW SENIOR COMMUNITY

CITY & BOROUGH OF JUNEAU, ALASKA

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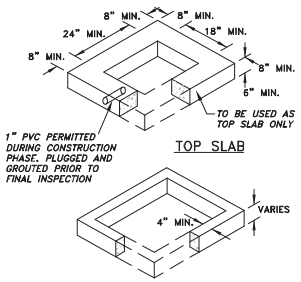
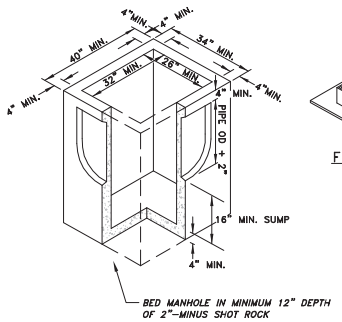
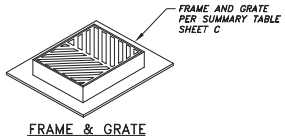
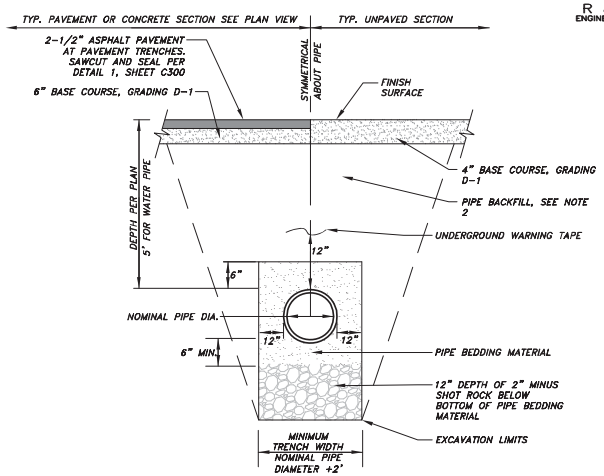






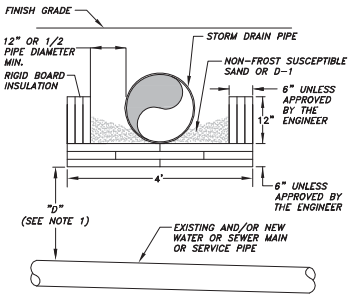
NOTES:
1. ALL JOINTS BETWEEN SECTIONS AND BETWEEN FRAME AND CONCRETE SECTIONS SHALL BE GROUTED INSIDE AND OUTSIDE.
2. ENTIRE KNOCKOUT IS TO BE REMOVED AND SEALED SHUT AROUND PIPE. ALL PIPES ARE TO EXTEND MIN. 1" AND MAX. 2" INTO CATCH BASIN.
3. FRAME AND GRATE SHALL BE DUCTILE IRON. FRAME MAY BE CAST INTO THE TOP UNIT OR PLACED OVER THE OPENING AS APPROVED BY THE ENGINEER. FRAME AND GRATE MUST BE OF A TYPE THAT WILL NOT CREATE A HAZARD FOR BICYCLE TRAFFIC.
4. CATCH BASIN SHALL MEET HIGHWAY STANDARD-20 LOAD REQUIREMENTS.
5. MINIMUM STEEL REQUIRED AS PER ASTM C-478-69.
6. MINIMUM SUMP DEPTH SHALL BE 16".
7. ADJUSTING RING SHALL BE THE SAME SIZE AS THE CATCH BASIN.
8. NO BRICKS, WOOD OR OTHER MATERIALS PERMITTED FOR ADJUSTING GRADE, SOLID RISER OR FORMED AND FILLED WITH CONCRETE.

1 CATCH BASIN TYPE-IV
N.T.S.



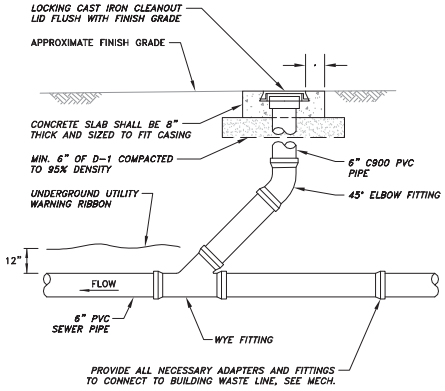
NOTES:
1. BEDDING AND BACKFILL SHALL BE PLACED IN MAX. 6" LIFTS AND SHALL BE COMPACTED TO 95%.
2. PIPE BACKFILL SHALL BE 6" MINUS SHOT ROCK MATERIAL UNLESS OTHERWISE NOTED.
3. EXISTING PAVEMENT OR CONCRETE SHALL BE SAWCUT PRIOR TO PAVING AND SUBSEQUENT TO BACKFILLING THE TRENCH. SAWCUT TO A CLEAN, NEAT LINE THAT EXPOSES A MINIMUM OF 6" OF UNDISTURBED BASE MATERIAL. SAWCUT IN EXISTING PAVEMENT SHALL NOT BE MADE UNTIL 24 HOURS PRIOR TO FINAL PAVING.
4. ALL ASPHALT JOINTS SHALL BE SEALED WITH RO 58-22 OIL OR APPROVED EQUAL.
5. TRENCH AND BEDDING TO BE APPROVED BY UAS PROJECT MANAGER AND ENGINEER BEFORE BACKFILL BEGINS. THIS APPLIES TO ALL TRENCHING.

2 PIPE TRENCH DETAIL
N.T.S.

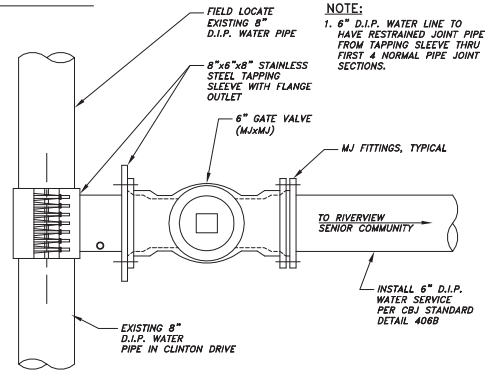


NOTES:
1. INSTALL INSULATION AS SHOWN WHEN "D" IS LESS THAN 5'-0" FOR WATER PIPE OR 3'-8" FOR SEWER PIPE.
2. INSULATION SHALL CONFORM TO SECTION 33 1117 OF THE SPECIFICATIONS.
3. PIPE INSULATION SHALL BE 8'-0" IN LENGTH, CENTERED OVER EXISTING WATER OR SEWER PIPE.
4. PIPE INSULATION WITH R-FACTOR EQUAL TO RIGID BOARD MAY BE SUBSTITUTED IF APPROVED BY THE ENGINEER.
5. INSULATION BOARDS SHALL OVERLAP 12" AS SHOWN IN DRAWING.

3 RIGID INSULATION DETAIL
N.T.S.



4 CLEANOUT AND CONNECTION DETAIL
N.T.S.



NOTE:
1. 6" D.I.P. WATER LINE TO HAVE RESTRAINED JOINT PIPE FROM TAPPING SLEEVE THRU FIRST 4 NORMAL PIPE JOINT SECTIONS.

5 CONNECT TO EXISTING WATER MAIN DETAIL
N.T.S.

DESIGN	JMP
DRAWN	JAG
CHECK	JMP
APPROVED	JMP
FILE:	

No.	DATE	REVISION	BY	APRVD.

CONSTRUCTION DETAILS

STATE OF ALASKA 49TH Joseph M. Pusich CE 8152 REGISTERED PROFESSIONAL ENGINEER

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RIVERVIEW SENIOR COMMUNITY

CITY & BOROUGH OF JUNEAU, ALASKA

DATE: MARCH 11, 2016
R&M NO. 15034JN
SHEET C301

I:\2015\15034JN\Drawings\15034JN_Civil Site Plans.dwg PLOT: March 11, 2016 at 1:05pm JacobGroves

1 ARCH SITE PLAN
SCALE: 1" = 30'

PRELIMINARY 3-11-17 REVISE

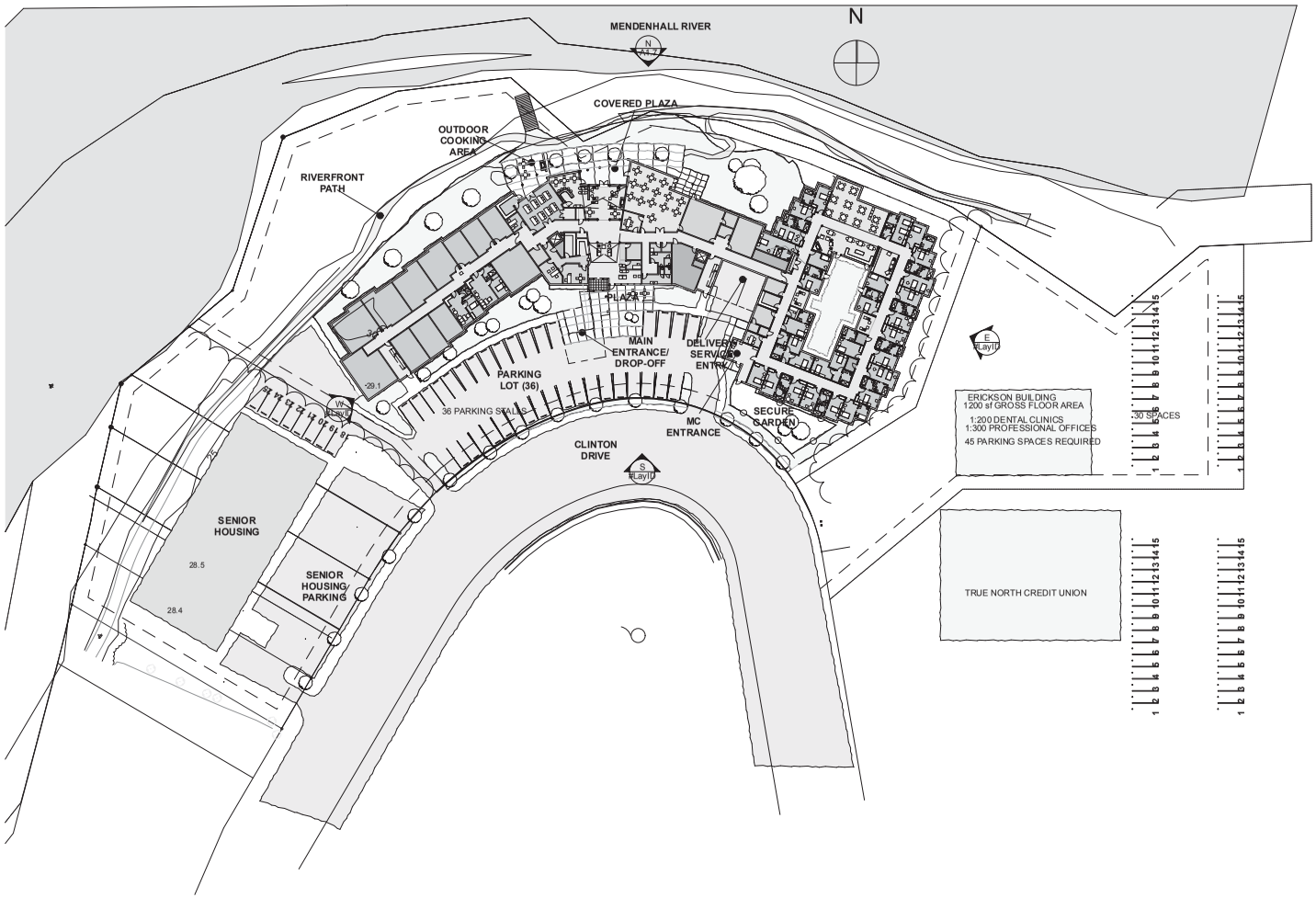
RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.

LRS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application



1 1ST FLOR
SCALE: 1" = 40'

AMENITIES
UNITS
CIRCULATION
SERVICE
UTILITY

PRELIMINARY 3-11-17 REVISIONS

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.
LRS ARCHITECTS
NorthWind Architects, LLC

1 FIRST FLOOR PLAN
SCALE: 1/16" = 1'-0"

PRELIMINARY 3-11-17 REVISE

RIVERVIEW SENIOR COMMUNITY

Marathon Development, Inc.

NORTH PLAN NORTH

LAS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application

1 SECOND FLOOR PLAN
SCALE: 1/16" = 1'-0"

- AMENITIES
- UNITS
- CIRCULATION
- SERVICE
- UTILITY

PRELIMINARY 3-11-17 REVISE

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.

LRS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application

1 THIRD FLOOR PLAN
SCALE: 1/16" = 1'-0"

PRELIMINARY 3-11-17 REVISE

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.
LRS ARCHITECTS
NorthWind Architects, LLC

Attachment A – Application

1 CENTER PROGRAMMING
SCALE: 3/32" = 1'-0"

PRELIMINARY 3-11-17 REVISE

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.

LRS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application

2 ASSISTED LIVING STUDIO/ALCOVE UNIT
SCALE: 1:0.80

3 ASSISTED LIVING - ONE-BEDROOM UNIT
SCALE: 1:0.70

1 ASSISTED LIVING WING - GROUND FLOOR
SCALE: 3/32" = 1'-0"

PRELIMINARY 3-11-17 REVISE

RIVERVIEW SENIOR COMMUNITY

Marathon Development, Inc. LRS ARCHITECTS NorthWind Architects, LLC

1 MEMORY CARE WING - GROUND FLOOR
SCALE: 3/32" = 1'-0"

PRELIMINARY 3-11-17 REVISE

RIVERVIEW SENIOR COMMUNITY

Marathon Development, Inc.

LRS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application

1 N NORTH ELEVATION
SCALE: 1/16" = 1'-0"

2 EAST ELEVATION
SCALE: 1/16" = 1'-0"

3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

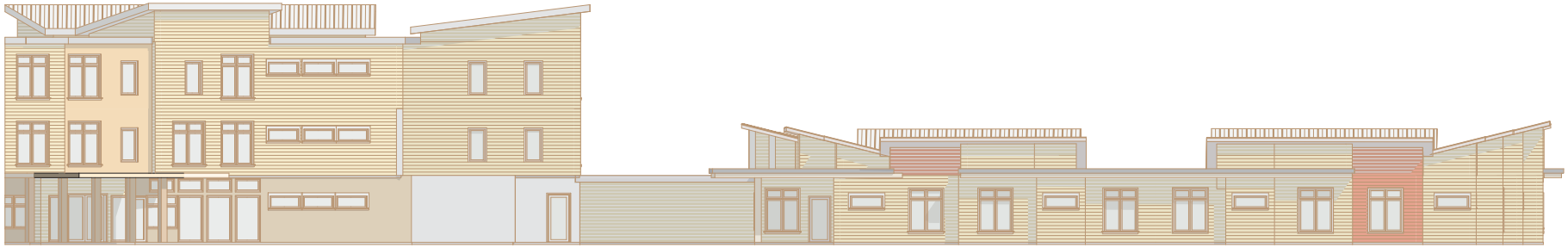
4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

AMENITIES
UNITS
CIRCULATION
SERVICE
UTILITY

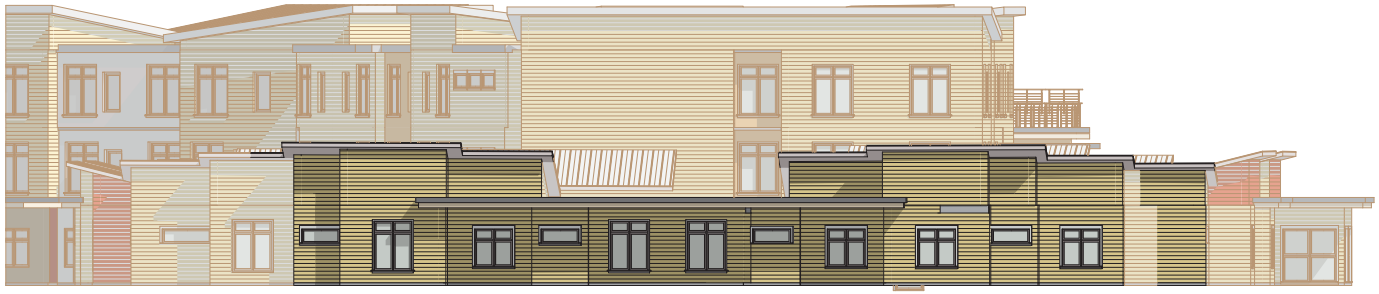
PRELIMINARY 3-11-17 REVISE

RIVERVIEW
SENIOR COMMUNITY

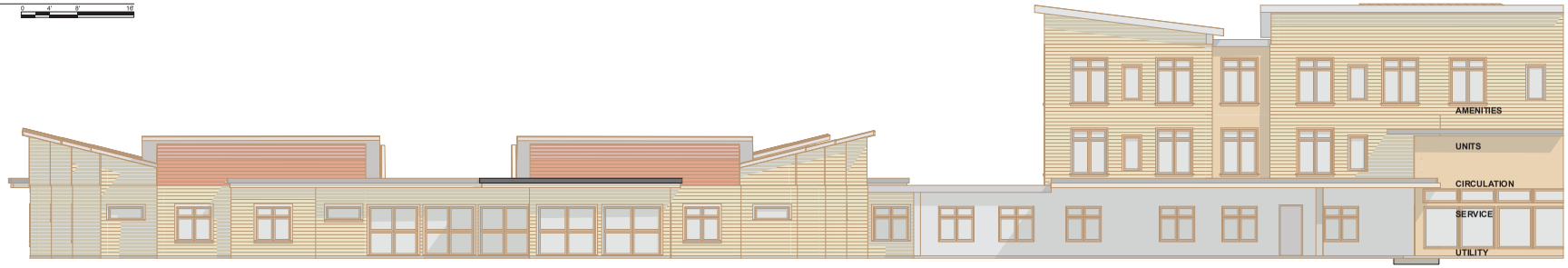
Marathon Development, Inc.
LRS ARCHITECTS
NorthWind Architects, LLC



1 SOUTH ELEVATIONS - MEMORY CARE
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION - MEMORY CARE
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION - MEMORY CARE/CENTER PROGRAM
SCALE: 1/8" = 1'-0"

PRELIMINARY 3-11-17 REVISIONS

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.

LRS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application

1 NORTH ELEVATION - ASSISTED LIVING/CENTER PROGRAM
SCALE: 1/8" = 1'-0"

3 WEST ELEVATION - ASSISTED LIVING
SCALE: 1/8" = 1'-0"

2 SOUTH ELEVATION - ASSISTED LIVING/CENTER PROGRAM
SCALE: 1/8" = 1'-0"

PRELIMINARY 3-11-17 REVISE

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.

LRS ARCHITECTS

NorthWind Architects, LLC

Attachment A – Application

PRELIMINARY 3-11-17 REVISE

Marathon Development, Inc.

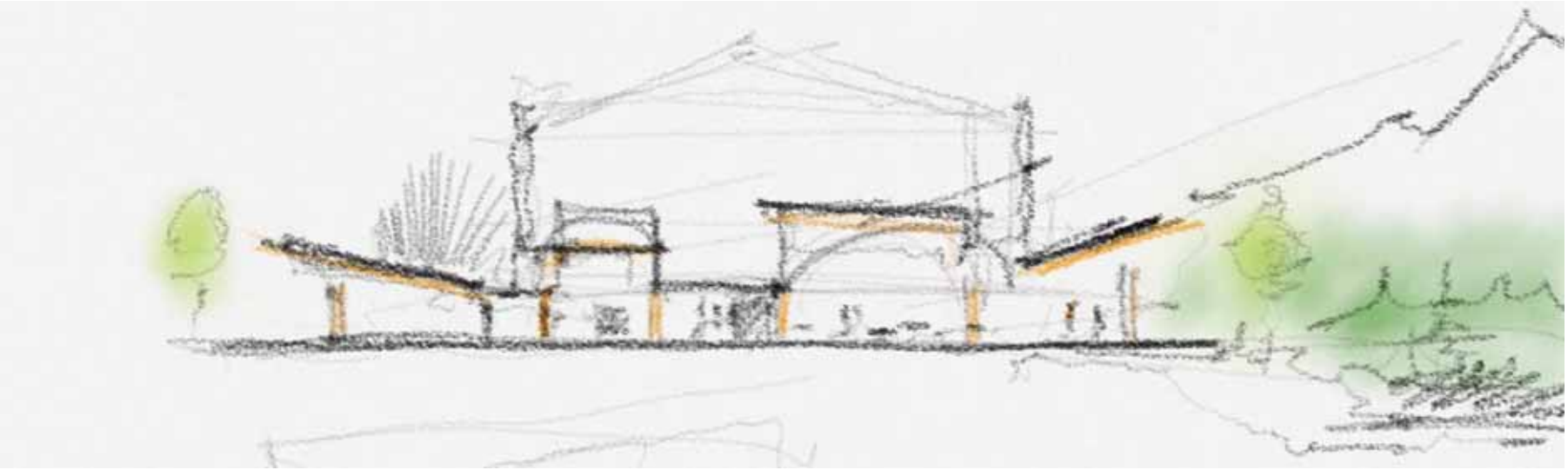
LRS ARCHITECTS

NorthWind Architects, LLC

CONNECTION TO RIVER

SCALE: 1:0.66

RIVERVIEW
SENIOR COMMUNITY



1 Site Section
SCALE: 1:1.28

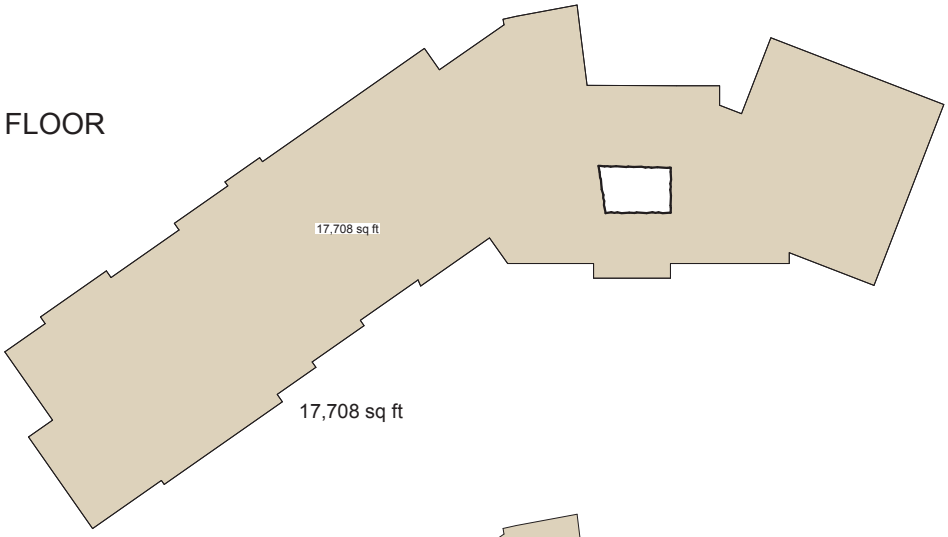
AMENITIES
UNITS
CIRCULATION
SERVICE
UTILITY

PRELIMINARY 3-11-17 REVISIONS

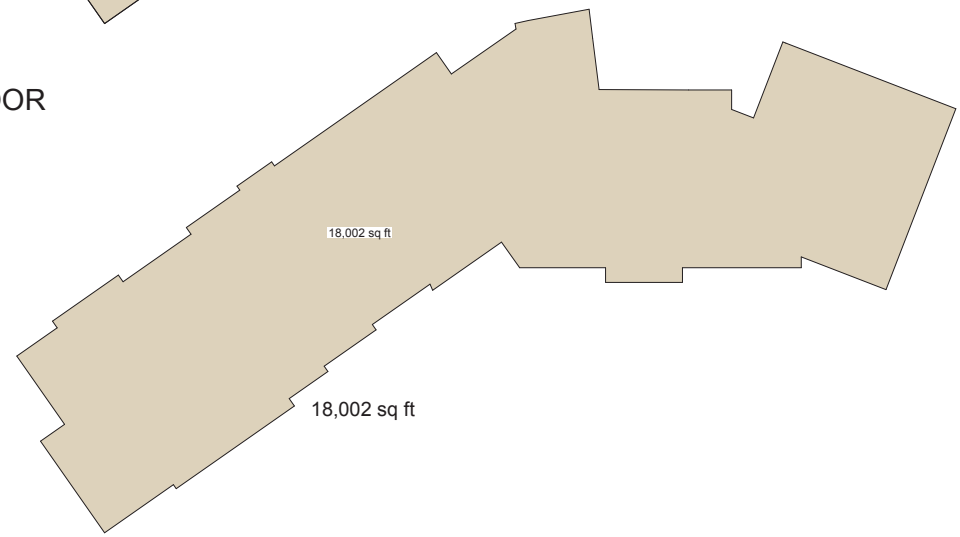
RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.
LRS ARCHITECTS
NorthWind Architects, LLC

GROUND FLOOR



2ND FLOOR

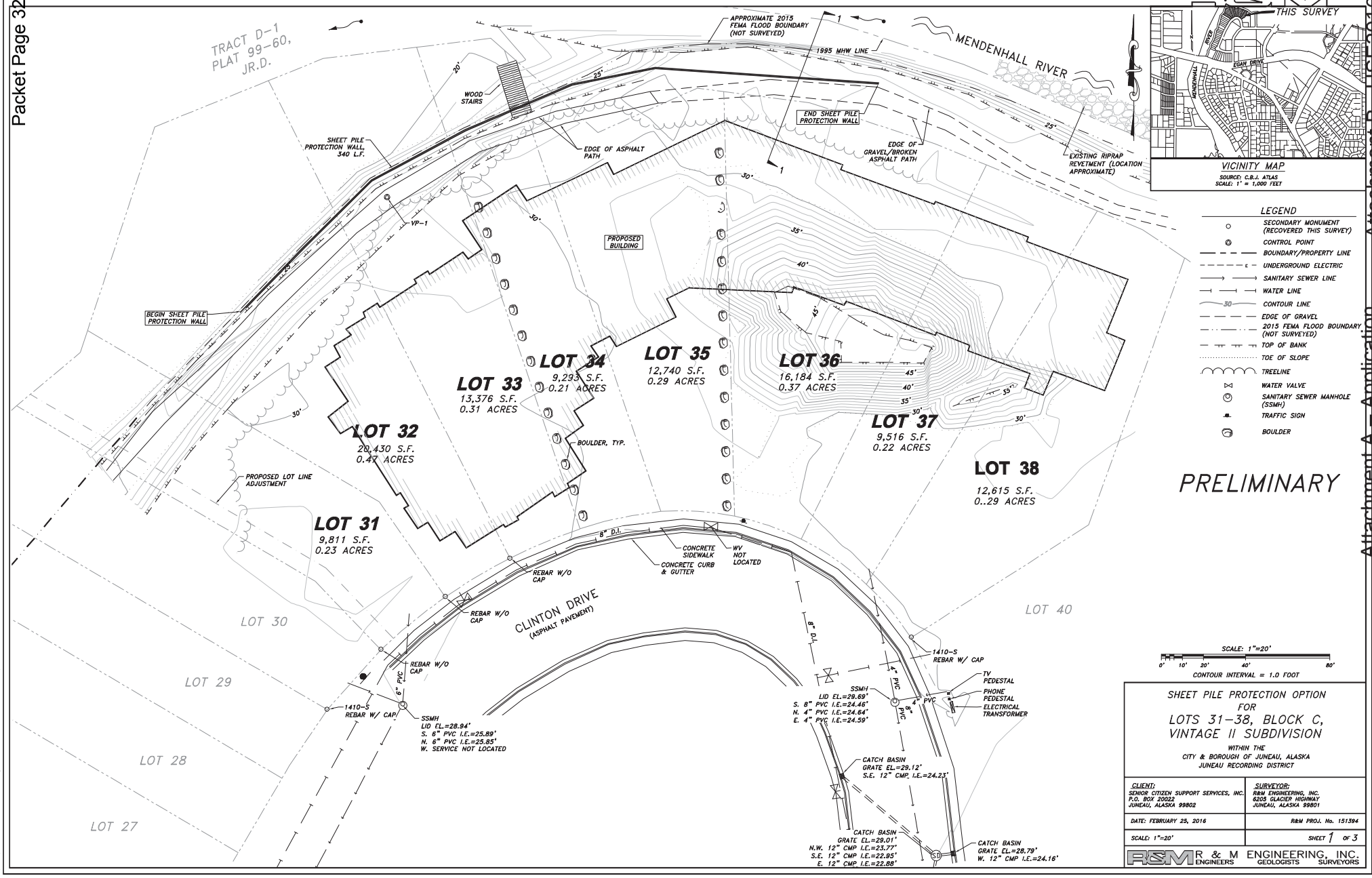


3RD FLOOR

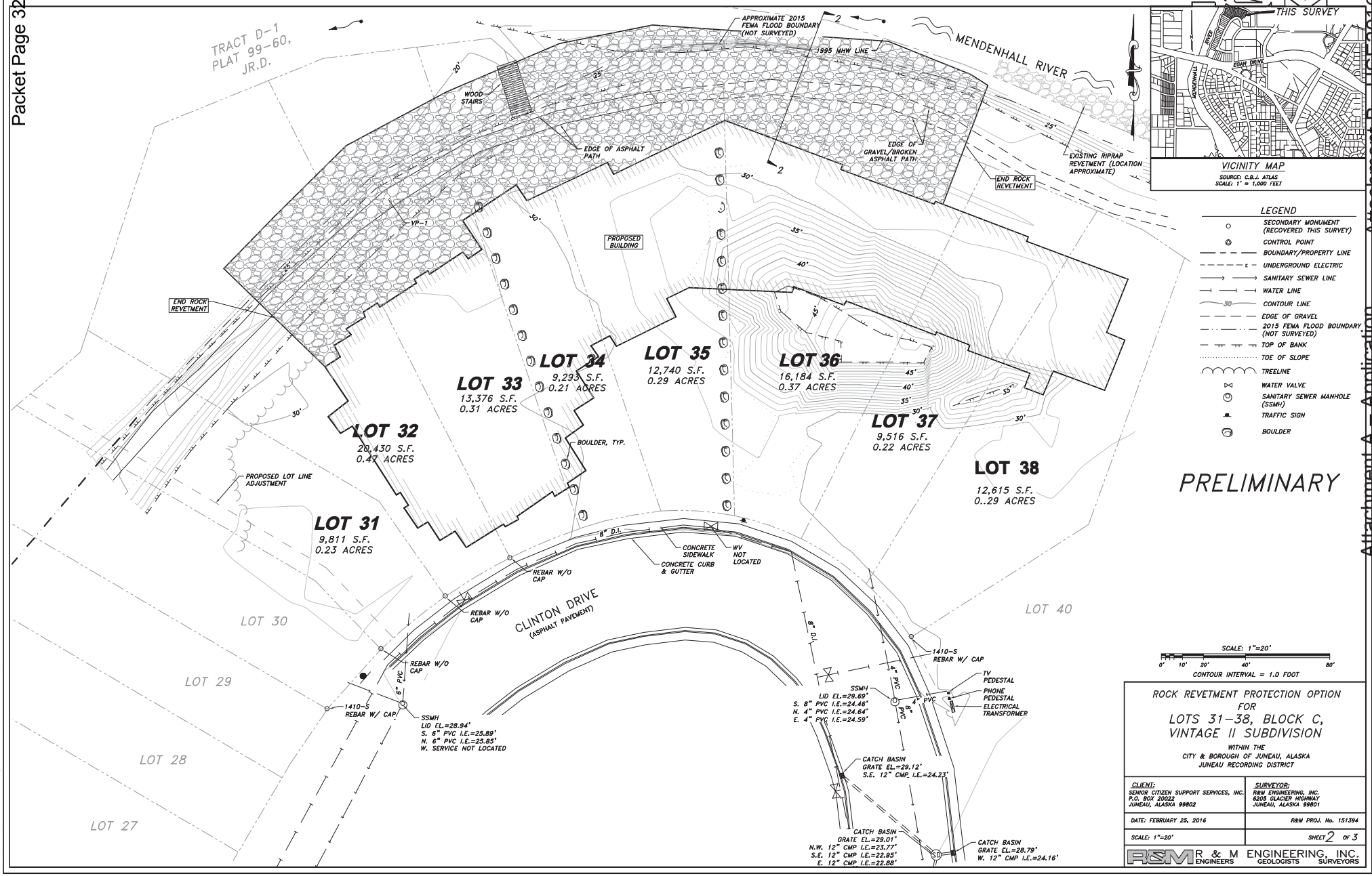
A1

AREA CALCULATIONS

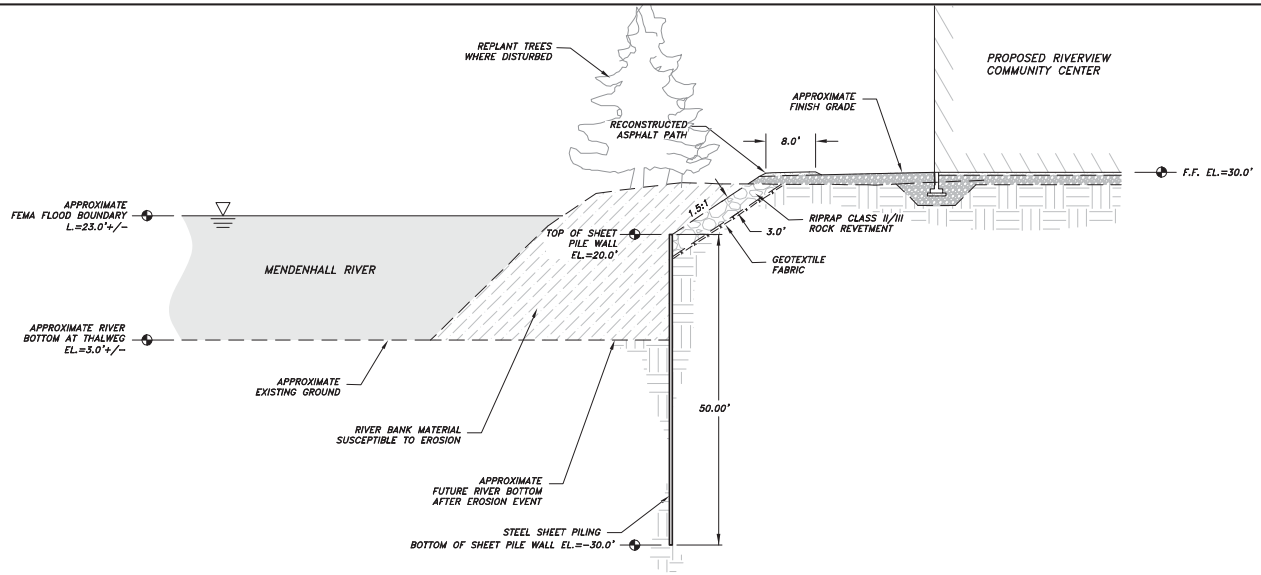
SCALE: 1:706.24



I:\2015\151394\151394_Site Plan.dwg PLOT: February 25, 2016 at 3:19pm

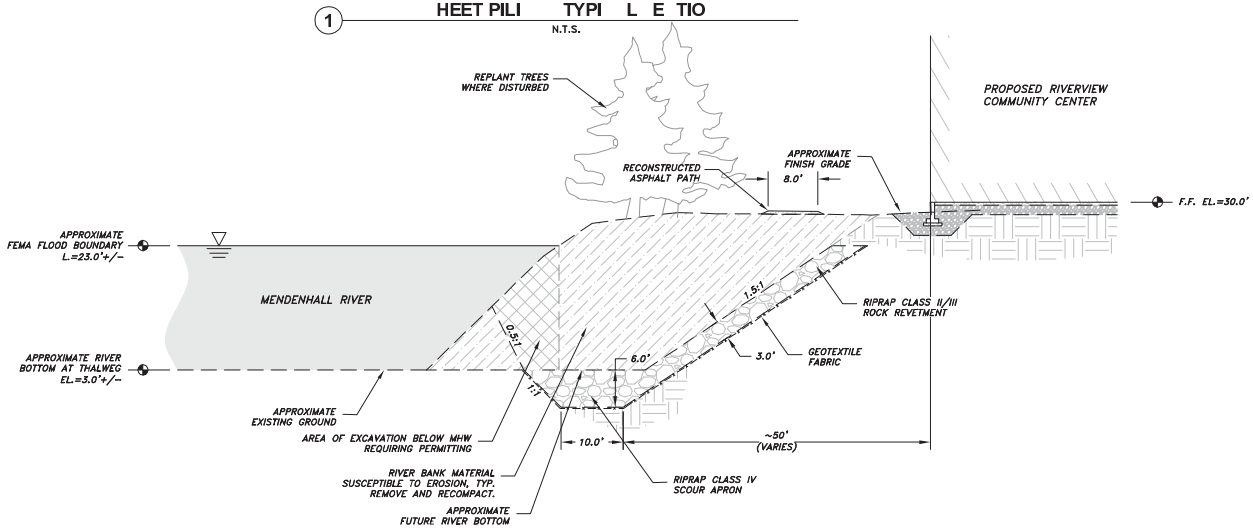


I:\2015\151394\151394_Site Plan.dwg PLOT: February 25, 2016 at 3:20pm



1 HEET PILI TYPI L E TIO

N.T.S.



2 RO K REVETME T TYPI L E TIO

N.T.S.

BANK PROTECTION TYPICAL SECTIONS
FOR
LOTS 31–38, BLOCK C,
VINTAGE II SUBDIVISION
WITHIN THE
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

CLIENT:	SURVEYOR:
SENIOR CITIZEN SUPPORT SERVICES, INC. P.O. BOX 20022 JUNEAU, ALASKA 99802	R&M ENGINEERING, INC. 6205 GLACIER HIGHWAY JUNEAU, ALASKA 99801
DATE: FEBRUARY 25, 2016	R&M PROJ. No. 151394
SCALE: 1"=20'	SHEET 3 OF 3

R&M R & M ENGINEERS ENGINEERING, INC. GEOLOGISTS SURVEYORS

I:\2015\151394\151394_Site Plan.dwg PLOT: February 25, 2016 at 3:31pm

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PLANNING COMMISSION
NOTICE OF RECOMMENDATION
Date: April 12, 2016
File No.: AME2016 0008

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Application For:	Planning Commission Recommendation to the City and Borough Assembly regarding a Rezone Request for 14 lots, 4.19 acres, in the Vintage Park neighborhood from LC - Light Commercial to MU - Mixed-Use.
Legal Description:	Vintage II, Block C, Lots 26 through 38, and 40A
Property Address:	Lots on Clinton Drive and 2797 Postal Way
Hearing Date:	April 12th, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 14th, 2016, and recommended that the City and Borough Assembly adopt staff's recommendation for approval of the Rezone Request for 14 lots, 4.19 acres, in the Vintage Park neighborhood from LC - Light Commercial to MU - Mixed-Use.

Attachments: March 14, 2016 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding AME2016 0008.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020 (b).

Project Planner: Jonathan Lange
Jonathan Lange, Planner
Community Development Department

Ben Haight, Chair
Planning Commission

Filed With City Clerk

4/18/2016
Date

cc: **Plan Review**

Attachment B – AME2016-08 NOR

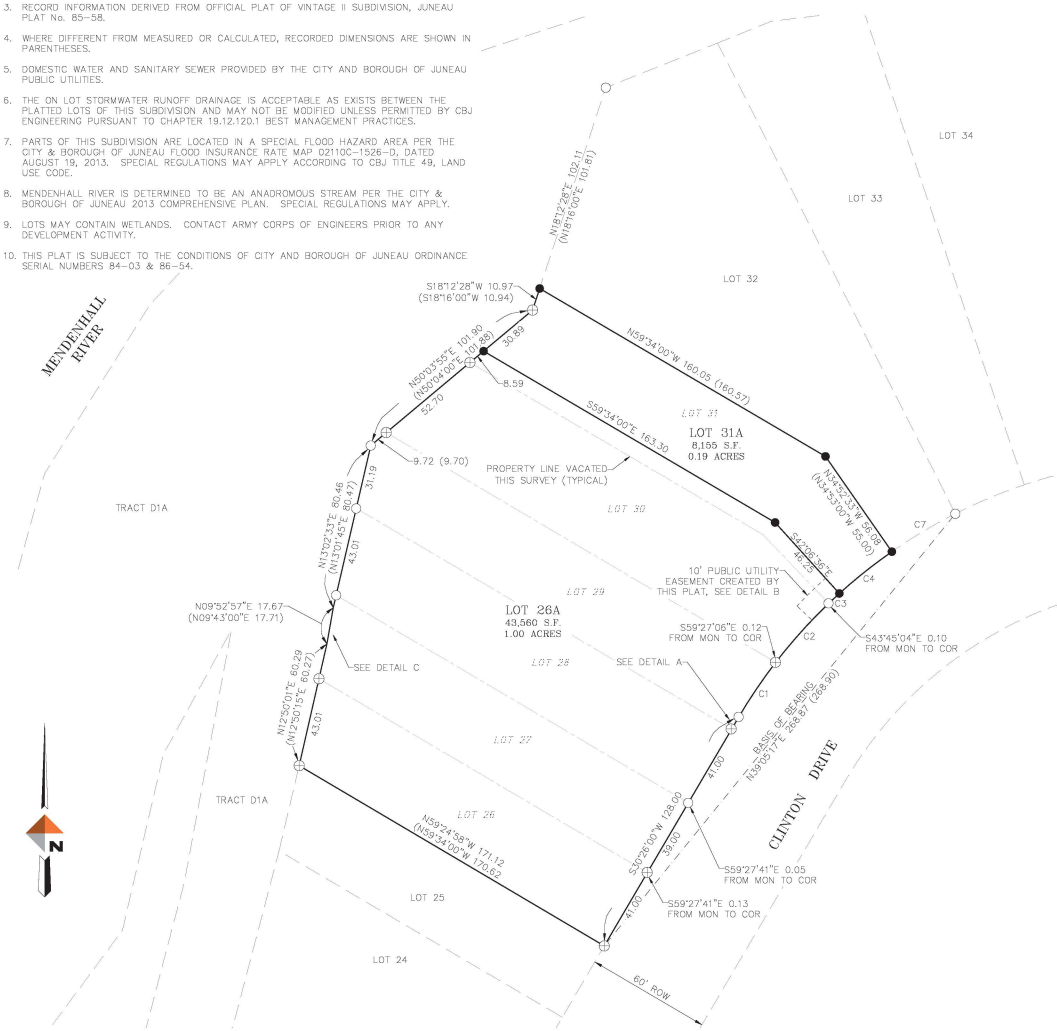
NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

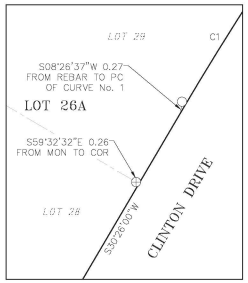
NOTES

1. THIS SURVEY CLOSES WITHIN A LIMIT OF ERROR OF ONE FOOT IN 10,000 FEET AS REQUIRED BY TITLE 49.15.452.
2. ALL DISTANCES ARE MEASURED IN U.S. SURVEY FEET.
3. RECORD INFORMATION DERIVED FROM OFFICIAL PLAT OF VINTAGE II SUBDIVISION, JUNEAU PLAT No. 85–58.
4. WHERE DIFFERENT FROM MEASURED OR CALCULATED, RECORDED DIMENSIONS ARE SHOWN IN PARENTHESES.
5. DOMESTIC WATER AND SANITARY SEWER PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES.
6. THE ON LOT STORMWATER RUNOFF DRAINAGE IS ACCEPTABLE AS EXISTS BETWEEN THE PLATTED LOTS OF THIS SUBDIVISION AND MAY NOT BE MODIFIED UNLESS PERMITTED BY CBJ ENGINEERING PURSUANT TO CHAPTER 19.12.120.1 BEST MANAGEMENT PRACTICES.
7. PARTS OF THIS SUBDIVISION ARE LOCATED IN A SPECIAL FLOOD HAZARD AREA PER THE CITY & BOROUGH OF JUNEAU FLOOD INSURANCE RATE MAP 02110C–1526–D, DATED AUGUST 19, 2013. SPECIAL REGULATIONS MAY APPLY ACCORDING TO CBJ TITLE 49, LAND USE CODE.
8. MENDENHALL RIVER IS DETERMINED TO BE AN ANADROMOUS STREAM PER THE CITY & BOROUGH OF JUNEAU 2013 COMPREHENSIVE PLAN. SPECIAL REGULATIONS MAY APPLY.
9. LOTS MAY CONTAIN WETLANDS. CONTACT ARMY CORPS OF ENGINEERS PRIOR TO ANY DEVELOPMENT ACTIVITY.
10. THIS PLAT IS SUBJECT TO THE CONDITIONS OF CITY AND BOROUGH OF JUNEAU ORDINANCE SERIAL NUMBERS 84–03 & 86–54.

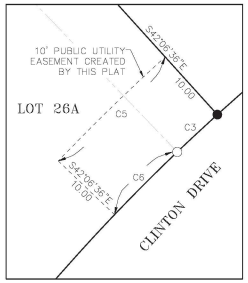
BASIS OF BEARING

THE BASIS OF BEARING FOR THIS PLAT IS THE CALCULATED RECORD BEARING OF N39°05'17"E BETWEEN FOUND SECONDARY PROPERTY CORNER MONUMENTS LOCATED AT THE EAST CORNER OF LOT 25 AND THE SOUTH CORNER OF LOT 33, VINTAGE II SUBDIVISION, JUNEAU PLAT No. 85–58 RECORDED MAY 5TH, 1985.

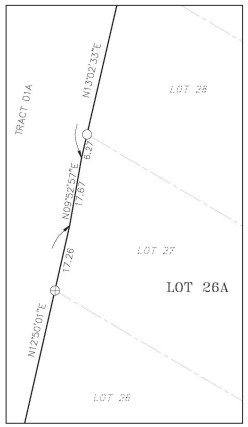




DETAIL A
N.T.S.



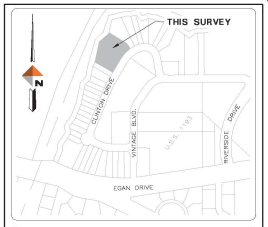
DETAIL B
N.T.S.



DETAIL C
N.T.S.

LEGEND

- #5 REBAR W/ YELLOW PLASTIC CAP MARKED 1410–S RECOVERED THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY
- #5 REBAR RECOVERED THIS SURVEY
- SURVEYED PROPERTY LINE
- UNSURVEYED PROPERTY LINE
- PROPERTY LINE VACATED THIS SURVEY
- PUBLIC UTILITY EASEMENT CREATED BY THIS PLAT



VICINITY MAP
SCALE: N.T.S.
SOURCE: CBJ BASEMAP SERIES

OWNERSHIP CERTIFICATE

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:

DATE:_____,2016

OWNER _____
WILLIAM JAMES BAUER, WILLIAM BAUER LIVING TRUST

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA }
FIRST JUDICIAL DISTRICT } ss.

THIS IS TO CERTIFY THAT ON THIS_____DAY OF_____, 2016, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED WILLIAM JAMES BAUER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

_____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES:

CURVE TABLE

CURVE No.	DELTA	RADIUS	LENGTH	CHORD BEARING & DISTANCE
1	07°12'13"	255.00	32.06	S34°02'07"W 32.04
2	08°36'44"	255.00	38.33	S41°56'35"W 38.29
3	01°58'51"	255.00	7.06	S47°02'29"W 7.05
4	07°17'24"	255.00	32.44	N51°28'45"E 32.42
5	04°08'47"	265.00	19.18	S45°45'47"W 19.17
6	2°33'33"	255.00	11.39	S44°58'10"W 11.39
7	08°01'47"	255.00	35.74	N59°08'21"E 35.71

30 0 30 60
SCALE IN FEET

CERTIFICATION OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE PLAT HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED THIS____DAY OF_____, 2016.

_____
DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:

_____
CLERK
CITY AND BOROUGH OF JUNEAU

DOWL
14828–S

5/8"x36" REBAR WITH YELLOW PLASTIC CAP

TYPICAL MONUMENT DETAIL
N.T.S.

SURVEYOR'S CERTIFICATE

I, HANS ERIK PEDERSEN, IN MY CAPACITY AS A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT, AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

DATED: APRIL 2016

STATE OF ALASKA
49th
Hans Erik Pedersen
No. 14828–S
REGISTERED PROFESSIONAL LAND SURVEYOR

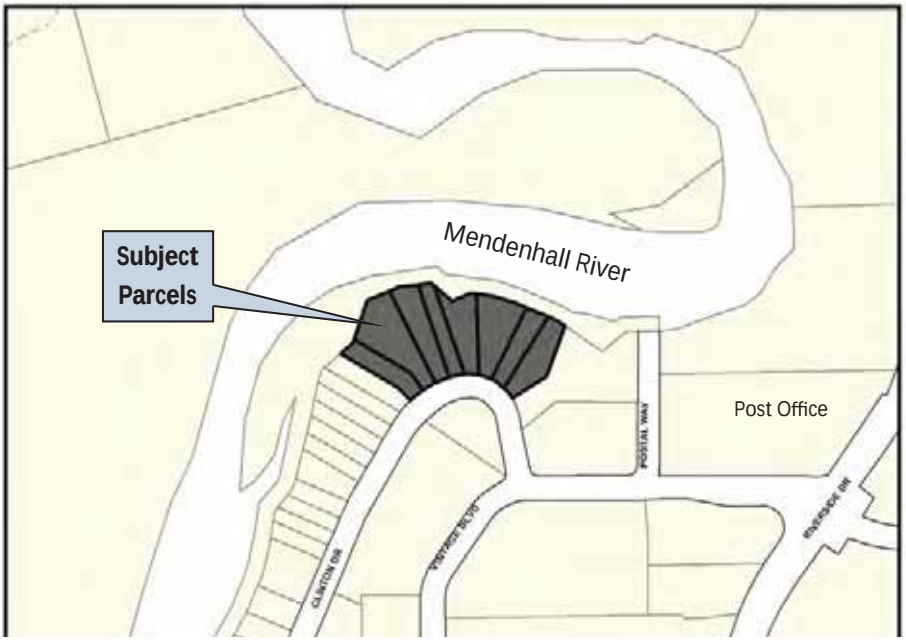
PLAT OF
LOT 26A & 31A
A SUBDIVISION OF
LOTS 26 THRU 31, BLOCK C
VINTAGE II SUBDIVISION
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT
STATE OFFICE OF THE RECORDER AT JUNEAU

DOWL
CIVIL ENGINEERING–LAND SURVEYING–CONSTRUCTION MANAGEMENT
5368 COMMERCIAL BOULEVARD
JUNEAU ALASKA 99801 907–780–3533

OWNER
WILLIAM BAUER LIVING TRUST
PO BOX 034139
JUNEAU, ALASKA 99803

SCALE:	DATE:	PROJECT NO:	FILE NO:	SHEET NO:
1"= 30'	APRIL. 2016	J70825		1

NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PROPOSAL: Conditional Use Permit for an Assisted Living Facility.

File No:	USE2016 0015	Applicant:	MARATHON DEVELOPMENT INC
To:	Adjacent Property Owners	Property PCNs:	5-B16-0-144-031-0, -032-0, -033-0, -034-0, -035-0, -036-0, -037-0, -038-0
Hearing Date:	June 28, 2016	Owner:	WILLIAM BAUER LIVING TRUST
Hearing Time:	7:00 PM	Size:	Approximately 2.5 acres
Place:	Assembly Chambers	Zoned:	Mixed Use (MU)
	Municipal Building	Site Address:	Clinton Drive
	155 South Seward Street	Accessed Via:	Clinton Drive
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Jill Maclean at jill.maclean@juneau.org or 586-0756

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at http://www.juneau.org/assembly/novus.php

Date notice was printed: May 25, 2016

Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

PLANNING COMMISSION
NOTICE OF DECISION
Date: June 30, 2016
File No.: USE2016 0015

Marathon Development, Inc
12600 SE 38th Street, Suite 210
Bellevue, WA 98006

Proposal:	Conditional Use Permit for an Assisted Living Facility
Legal Description:	Vintage II Block C Lot 31, 32, 33, 34, 35, 36, 37, 38
Property Address:	3039 Clinton Drive
Parcel Code No.:	5-B16-0-144-031-0; 5-B16-0-144-032-0; 5-B16-0-144-033-0; 5-B16-0-144-034-0; 5-B16-0-144-035-0; 5-B16-0-144-036-0; 5-B16-0-144-037-0; 5-B16-0-144-038-0;
Hearing Date:	June 28, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 14, 2016, and approved the Riverview Senior Community assisted living facility to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).

2. The lots will be consolidated into one lot, including Lot 31A.

3. All runoff from outside the paved areas, including roof drains, will be directed to the Mendenhall River drainage system.

4. Stormwater run-off within the paved areas will be collected and directed into an oil/water separator immediately prior to connecting into the Clinton Drive existing storm drain system.

5. A 12" CPP will be allowed from the oil/water separator to the catch basin in Clinton Drive.

6. The catch basin in Clinton Drive will be replaced prior to the project connection.

7. The river bank will be restored and vegetated, if needed.

Attachments: June 14, 2016, memorandum from Jill Maclean, Senior Planner, Community Development, to the CBJ Planning Commission regarding USE2016 0015.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Commission, June 28, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or December 28, 2017, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

Jill Maclean, Senior Planner
Community Development Department

Paul Voelckers, Vice Chair
Planning Commission

July 11, 2016

Filed With City Clerk Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

From: Emily Breidenbach [mailto:emily@gmddevelopment.com]
Sent: Friday, October 06, 2017 3:17 PM
To: PC_Comments
Subject: Case USE2016 0015

Please accept these comments for case USE2016 0015, to extend the CUP for Riverview Senior Community on Clinton Drive:

As the neighbor directly adjacent to the proposed Riverview Senior Community, we fully support its request to extend the conditional use permit. This is an important project for the Juneau, and when developed will provided much needed additional senior housing for the community. Our building, the Trillium Landing Apartments, has been open for approximately 2 weeks. In that time it is 50% leased with pending applications on another 25%. Our housing is independent living and we have had to turn away prospective residents who need the higher level of care that will be provided at Riverview.

Extending the CUP to allow for further predevelopment time is a reasonable request and we urge the planning commission to grant it.

Sincerely,

Juneau Senior Housing Partners Limited Partnership

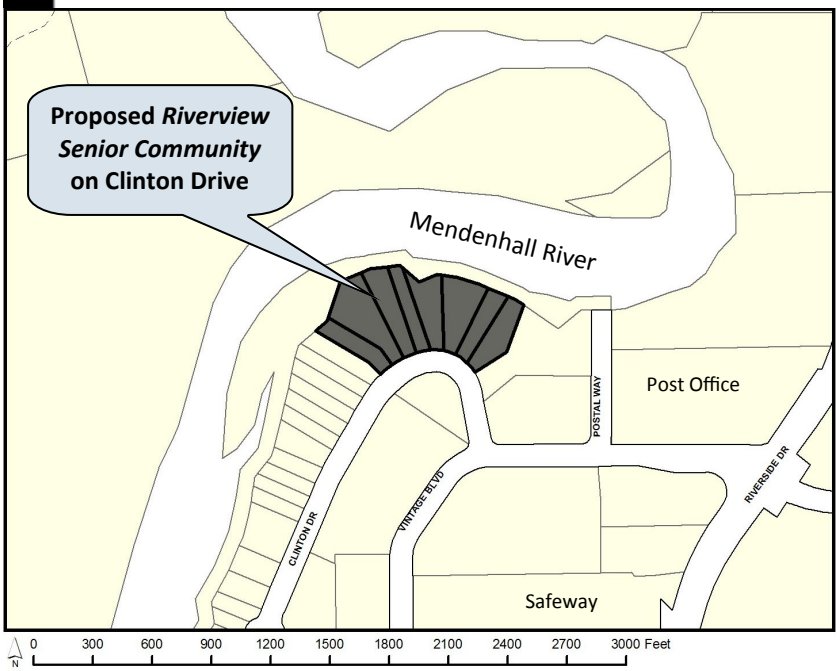
Emily Breidenbach
GMD Development
520 Pike Street Suite 1010
Seattle, WA 98101

O.206-745-3698
C.206-399-7526

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

A request has been submitted for consideration and public hearing by the Planning Commission for an **extension to the Conditional Use Permit** for **Riverview Senior Community** located on **Clinton Drive** in a **mixed use zone.**

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through October 8, 2017

Your comments to the Planner, **Jill Maclean** will be included in the staff report.

October 9 through 3 pm, October 24

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, October 24, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

October 25

The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: USE2017 0025
Parcel Nos.: 5B1601440311, -0320, -0330, -0340, -0350, -0360, -0370, -0380
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: October 2, 2017

Presented by: The Manager
Introduced: 12/18/2017
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2017-34

An Ordinance Amending the Comprehensive Plan by Adopting the Lemon Creek Area Plan.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 49.05.200 Comprehensive plan, is amended to read:

49.05.200 Comprehensive plan.

(a) The City and Borough comprehensive plan is designed to lessen congestion in the streets; secure safety from fire, panic and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks and other public requirements.

(b) The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan.

(1) *Plan adopted.* There is adopted as the comprehensive plan of the City and Borough of Juneau, that publication titled The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2013 Update, including the following additions:

(A) The Juneau Coastal Management Program, Volumes 1 and 2, dated February, 2008;

(B) The Downtown Historic District Development Plan, dated December 1981; provided that the proposed district boundaries shall be those established by the assembly under a separate ordinance;

(C) The Long Range Waterfront Plan for the City and Borough of Juneau, dated January 22, 2004, as amended;

(D) The Last Chance Basin Land Management Plan, dated May 1978, updated November 1994;

(E) Watershed Control Program - Salmon Creek Source, dated April 1992;

(F) Watershed Control and Wellhead Protection Program - Gold Creek Source, dated November 1994;

(G) Chapter 6 and Plate 1 of the West Douglas Conceptual Plan, dated May 1997;

(H) Juneau Non-Motorized Transportation Plan, dated November 2009;

(I) 2010 Downtown Parking Management Plan;

(J) Chapter 5 of the Willoughby District Land Use Plan, dated March 2012;

(K) Municipal Drinking Water Supply Plan, dated June 5, 2012;

(L) Wireless Telecommunication Master Plan, dated May 2014;

(M) Juneau Economic Development Plan, dated January 28, 2015;

(N) Auke Bay Area Plan, dated March 16, 2015; and

(O) Lemon Creek Area Plan, dated December 18, 2017.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 8th day of January, 2018.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 12, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP, Senior Planner
Community Development Department

FILE NO.: AME2016 0016

PROPOSAL: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

ATTACHMENTS

Attachment A – Draft Minutes, Lemon Creek Steering Committee, August 7, 2017
Attachment B – Draft Lemon Creek Area Plan September 2017
Attachment C – Comprehensive Plan Chapter 11 Land Use Maps Guidelines and Consideration for Subarea 4 and Subarea 5
Attachment D – Guidelines for the Development or Update of Community-Based Area or Neighborhood Plans
Attachment E – Draft Minutes from the Planning Commission Committee of the Whole, September 26, 2107
Attachment F – Proposed Revisions

INTRODUCTION

The City and Borough of Juneau Title 49 Land Use Code states in CBJ 49.10.170(a) that one of the duties of the Planning Commission is Comprehensive Plan review. Furthermore, CBJ 49.10.170(d) requires the Commission to "make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan". The Comprehensive Plan and its additions are incorporated into Title 49 at CBJ 49.05.200.

BACKGROUND

The Comprehensive Plan identifies the need for subarea plans within the borough (see Compliance with Comprehensive Plan section, below, and Attachment C). *The Lemon Creek Area Plan* is a step in the borough's strategy for influencing change in this area. The *Plan* will form the basis for defining the vision and projects for the Lemon Creek area. It is a consensus based plan, built through input from residents, local business and property owners, local non-profit groups, and other interested parties.

In 2015, the Assembly tasked the Community Development Department (CDD) with undertaking the *Lemon Creek Area Plan*. In accordance with the *Guidelines for the Development or Update of Community-Based Area or Neighborhood Plans* (see Attachment D), CDD conducted an open house on March 10, 2016 to solicit interest from the community, provide information on the planning process, and request applications from interested people to serve on the Steering Committee. On April 12, 2016, the Planning Commission appointed the Steering Committee, which included residents, property owners, and business owners.

Throughout the month of June 2016, CDD conducted six focus group meetings, including: infrastructure and transportation, natural resources and recreation, business and economic development, human services, history and cultural resources, and city departments.

In September 2016, the Steering Committee began regularly holding public meetings. The Steering Committee was presented with background information on the Comprehensive Plan and other relevant CBJ plans, zoning and land use, housing needs, and feedback received from the open house and focus groups. This information, combined with the chapters drafted by CDD planners and other relevant CBJ staff, allowed the Steering Committee to formulate informed goals and actions for each chapter of the plan. Public testimony was also taken at each Steering Committee meeting and considered as decisions were voted upon. The Steering Committee approved each goal and action through a consensus building process resulting in a majority vote of the committee.

As neighborhoods and areas of the borough differ from each other, the following chapters were seen as relevant to Lemon Creek: History and Community Character, Land Use, Neighborhoods and Housing, Transportation and Infrastructure, Economic Development, and Natural Resources and Recreation.

On February 4, 2017, a design workshop was held to seek input from the public primarily on recreation and bicycle and pedestrian connectivity throughout Lemon Creek. MRV Architects worked with CDD to conduct the workshop and led the public through this design process, which ultimately resulted in an overarching design concept – *Area Plan Design Goals* (see Attachment B - Appendix A: Public Participation).

The Area Plan Design Goals illustrates the community's vision of how the area should develop over the next twenty years. Features include preservation of the Switzer Creek area, multi-modal paths connecting Lemon Creek to Downtown and the Mendenhall Valley, trails connecting to the Mendenhall State Game Refuge, and potential new streets in the commercial and industrial areas.

The culmination of this community planning process is the draft *Lemon Creek Area Plan*, which was distributed for a two-week public comment period from July 17 through July 30, 2017. CDD staff compiled the comments received and made recommendations to the Steering Committee. At their August 7, 2017, public meeting, the Steering Committee voted on whether or not to amend the Plan in response to the public comments (see Attachment B – Draft Lemon Creek Plan, Appendix B: Public Comments). The Steering Committee also voted to recommend the final draft *Lemon Creek Area Plan* to the Planning Commission for consideration and favorable recommendation to the Assembly.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan (Chapter 11) identifies the need to conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas. The draft *Lemon Creek Area Plan* complies with the Comprehensive Plan and specifically with Chapter 11, Land Use Maps G and H.

Map G – Subarea 4: East Mendenhall Valley and Airport includes a portion of the Lemon Creek Study Area along 7 and 8 Mile Glacier Highway. The draft *Lemon Creek Area Plan* does not make any rezoning recommendations in this area, and the draft plan is compliant with the Land Use Designations of Map G.

Map H – Subarea 5: Switzer Creek, Lemon Creek, & Salmon Creek includes the majority of the Lemon Creek Study Area, in addition to the Salmon Creek area which is not part of this planning process. Subarea 5 Guidelines and Considerations include 15 guidelines (see Attachment C) of which Guideline 1 is to:

> *Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian- and bicyclist- related safety improvements, and (5) reduce incompatible uses and minimize or mitigate adverse impacts of such incompatible uses related to air quality (noise, dust, fumes, odors), public safety and natural resource protection.*

The draft *Lemon Creek Area Plan* makes several rezoning recommendations in Subarea 5, and these recommendations are compliant with the Land Use Designations of Map G.

If adopted, the *Lemon Creek Area Plan* would be an addendum to the Comprehensive Plan. The *Lemon Creek Area Plan* provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability. Where the *Lemon Creek Area Plan* and the Comprehensive Plan conflict, or where the *Lemon Creek Area Plan* is more specific, the *Lemon Creek Area Plan* supersedes the Comp Plan.

Findings
Based upon the information presented, the draft *Lemon Creek Area Plan* complies with the Comprehensive Plan.

COMPLIANCE WITH OTHER RELEVANT CBJ PLANS AND STUDIES
The draft *Lemon Creek Area Plan* reviews other relevant CBJ plans and studies, as well as plans and projects by other agencies. The draft *Lemon Creek Area Plan* complies with these plans and studies and, in some instances, makes more specific recommendations. For example, Chapter 5: Transportation and Infrastructure notes that a recurring theme of transportation plans in the Lemon Creek area is better connections for bicyclists and pedestrians and mitigating conflict between the residential and commercial / industrial vehicles. *Area Plan Design Goals* depicts additional multimodal paths and trails throughout the area, while enhancing the existing bicycle and pedestrian trails (see Attachment B - Appendix A: Public Participation). For a complete list of plans and studies, see Appendix C: Referenced Plans and Studies of the draft *Lemon Creek Area Plan*.

Findings
Based upon the information presented, the draft *Lemon Creek Area Plan* complies with other relevant CBJ Plans and Studies.

COMMITTEE OF THE WHOLE
On September 26, 2017, the Planning Commission's Committee of the Whole met to review and discuss the draft *Lemon Creek Area Plan*. Staff presented the draft Plan, the public process, the goals and actions, and the *Area Plan Design Goals* illustration. The Committee of the Whole made minor wording revisions and discussed zoning recommendations but did not make significant changes to the draft Plan (see Attachments E and F).

STAFF RECOMMENDATION
Staff recommends that the Planning Commission review and consider the draft *Lemon Creek Area Plan* and recommend to the Assembly its adoption as an addendum to the Comprehensive Plan.

Lemon Creek Area Plan
Steering Committee
Meeting Agenda
Gruening Park Rec Room

August 7, 2017 at 6pm

I. Roll Call, 6:00 pm

Steering Committee Members Present: Stephen Johnson, Chair; Susan Erben; Sandra Coon; Dave Hanna; Mark Pusich; Wayne Coogan; Daniel Collison

Steering Committee Members Absent: Paul Voelckers, Planning Commission Liaison; Michael Lukshin, Vice-Chair; Patrick Quigley; Michael Short; Tom Chard

Community Development & CBJ Staff Present: Jill Maclean, AICP Senior Planner;
Allison Eddins, Planner II; Bhagavati Braun, Administrative Assistant

II. Review Comments Received from Public Comment Period

Mr. Johnson stated his intentions on how to go through the process. Mr. Pusich asked for a point of order about how to incorporate public participation. Mr. Collison clarified by saying the committee ought to let the public discuss before a vote was held on each item.

Ms. Maclean explained the public comments document in front of the committee, and outlined the first comment from Mr. Heumann.

Ms. Coon asked about Comprehensive Plan maps not agreeing/overlapping. Ms. Maclean clarified that this refers to a later comment.

Mr. Collison asked about the Riveredge Park condos land donation for a park – were there other contributions above and beyond the land? Ms. Maclean said they were to provide easements for open space and put in the trail. They did this and maintained it for some time and maintenance was supposed to be taken over by CBJ, she said. Language that speaks to “playground or trail” and “funds or in-kind services” makes it appear that the developer met what they were supposed to do.

Mr. Collison asked that staff verify that the developer met their contributions, and that the city does not consider that the developer needs to contribute more. Ms. Erben suggested that whatever can be cleared up ought to be put in writing. Instead of stating that we are 90% sure, we should be totally sure and state that they have met their obligation, she said. There will be less gray area, and she advocates that the committee find this for sure. Mr. Coogan said he felt the committee was getting in the weeds and if the committee were to do this for them why not do it for others? Mr. Pusich said that if they have their Certificate of Occupancy, they should have satisfied the conditions. They have maintained it for many years, he said, and suggested the committee move on.

Mr. Coogan said he thought blight shouldn’t be taken lightly because property values are affected. He said he didn’t know if there is anything more to be done at this stage, but it should be acted upon and not just talked about.

Ms. Maclean said she believed this was addressed in the document. Ms. Erben and Ms. Coon both said that if the committee wants to change something there needs to be specific suggestions for language changes at this meeting. Mr. Coogan stated that if Ms. Maclean thinks it has been addressed then he is satisfied.

MOTION: ***by Mr. Collison to amend Chapter 4 Neighborhoods and Housing Goal 1 and Chapter 6 Natural Resources and Recreation Goal 3 by adding an action: "Retain easement at Riveredge Park condos for public trail and park associated with the rezone of this area. Develop trail and park area." - Timeframe is short-term; Lead Responsible Party is CBJ P&R. Mr. Hanna Seconds.***

Mr. Johnson opened the motion for discussion. He stated that the blight issue is already covered.
Ms. Maclean clarified that any comments that the public provided to us – we stated where they were already addressed in the plan. Only addressed things not in the plan.
Ms. Erben said that she feels strongly that we give this public input the seriousness that it deserves. Maybe we could make it stronger.
Ms. Maclean took offence at the suggestion that the committee and staff need to give more time and energy into this. She stated that everyone has worked very hard on these topics and have compiled this document with a lot of care. If there are specific suggestions please share them, but we have put a lot of work into these already.
Mr. Coogan: here is the quote: reads from the Lemon Creek Area Plan.
Ms. Erben said she thinks we could do more.
Mr. Coogan: I don't think it really could – this covers the general problem and doing more is inappropriate.
Mr. Collison: as I understand it there's one motion on the floor and that has to do with the park and the trail. He stated that if Ms. Erben has language that she would like to add to motions she should do so, but her concern seems to be different than the motion on the floor.
Discussion about how the chart is formatted and how to go through the public comments.

Mr. Hanna friendly **this would be the only part of Mr. Heuman's comments we take and move on after this motion passes.**
Mr. Collison did not accept.
Mr. Collison let's talk about this motion and move on – if it's more about this item that's fine.
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson calls for vote
Carries – unanimous

Ms. Erben asked for more time.
Mr. Hanna: respectfully no, we have had time before now – if you are not prepared we should move on.

Mr. Johnson moves onto the next line, comments made by Margaret O'Neal
Ms. Maclean outlines staff work on sheet, all issues are covered in the Plan. No staff recommendation to change.

MOTION: ***by Mr. Hanna to adopt findings of staff and move on. Mr. Johnson seconds.***
Ms. Coon: I think it was addressed.
Mr. Collison **friendly amendment** after seeing a lot of comments relating to D10 SF I came up with new language. In Ch4, Goal 2, Actions 4 and 5 add "which would be more compatible with existing D5 zoning in adjacent Pinewood Park subdivision".

Mr. Hanna **accepts.**
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson calls question
Passes – unanimously

Ms. Maclean outlined the next comment, from Richard Harris, and staff findings. She clarified that the boundaries were chosen though the public process, that's why the Ridgeview Subdivision is included in the study area. Staff has made sure these recommendations all comply with the Comprehensive Plan.

MOTION: ***by Mr. Hanna to adopt staff's findings and move on. Mr. Pusich seconded.***
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson calls question – Motion carried with Mr. Coogan opposed

Ms. Maclean outlined the comment from Daniel Nore and staff findings, additionally she Outlined CBJ comments about the area, these are noted in the CBJ Comments section of the document.
Ms. Coon stated that on the corner of Pine and Central off of Glacier Highway it is extremely dark at night. Mr. Johnson said this may be covered on the new DOT road plan.
Ms. Coon said that since these people made comments – it should be addressed.
Mr. Pusich asked Ms. Maclean, didn't we talk about this in the document?
Ms. Maclean – not sure immediately, did talk to public works about this.
Mr. Collison requested that if someone had a specific motion, they please bring it forward.

MOTION: ***by Mr. Pusich to adopt comments and staff's findings. Mr. Collison seconded.***
Mr. Johnson invites public to participate:

> Marcy Larson – increased light and safety is something that the Alaska Brewing Company has talked about. Streetlights are important especially when you have children.

Ms. Erben said this was true, especially when there are needles and drug users that can take our neighborhood down in a second. Unfortunately I didn't prepare that much, she said, but I think that it's a shame if we don't address because people have made the comment that we aught to address it.
Mr. Coogan **friendly** we ask staff to find the appropriate place to put the recommendation that the city explore neighborhood residents concerns regarding street lighting. (Ms. Maclean suggested it could go into Chapter 4, Goal 1)
Mr. Pusich **accepted**
Mr. Collison asked Mr. Coogan if his suggestion is for the narrative or a goal
Mr. Coogan left it up to staff
Mr. Hanna: Ms. Maclean has already identified a good spot – might also include in Ch 5, Goal 3 – but we should leave it up to them.
Mr. Johnson called the question
Motion carries - unanimous

Ms. Maclean outlined comment from Anonymous and staff findings. Outlines CBJ comments about the area.
Ms. Erben wants to clarify who is CBJ employees etc from emails.
Ms. Coon clarified that this question about environmental issues was brought up by an anonymous commenter.
Ms. Erben: they need to complain to another place – city should pass comment on to DEC.
Mr. Johnson asked Ms. Maclean if she would pass the comments on to DEC.
Ms. Maclean said she would.

MOTION: ***Mr. Hanna moves to adopt comments and staff findings. Mr. Pusich seconds.***
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson called the question
Motion carries - unanimous

Ms. Maclean outlined comments from John Blasco, representing Alaskan Brewing Co. and outlined staff comments.
Ms. Erben: what is the DBA
Downtown Business Association

MOTION: ***Mr. Hanna moves to adopt staff findings and recommendations. Mr. Collison second.***
Mr. Coogan "encourage common walls" have we talked about that?
Ms. Maclean – yes, outlines a bit of what was talked about – more wrapped into density question regarding topography of the land
Mr. Collison: Mr. Hanna is your motion about the whole line or just the recommendation?
Mr. Hanna: all of it
Mr. Johnson asks AK Brewing about common walls

> John Blasco – workforce housing, enjoyable and attractive, is what we would like to see. Could be affordable and good for people who could be our employees. Encouraging workforce housing style.

Ms. Erben I like to keep it to two homes (e.g.: duplexes), without bringing our property downhill
Ms. Coon stated that common walls won't necessarily bring property values down
Mr. Pusich disagreed with Ms. Erben: I don't think we're taxed with limiting development – I think the brewery is asking for us to be open to workforce housing, we shouldn't be getting that restrictive.
Ms. Erben I think it's important that we protect our neighborhoods and not make them very dense, and we've let the city do all these high zonings, and our value is going to go down like crazy. I feel like we're held up against the wall and the city is saying "you have to do this" and I think this is just going to go downhill. We didn't get any D5. I feel like we're in a corner.
Mr. Hanna **amend – the comments are valuable, and the recommendation for common wall dwellings are good, on Ch 4, Goal 1 add "this may include allowing common-wall development in some zonings"**
Mr. Collison ask the chair if we could ask the Brewing Co. if our motion address their concerns.

> Mr. Blasco – yes
> Ms. Larson – yes, we mostly had questions, we think they have been well addressed. We would add the word "economic" before "incentives" in the staff recommendation. She also asked a question about LCBA and a difference with DBA

Loren Jones clarified that the DBA sets their own rules, not a City entity.
Mr. Johnson clarified that the LCBA doesn't exist

> Ms. Larson: but it's referred to in the plan

Ms. Maclean – the Plan recommends the creation of the Lemon Creek Business Association (LCBA)it is understood that it doesn't currently exist. Outlines where it falls into the plan. Hopes for how they might influence the city and the Lemon Creek area.
Mr. Coogan **friendly** add "optional" after "potential"
Mr. Hanna did not accept
Mr. Collison friendly add "economic" to motion in chart (as suggested by Ms. Larson above).
Mr. Hanna accepted
Mr. Hanna clarified: it's just suggesting that this could be done. If may never happen, if it does it could have these people, but it doesn't have to.
Mr. Coogan **friendly** strike responsible party JEDC or Chamber from what is in the table.

Mr. Hanna did not accept
Marcy – was there a place for community center?
All – no
Mr. Johnson calls the question
Motion carries - unanimous

Ms. Maclean outlines comments from Llewellyn Lutchansky and Staff recommendation.s
MOTION: *Mr. Hanna* ***move to find staffs findings thorough and accurate and adopt findings as they are. Mr. Collison seconded.***
Mr. Hanna believe these comments may be due to a breakdown in communication because we were talking about more than low income housing – I think our work was misinterpreted and we did address all housing.
Mr. Coogan: no staff recommendation so there will be no action here.
General agreement
Ms. Erben would like to see the addition of senior upper and medium income housing.
Mr. Hanna doesn't see the need.
Mr. Johnson calls the question
Motion carries – Ms. Erben against

Ms. Maclean outlines comments from Leo Lutchansky and Staff recommendations.
Mr. Collison stated that there was no specific language suggested, and no place to put this.
Ms. Maclean: this is more support and identifying that we reviewed and looked at it, no actual proposal.
Mr. Collison: is there actually language in the Goals and Actions specific to advocating for the output of the public workshop?
Ms. Maclean: the actions hit on everything, but there is no action actually advocating support for the Vision Plan.
Mr. Collison I could support an action item about supporting the Vision Plan, something like "Support (the development and maintenance of) open space and trials as depicted in the Lemon Creek Area Vision Plan"
Mr. Johnson: if all of the issues it addresses are in the Plan separately we don't have to do this. I don't want to adopt the vision plan solidly because it's fluid.
Mr. Coogan Chapter 6, Goal 3, Actions 1 and 4, don't these cover the issues?
Mr. Collison agreed, it looks like the actions already speak to this.
Ms. Maclean these actions were ones that directly came from the chart from the public design workshop. It is the plan combined.
Ms. Erben suggested adding "**including input from the Lemon Creek Area Vision Plan**" at end of Goal 3, Action 1 think it makes it stronger if it's named.
Mr. Hanna we had this discussion earlier and there was a lot of agreement that the vision isn't very clear and not a universal agreement, let it be a guide, not a dictate. I would not vote for that motion. It's critical that we include the vision, and the basic ideas of what are desired, which the plan does. Shouldn't muddy the waters.
Ms. Erben "continued input" is listed, it makes is stronger if we name it.

MOTION: ***Ms. Erben moved to add "including input from the Lemon Creek Area Vision Plan" at the end of Goal 3, Action 1. Ms. Coon seconded.***
Mr. Johnson called the question
Motion carries – Mr. Johnson and Mr. Coogan opposed

Ms. Erben suggested that staff add ideas about density/street construction be integrated into the Plan where appropriate.
Mr. Pusich: the city has laws and regulations about these – these things to make the neighborhood "more attractive" these are already in play. There may be exceptions, and the laws here may be changed, it might not be feasible.
Ms. Erben expressed concerns about sidewalks and underground utilities, buried storm drainage.
Mr. Pusich clarified these issues for Ms. Erben.
Ms. Erben asked staff to find a place in a goal to say that we would like to strive that all utilities are going to be underground.
Mr. Collison: Ms. Erben is identifying a motion to act on. If no one is willing to second let's move on.

MOTION: ***Ms. Erben moves to direct staff to find a place in a goal or someplace that would add a little part about "to direct the city to do what it can for buried utilities" "to achieve buried utilities wherever possible"***
Ms. Maclean asks to interject.
Ms. Erben OK
Ms. Maclean this type of requirement would be difficult legally to implement these only in the LC area Additionally if we look under land use goal Mr. Johnson, action Mr. Coogan, action Ms. Erben, these get at the issues. What you're saying plus more.
Mr. Johnson do we have a second?
Mr. Coogan seconded
Mr. Coogan friendly should be at least 48 inches deep
Ms. Erben not accepted
Mr. Johnson called the question
Motion fails – Ms. Erben in favor

Ms. Erben would like to change "Lemon Flats" to "Lemon Valley". It may have been used, but it's not a common term.
MOTION: ***Ms. Erben moves to change "Lemon Flats" to "Lemon Valley". Mr. Coogan seconded***
Mr. Johnson called the question
Motion fails – Ms. Erben in favor

MOTION: ***Mr. Collison moves to adopt staff's review and strike the recommendation. Mr. Hanna seconded.***
Ms. Erben doesn't want more waste in the Lemon Creek area. Is it going to be a second dump?
Mr. Hanna: Mr. Lechansky could be misinformed. It's not another garbage dump. Mr. Hanna gives some more detail, it's not toxic, it's not a garbage dump, regulated by DEC, relatively benign materials.
Mr. Coogan ready to vote – concerns of public member are unfounded.
Mr. Johnson calls the question
Motion carries – Ms. Erben opposed

Ms. Maclean outlines comments from Brady Fink, and Staff recommendations.
MOTION: ***Mr. Collison moves to adopt staff's review. Mr. Pusich seconded.***
Mr. Johnson calls the question
Motion carries – unanimous

Ms. Maclean outlines comments from Steve Haaviq and Staff recommendation – needs to be a borough wide issue – it's at a higher level, and is being addressed.

MOTION: ***Mr. Coogan motion to adopt Staff review. Mr. Pusich seconded.***
Mr. Johnson calls the question
Motion carries – unanimous

Ms. Maclean outlines comments from Irene Gallion and Staff recommendations.
MOTION: ***Mr. Collison moves to adopt staff review. Ms. Coon seconded.***
Ms. Erben worried that she is the first person to say the dump is a benefit. Everybody hates it.
Ms. Maclean – outlines CBJ Engineering and Public Works (E&PW) comment which addresses the dump.
Mr. Pusich should we take action on that as well now?
Mr. Collison: I'm saying let's accept this one and move on.
Mr. Coogan motion is to accept Irene's comment line, the E&PW line really isn't telling us anything that's new under the sun. We covered the dump thoroughly in the Plan. Sounds like E&PW is saying to leave well enough alone, it looks like this comment is tempering the need to change landfill.
Ms. Maclean clarified that the E&PW recommendation would make no change to actions – it would be integrated in the chapter for context.
Mr. Pusich: respect your point – under Goal 2 there are still strong points about landfill. This language doesn't change our actions wont lessen our impact
Mr. Collison amended his motion – strike recommendation – include "see CBJ engineering comments for related information"
Mr. Coogan we don't need to add anything here. This is probably the most sensitive subject and why are we letting bureaucrats tamper with it?
Ms. Erben: the narrative was so long ago that I would have to review it.
Mr. Hanna: there is a motion on the floor which has been seconded, and it takes out the suggestion that we put that language in.
Mr. Johnson calls the question.
Motion carries – unanimous

Ms. Maclean outlines comments from Alex Ditcharo and Staff recommendations.
Ms. Erben wanted to know if he was public or city. (public)
MOTION: ***Mr. Collison moves to accept Staff's review. Mr. Pusich seconded.***
Mr. Johnson asks public for input.
Ms. Larson expressed concern that a second access was not listed in the Plan.
Ms. Maclean clarified that the Plan does address second access a number of times.
Mr. Johnson calls the question
Motion carries – Mr. Coogan opposed

Ms. Maclean outlines comments from Amy Sumner, and Staff recommendations.
Question about if it was as a public person or in her capacity in a field – unsure staff will review. (Staff found that she was acting on behalf of Juneau Watershed Partnership and her comments are reflected as thus in the final Plan.)
MOTION: ***Mr. Collison moves to adopt Staff review of Ms. Sumner's comments and associated recommendations, and that staff follows up and asks if she was commenting as an individual or in professional capacity. Mr. Hanna second.***
Mr. Johnson: are we harming gravel extraction with these recommendations?
General agreement: no.
Ms. Erben wants to make creeks not impaired.
Ms. Maclean: committee did agree to what is currently in the plan – after extensive discussion.
Ms. Erben would like to see more about repairing watersheds.

Mr. Coogan **friendly – remove asking Ms. Sumner if she was commenting as an individual or as a professional.** ***Not seconded.***
Ms. Maclean suggestion – will call and clarify, this will change location in chart.
Mr. Coogan was pleased with this change.
Mr. Johnson calls the question
Motion carried – Ms. Erban opposed

Ms. Erben: is there a place where we could add a couple words that we still want to work to not throw the towel in on Lemon Creek (water body).
Mr. Hanna clarified that this was in the motion that just passed.
Mr. Pusich: in addition, lists other action Ch 6, Goal 2. Covers this issue.

Ms. Maclean outline comments from CBJ Parks & Recreation (P&R) and Staff recommendations – recommendation to add item to both chapters because the issues is covered in the narrative of both chapters.
MOTION: ***Mr. Pusich moves to adopt Staff findings and recommendations. Mr. Hanna seconds.***
Mr. Hanna expressed a little "heart burn" on their comments on non-motorized recreation. In public comment on P&R the highest scoring item on improvements was off-road motorized recreation.
Ms. Erben: there is the whole Borough to do that, it doesn't have to happen in the Lemon Creek area.
Mr. Hanna expressed a general comment about P&R not listening to public on motorized recreation.
Mr. Johnson calls the question
Motion carries – unanimously

Ms. Maclean reviewed comments from CBJ Engineering (E&PW) and Staff recommendations
Mr. Collison: this language has not been added yet.
Ms. Erben: where would it go so we can read that real fast?
Additional language would be located on p. 20 above relevant plans and studies.
MOTION: ***Mr. Coogan moves to delete the recommendation and move that we will not regard this recommendation. Mr. Johnson seconded.***
Ms. Erben **friendly to remove the last part – leave the recommendation blank.**
Ms. Erben uncomfortable with unfamiliarity with the document
Mr. Coogan: they're talking about the landfill in glowing terms, it's manipulative, I have throttled back my ire.
Mr. Johnson calls the question.
Motion carries – Ms. Erben opposed

Ms. Maclean outlines comments from CBJ Engineering – Quarry, and Staff recommendations.
MOTION: ***Mr. Hanna moves to remove recommendations from this comment, and accept the rest of the row. Mr. Coogan second.***
Mr. Hanna: when we first did this [made a recommendation to consider selling CBJ gravel to the public sector] we knew that staff would have heartburn on this and they did. I see no need to water it down.
Ms. Erben: I think we should adopt this recommendation, but I think that we should have it open enough that we aren't tying things down.
Mr. Coogan: addressing this we have already vetted this issue thoroughly. The action says "pursue" it isn't pinning anything down.
Mr. Johnson calls the question
Motion carries – Ms. Erben and Mr. Collison opposed

MOTION: ***Ms. Erben moves to add "after gathering public input" at the end of current action (Ch 7 Goaln2, Action 10). No second.***

Ms. Maclean outlines comments from CBJ Lands & Resources (L&R), and Staff recommendations. She added that Mr. Voelckers can add extraction area to the Lemon Creek Area Vision Plan.
MOTION: ***Mr. Hanna moves to adopt staff findings and recommendation not accept recommendation on conducting a community dialogue. Mr. Johnson second.***
Mr. Collison: I appreciate that they want to appreciate that they want this on the plan, but should also be on the map in the housing section.
Ms. Maclean clarified that there is an updated map which clearly defines area 3 (per L&R concerns).
Mr. Collison where would it be in the Vision Plan?
Ms. Maclean clarified that the Vision Plan is conceptual, gives general vicinity, there are no property lines so it can't get very specific.
Mr. Johnson calls the question
Motion carries – Mr. Collison and Ms. Erben opposed

Ms. Maclean outlines comments from the Alaska Department of Fish and Game (ADF&G) and Staff recommendations.
MOTION: ***Ms. Erben moves to accept Staff findings and recommendations. Mr. Hanna seconded.***
Mr. Collison: there are lots of issues regarding landfill – concerned that we're adding language that puts a spotlight on bear problems, we have other concerns about the landfill.
Ms. Erben withdraws motion
MOTION: ***Mr. Collison moves to accept Staff findings, striking recommendation. Mr. Coogan second.***
Mr. Collison clarified that the existing goal remains.
Ms. Erben further voice to bears not being the main problem about the dump.
Mr. Johnson calls the question
Motion carries – unanimous

Ms. Maclean outlines comments from the Alaska Department of Transportation, Southcoast Region (AKDOT&PF) and Staff recommendations.
MOTION: ***Mr. Pusich moves to approve recommendation and analysis. Mr. Hanna second.***
Mr. Johnson calls the question
Motion carries – Unanimous

<u>III. Public Participation</u>
Ms. Larson – proposed Vision Plan map appears several times, and it seems like that is "the plan" just an observation. Perhaps rename for clarity.
Well done. Thank you, really good finished project, impressive work.

Ms. Erben would like to add narrative comments from table 4 to the public participation chapter.

Mr. Collison: given the public comments should we change the name? Maybe "Lemon Creek Plan as envisioned by community members of the date public design workshop"
MOTION: ***Mr. Hanna moves to rename vision plan "visioning done at public design workshop"***
Mr. Collison could we say "suggested recreational activities"
Mr. Coogan second
Some discussion about different ideas for the new name ensued.

Mr. Johnson calls the question
Motion carries – Ms. Erben opposed

It was recommended that Chapter numbers be added to footers.

IV. Recommend DRAFT Lemon Creek Area Plan to the Planning Commission

MOTION: ***Mr. Pusich moves to approve plan as modified tonight, and send to the Planning Commission. Mr. Coogan second.***
Mr. Johnson calls the question.
Motion carries – unanimous

V. Review Next Steps

Ms. Maclean outlined next steps:
The Plan will likely be heard first at a Committee of the Whole (COW) meeting at 7:00 on 9/12, this would be a work session. The public hearing will probably happen at the following Planning Commission meeting on 9/26. [These dates changed after this meeting.]

Mr. Coogan comment – as they're wrapping it up Staff have freedom to do clerical and design improvements without changing content.

Mr. Collison making neighborhood association great again. How they can the group further the action items?
Ms. Maclean: there will be public notification once adopted. Neighborhood Association was listed on last notice with a call to respond if residents were interested in joining, only one response. CBJ may work with the association to get the word out, but the association should take the lead.
Mr. Collison: envisioned identifying a date and location, and the city could help advertise. Announcement could add action items that we want to highlight. Asks about timeline for adoption.
Ms. Maclean outlined the timeline: the Planning Commission will hear it in late September, could send back to committee or recommend to the Assembly, it will then go to the Assembly for two more hearings before it could be adopted.
Mr. Collison when's the soonest it could be heard by the Assembly?
Ms. Maclean probably late November or December.
Mr. Collison would like to start revitalizing the association earlier.
Ms. Maclean clarified that the actions cannot be advertised as official city stance until adopted by the assembly – the neighborhood association could jump in and do anything at any time.
Mr. Coogan suggested using the app Next Door.

VI. Adjournment

The meeting was adjourned at 9:15 pm.

Attachment B – Draft Lemon Creek Area Plan, September 2017

This attachment can be found on-line at http://www.juneau.org/lemoncreekplan/, or in hard copy at any Juneau Public Library, the City Clerk's office in City Hall (155 S. Seward Street), or at the Community Development Department, 4th floor of the Marine View Building, 230 S. Franklin Street.

Guidelines and Considerations for Subarea 5:

1. Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian- and bicyclist-related safety improvements, and (5) reduce incompatible uses and minimize or mitigate adverse impacts of such incompatible uses related to air quality (noise, dust, fumes, odors), public safety and natural resource protection. (***The Draft Plan addresses these issues***).
2. Provide for additional medium- to high density residential development in areas with access to arterial roadways from collector streets. Encourage the efficient use of land by allowing non-family housing, such as for students, single-adults or seniors, in mixed use districts within shopping centers or malls. Increase building height limits and decease or eliminate parking requirements for such residential developments where adequately served by public transit. (***See Chapter 3 Land Use and Chapter 4 Neighborhoods & Housing***).
3. Restrict residential development in areas where off-site impacts of sand and gravel extraction operations, such as noise, dust, heavy truck traffic, would adversely affect residents unless it were assured that residents of the proposed housing would not be so adversely affected, such as for transition or temporary housing. (***See Chapter 5 Transportation & Infrastructure and Chapter 6 Natural Resources & Recreation***).
4. Provide a safe pedestrian and bicycle circulation system in the Lemon Creek and Switzer Creek areas, per the Area Wide Transportation Plan, the 2009 Non-Motorized Transportation Plan, the Safe Routes to Schools plan, and Chapter 8, Transportation, of this Plan. (***See Chapter 5 Transportation & Infrastructure).***
5. Protect access to Lemon Creek Trail, Salmon Creek Historic Trail and Heintzleman Ridge Trail. (***See Chapter 2 History & Community Character and Chapter 6 Natural Resources & Recreation***).
6. Encourage the construction and/or retention of a buffer and initiation of a beautification effort along all major roads. (***See Chapter 2 History & Community Character, Chapter 5 Transportation & Infrastructure and Chapter 6 Natural Resources & Recreation***).
7. Reserve wetlands and tidelands in public ownership for fish and wildlife habitat and open space/natural areas. (***See Chapter 4 Neighborhoods & Housing and Chapter 6 Natural Resources & Recreation***).
8. Designate CBJ-owned areas outside the Salmon Creek Dam inundation hazard area for Bartlett Regional Hospital expansion hospital and related medical facilities. (***Not addressed in the Draft Plan – the Bartlett Regional Hospital campus was not considered part of the Lemon Creek area***).
9. Allow for expansion of state office complex facilities adjacent to existing offices within public/institutional land use designation areas west of Switzer Creek but not along shoreline areas. (***See Chapter 3 Land Use and Chapter 4 Neighborhoods & Housing***).
10. Identify sufficient land to accommodate commercial and industrial uses. Adjust the boundary between commercial and industrial lands in the Vanderbilt-to-Lemon Creek area to account for current conditions and market demands. Provide additional buildable land for heavy industry and prohibit higher intensity uses, such as retail, office and residential

uses, within the heavy industrial areas. (***See Chapter 3 Land Use, Chapter 4 Neighborhoods & Housing and Chapter 7 Economic Development***).

11. Renninger Road serves a CBJ school and water reservoir and an affordable rental housing development and could further be used to access other CBJ lands suitable for development of affordable housing. (***See Chapter 4 Neighborhoods & Housing***).
12. Jordan Creek, Lemon Creek and Vanderbilt Creek are listed as impaired water bodies by the Alaska Department of Environmental Conservation (DEC) and, therefore, careful review of all future development proposals that could affect the volume, velocity, cleanliness, and overall water quality of these creeks and their watersheds and tributaries is warranted. Coordinate all development within the sphere of influence of Jordan, Lemon and Vanderbilt Creeks with DEC to ensure that development meets the guidelines of the creeks' restoration plans, called the TMDL Document. (***See Chapter 6 Natural Resources & Recreation***).
13. The Parks and Recreation Comprehensive Plan, Chapter 8, recommends a number of parks, trail, community garden and stream corridor improvements. Those recommendations include: (a) construction of a coastal trail along Egan Drive or along the "inside" or north side of Egan Drive, connecting Sunny Point to neighborhoods to the east and west; (b) Upgrade the Dzantik'i Heeni Middle School and the Switzer Creek/Richard Marriott trail; (c) construct a covered basketball court/play area at Dzantik'i Heeni Middle School; (d) reserve a stream corridor on Switzer Creek; (e) resolve Lemon Creek Trail issues; (f) develop an All-Terrain-Vehicle (ATV) or Off-Highway Vehicle (OHV) course in the Upper Lemon Creek area; (g) develop a trail from the Sunny Point intersection to the Pioneer's Home intersection and along the Pioneer's Home marsh with an accessible viewing platform for bird watchers; (h) protect access to the Heintzleman Ridge trail; (i) review the area for suitability for mini-parks; (k) establish a community garden area; (l) study the Lemon Creek area for suitable park sites; and, (m) continue ADA improvements at Twin Lakes. (***See Chapter 2 History & Community Character, Chapter 6 Natural Resources & Recreation and Appendix A Public Participation Lemon Creek Vision Plan***).
14. Identify historic and cultural resources within the subarea. Projects that may impact historic resources identified within this subarea are to be reviewed by the Historic Resources Advisory Committee (HRAC) prior to issuance of a permit. Where new historic or cultural resources are discovered or identified, the Juneau-Douglas City Museum should be contacted immediately for documentation and technical assistance toward preservation and/or curating of the resource. The demolition or removal of historic resources should be avoided and should only occur when no other option for its preservation or relocation to a suitable site exists. (***See Chapter 2 History & Community Character***).
15. Since views of the water are a highly-rated value by residents, buildings in the (WCI)-designated areas should be situated or oriented to retain views of the water between buildings. (***See Chapter 4 Neighborhoods & Housing, Chapter 6 Natural Resources & Recreation and Appendix A Public Participation Lemon Creek Vision Plan***).

Attachment D

GUIDELINES FOR THE DEVELOPMENT OR UPDATE OF COMMUNITY-BASED AREA OR NEIGHBORHOOD PLANS

Request for Area or Neighborhood Plan:

The development or update of community-based area or neighborhood plans should be initiated by direction of the Assembly, the City Manager, and/or the Director of the Community Development Department (CDD). The Planning Commission (PC), neighborhood associations, and other interested groups may make recommendations to the Assembly.

Scheduling:

Community-based planning initiatives may be scheduled on an individual, case by case basis, and may be undertaken with consideration of staff availability and workload. Efforts should be made to complete the planning initiatives within 18-to-24-months of commencement, and may vary upon complexity of the issues and the plan.

Staff assistance for the planning effort and boundaries of the affected area should be approved by the Director. The boundaries of the affected area should be drafted by the Planning staff with direction from the Steering Committee and input from the public.

Notification & Planning Team Appointment:

Upon PC approval of the planning initiative, a Steering Committee should be established. The CDD should notify the public via a newspaper of general circulation, the City and Borough's website, social media, and other means appropriate (i.e. external business or agency newsletters) that a steering committee is being formed and that any member of the public fitting the criteria of the affected planning area initiative is encouraged to apply. The Director, with input from Planning staff, should recommend a slate of stakeholders from the affected area representing residents, property owners, business owners, education, youth, and other relevant groups to the PC. The steering committee should be comprised of no more than eleven members depending on the planning initiative. A PC member as well as the Assembly member from the affected district, may act as liaisons to the steering committee, and should not be considered voting members.

The steering committee members should reside in or own property within the affected area, or own a business or other community agency within the affected area; and commit to the following:

- Volunteer their time and commit to attending meetings for the planning initiative;
- Commit to consider compromises that may assist in managing conflict and building consensus;
- Listen to and consider testimony from the public and government agencies;
- Commit to develop a plan that represents the affected study area;
- Commit to distributing accurate information to other community members and clarifying misunderstandings or misperceptions.

Should any steering committee member fail to meet the commitments outlined above, miss 50% of the steering committee meetings, or miss three meetings in a row, the member may be removed by the Director.

Steering Committee & Public Outreach Methods:

Upon approval of a planning initiative, Planning staff may conduct research, inventory resources, and prepare background text, base maps, and other related items that may be useful for the needs of the steering committee. The information may be prepared in draft format and provided to steering committee members in advance of the first steering committee meeting. Planning staff should determine which public engagement methods may be utilized throughout the planning initiative in order to identify issues and concerns within the affected area.

Steering committee meetings and public engagement sessions should be advertised at a minimum with the newspaper of general circulation, and on the City and Borough's website. Property owners, registered voters, registered neighborhood associations, and current residents located within the affected area should be notified by mailing that a planning initiative is being undertaken and public sessions are scheduled. Additional public outreach is strongly recommended, such as notification provided to business owners operating within the affected area, public notification posted on public information boards when available, notification sent home with schoolchildren, notification included in utility bills, PSAs on local radio, and other appropriate methods that may be identified. If specific dates are not known, a general description of the project, a phone number, and email contact should be provided for more information.

Planning staff should hold public sessions within the affected area at locations that are ADA accessible. Planning staff should facilitate all public sessions, including steering committee meetings, and public input should be taken at a designated time during each session. Recommendations may be made by the steering committee, and votes should require a simple majority. This allows the steering committee to hear from the public, discuss issues and concerns, and make recommendations based upon a full and complete understanding of the context.

Public sessions should be held at times and locations determined by Planning staff throughout the public participation process. Public session format and timing may vary depending on the planning initiative, the agenda, and the attempt to engage as many participants as possible. The public sessions allow the community to actively participate in the planning initiative, ensure that their voice is heard, and allows Planning staff and steering committee members to fully understand the needs of the affected area.

Draft Plan Document:

Upon completion of the public engagement process, Planning staff should develop a draft plan that may be available in the Community Development Department office, in the City and Borough public libraries, and on the City and Borough website. A comment period timeframe should be set, and property owners and registered voters located within the affected area should be notified by mailing that the draft plan is complete and that they may submit comment either at the public session or via email or letter. Each planning initiative should have a dedicated webpage and email address.

The draft plan should also be provided to the steering committee no less than two weeks in advance of a publicly advertised session. The steering committee should review and provide comment on the draft

plan at a public session, at which time the public should also be given the opportunity to provide feedback and comments. A two-week public comment period should be established after the draft plan is presented to the steering committee. Upon closing of the comment period, Planning staff should make recommendations to the steering committee, which should address the comments received and whether or not the comment was incorporated.

Steering Committee Review & Recommendation:
The steering committee should review Planning staff's revisions, and should hold a public session (publicly noticed as detailed above) to recommend the plan to the Planning Commission. Planning staff should present and facilitate discussion on the sections of the draft plan, the public comments received, whether or not the comments were incorporated into the draft plan, and the reasoning for incorporating comments or not. Public comments should be included as an appendix to the plan.

The steering committee should vote by simple majority to recommend each section of the draft plan to the PC. Steering committee votes will either recommend each section to the PC or send the section back to Planning staff for further revision. The steering committee should work towards consensus and attempt to minimize voting. If voting occurs, it should be by roll call vote. No proxy voting is allowed; voting via conference call is permitted. If the steering committee determines that further revisions are necessary, the steering committee should review Planning staff's revisions and should hold a public session (public notice as detailed above).

The draft plan should not be forwarded to the PC until the steering committee has made recommendations on all sections of the plan.

Public Hearings:
The PC should hold a public hearing prior to voting on the adoption of an area or neighborhood plan to provide the public with an opportunity to present their support or objections to the draft plan. The PC should hold a second public hearing to make their final recommendation on the draft plan. The PC may recommend revisions to the draft plan prior to submittal to the Assembly. The PC should submit their recommendation to the Assembly.

The Assembly should hold, at a minimum, one public hearing to vote on the adoption of the Planning Commission's recommended draft plan. The plan should be adopted by ordinance as an element of the Comprehensive Plan.

Implementation and Monitoring:
The outcome of the plan should not be the plan, but actions implementing the plan. The actions of the plan should be considered in the budgetary process, Capital Improvement Program, and integrated into the Comprehensive Plan. People who participated in the development of the plan should be encouraged to transform the steering committee and other involved parties into a neighborhood association or other such organization recognized by the CBJ with specific responsibilities for implementation. Further,

monitoring of plans and related activities should be undertaken on a two-year basis, or as otherwise specified.

Agenda
Planning Commission
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
September 26, 2017

I. ROLL CALL

Ben Haight, Chairman, called the Committee of the Whole meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 5:36 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Nathaniel Dye, Dan Hickok, Dan Miller, Carl Greene, Kirsten Shelton

Commissioners absent: Michael LeVine, Percy Frisby

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Allison Eddins, Planner I

Assembly members: Loren Jones, Debbie White

II. REGULAR AGENDA

AME2016 0016: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

Lemon Creek Steering Committee Members		
Stephen Johnson, Chair	Wayne Coogan	Mark Pusich
Michael Lukshin, Vice Chair	Sandra Coon	Patrick Quigley
Tom Chard	Susan Erben	Michael Short
Daniel Collison	Dave Hanna	Paul Voelckers (P.C. Liaison)

Ms. Maclean told the Commission that the Comprehensive Plan identifies the need for area plans throughout the borough. She said that Lemon Creek and Switzer Creek are identified as one area. The plan itself focuses predominantly on Lemon Creek and Switzer Creek, she told the Commission. This plan is a step in the Borough strategy to introduce change in this area, she said. This plan identifies the projects and vision to move this forward, she said.

DRAFT

In 2015, the Assembly tasked the Community Development Department (CDD) with undertaking the Lemon Creek Area Plan, said Ms. Maclean. In 2016 the Planning Commission endorsed guidelines for the development or update of community-based neighborhood plans, said Ms. Maclean. The CDD staff solicited interest from the community, and provided information on the planning process, she noted. In April of 2016 the Planning Commission appointed the steering committee which included residents, property owners, and business owners, said Ms. Maclean. This was preceded by an open house held in March to solicit interest from the community, provide information on the planning process, and request applications for interested people to serve on the steering committee, said Ms. Maclean. Subsequently the Commission appointed 12 people to the Steering Committee, she added.

Throughout the month of June, 2016, CDD conducted six focus group meetings including: infrastructure and transportation, natural resources and recreation, business and economic development, human services, history and cultural resources. In September, 2016, the Steering Committee began holding regularly scheduled public meetings, said Ms. Maclean. The Steering Committee was presented with background information on the Comprehensive Plan and other relevant CBJ plans, zoning and land use, housing needs, and feedback received from the open house and focus groups, she said.

This information combined with chapters drafted by CDD planners and other relevant CBJ staff allowed the Steering Committee to formulate informed goals and actions for each chapter of the plan, explained Ms. Maclean. Public testimony was also taken at each Steering Committee meeting, and considered as decisions were voted upon, she said. The Steering Committee approved each goal and action through a consensus-building process resulting in a majority vote of the committee, she explained.

The boundaries for this area plan include parts of Switzer Creek, but does not include Salmon Creek, said Ms. Maclean. It is south around the Pioneer Home and Tamarack condominiums, going all the way to Hidden Valley and north past Fred Meyer, she noted. They wanted the boundary to extend past Fred Meyer so that the shopping center closest to the residents would be included in the plan, she noted, for the purpose of transportation and shopping needs being met for the community.

The area combines two Comprehensive Plan area use maps, noted Ms. Maclean. The draft Lemon Creek Area Plan makes several rezoning recommendations in Sub-Area Five, and these recommendations are compliant with the Land Use Designations of Map G, said Ms. Maclean. Public testimony was welcome at each public meeting as they developed the chapters, she said. Upon the completion of a chapter, the Steering Committee would vote on the chapter before they moved forward to the next, she said. They approved each goal and the actions by consensus, not necessarily always unanimous, said Ms. Maclean.

DRAFT

A public design workshop was conducted on February 4, (2017) with MRV Architects and other CBJ staff from the Engineering Department, said Ms. Maclean. This was held to seek public input primarily on recreation and bicycle and pedestrian connectivity throughout lemon Creek, she said. MRV Architects created an illustration which they are calling the Area Plan Design Goals, said Ms. Maclean. This is an overarching design concept accepting the input from four different tables that participated in this workshop with about 30 people present, she noted. They ranked the concepts according to how often they occurred amongst the groups participating, said Ms. Maclean. The goals illustrate the community's vision of how the area should develop over the next 20 years, she explained. The features include the preservation of the Switzer Creek area, paths connecting the Lemon Creek area to the other areas within the community, trails connecting to the Mendenhall State Game Refuge and potential new streets in the commercial and industrial areas.

Ms. Maclean noted there has been conversation about how specific the design is. Proposed paths and new streets are in color in contrast to the existing routes, she said. Some proposed new housing is also displayed, she said. This is where the public would like to see some housing development, she said. This is a 20-year plan, noted Ms. Maclean. Some of the proposed new routes and housing are aspirational and to be used as a guide, she added.

The draft plan was submitted for public comment for two weeks in mid-July, said Ms. Maclean. They combined the recommendations coming out of these meetings and provided them to the Steering Committee, said Ms. Maclean. The Steering Committee voted on whether to amend the plan based upon public comments, and to recommend the final draft to the Planning Commission for its consideration, said Mr. Ms. Maclean. The public comments, the staff recommendations and the subsequent action of the Steering Committee are all within the action plan document, said Ms. Maclean.

The Lemon Creek Steering Committee kept Its rezone requests to its' area only, said Ms. Maclean. The draft plan is compliant with the land use designations on Map H, which encompasses the majority of the Lemon Creek study area, said Ms. Maclean. The Salmon Creek area is not a part of this planning process, she noted.

Sub-Area Five guidelines and considerations includes fifteen guidelines, said Ms. Maclean. Guideline one is to:

> *Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for the residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian and bicyclist related safety improvements, such incompatible uses related to air quality*

(noise, dust, fumes, odors), public safety and natural resource protection.

The draft Lemon Creek Area Plan makes several rezoning recommendations in Sub-Area Five, and these recommendations are compliant with the Land Use Designation of Map G, noted Ms. Maclean.

If adopted, the Lemon Creek Area Plan would be an addendum to the Comprehensive Plan. The Lemon Creek Area Plan provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability, said Ms. Maclean. Where the Lemon Creek Area Plan and the Comprehensive Plan conflict, or where the Lemon Creek Area Plan is more specific, the Lemon Creek Area Plan supersedes the Comprehensive Plan, noted Ms. Maclean.

The staff recommends that the Planning Commission Committee of the Whole review and consider the draft Lemon Creek Area Plan and schedule it for a public hearing before the Planning Commission on October 24, 2017, said Ms. Maclean.

Commission Comments and Questions
Mr. Voelckers said he would like to review the process by which the Commission will review this plan.

Ms. Maclean said she is open to suggestions from the Commission as to how it would like to proceed with its review of the draft plan. She said she felt Chapter 8 would be the most useful to the Commission, which is the implementation chapter, she said. This addresses the goals and actions and is a combination of all of the goals and actions from each chapter, she explained.

Mr. Dye asked if the end result was to have all of the geographic areas of Juneau in some sort of plan. He asked, for example, if the Twin Lakes area would eventually have its own plan.

Ms. McKibben said the Comprehensive Plan specifically addresses Auke Bay, Lemon Creek, downtown Juneau and Douglas. At this point it does not specifically address other areas in Juneau, she said. The Economic Development Plan and the Housing Action Plan address more neighborhoods within the community, she said.

Mr. Dye asked for what examples of potential conflicts between the Lemon Creek Area Plan and the Comprehensive Plan may be.

Ms. Maclean said she has no specific instances of this occurring within the Lemon Creek area, but that this issue has arisen within Auke Bay so this was written within the plan to address any unforeseen conflicts, she said.

DRAFT

Mr. Voelckers suggested that the Commission review the Steering Committee priority actions outlined at the beginning of the report. He said he felt this may be a good approach to provide some context for the plan.

Ms. Maclean said as part of the executive summary they covered some of the major themes heard from the public, via the open house and focus group meetings which were conducted, as well as the Steering Committee meetings:

- Ensure that land use decisions and transportation projects promote neighborhoods and create or enhance buffers between different land uses and/or zoning districts (Chapter 2: History and Community Character).

- Identify an appropriate future location(s) for the landfill or transfer facility (Chapter 3: Land Use).

- Improve Capital Transit bus schedules and routes through Lemon Flats and near anchor businesses that support shift work schedules (Chapter 7: Economic Development).

- Pursue and foster projects that "knit" the Lemon Creek area together such as greenways, pedestrian bridges over Lemon Creek, and the creation of public parks (Chapter 2: History and Community).

- Develop housing targets for the Lemon Creek area, as recommended by the Housing Action Plan, consistent with recommended zone changes identified in this plan (Chapter 4: Neighborhoods and Housing).

- Allow for industrial and commercial growth in strategically located areas (Chapter 3: Land Use).

- Protect resource extraction as a critical industry and educate the public on its benefits to the community, such as lower development costs and flood protection (Chapter 6: Natural Resources and Recreation).

- Pursue making CBJ gravel and organic waste disposal resources in the Lemon Creek area available to the private sector (Chapter 7: Economic Development).

- Advocate for the extension of Glacier Highway to Egan Drive at the McNugget intersection (Chapter 5: Transportation and Infrastructure).

- Preserve, protect, and enhance the Switzer Creek watershed; specifically ensure that Switzer Creek stream buffers remain undisturbed (Chapter 6: Natural Resources and

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Recreation).

Mr. Dye asked how the decisions were made in the setting of the area boundaries.

The decisions were made in concert with public input, said Ms. Maclean. They showed the public a map of the general area with no boundaries set. At the open house the majority of the individuals who provided input wanted one of the boundaries set on Glacier Highway past Fred Meyer. Hidden Valley was included for development potential and for natural resources, because whatever development happened in that area would be experienced downstream. Egan Highway and the Mendenhall Wetlands comprise a natural barrier, and that side of the area and mountainside estates was perceived as separate from the general Lemon Creek area, said Ms. Maclean.

Mr. Voelckers said he felt there were one or two issues related to intersections and public safety that helped to drive the extent of the boundaries. He said just about 95 percent of the comments in the specifics of the plan place the boundaries at Switzer Creek or a bit further.

Land Use
Action: Promote mixed-use zoning as a business and neighborhood development tool for underutilized sites i.e. the former Walmart location and Grant's Plaza.

Mr. Voelckers said he was a little confused as to if this mixed-use zoning referred to the term distinguishing Mixed-Use zoning, or if it referred to the general concept of mixed zoning.

Ms. Maclean said she believed it was more a general term about the zoning, not a reference to the specific Mixed-Use zone.

Neighborhoods and Housing
Mr. Voelckers said on page 25 of this chapter that the reference to Housing First need no longer be in the future tense because it has been accomplished. He said as a general comment that on page 25 through pages 27 that it was a little inconsistent in defining the underlying zoning in the housing blocks.

Mr. Hickok asked how directly involved the City and Borough of Juneau would be in the development of some of these Lemon Creek areas. He added that the implementation of some of these ideas takes a large amount of funds.

The Steering Committee with input from the public did discuss tax incentives for economic development and redevelopment within this area, said Ms. Maclean.

Mr. Steedle said there is new state legislation which would enable the CBJ to provide incentives for the economic development of properties. That item will be taken up at some point by the Assembly, he added. The Commission also has its role to utilize in making recommendations for the Capital Improvement Program, (CIP) said Mr. Steedle. The Commission would also have input on any public land or programs, he added.

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Mr. Voelckers said on page 31 of the draft under the paragraph called "Housing Mix" the draft stops just short of an implied action or a remedy to the Lemon Creek housing situation. He said it might be advantageous to add what those future options might include.

Transportation and Infrastructure
Mr. Voelckers said on page 46 which is the first page of the goals and action items that he could not recall what the difference was between the first two items.

Action: Enhance pedestrian/recreational linkages connecting the residential neighborhoods to Dzantik'i Heeni Middle School.

Action: Advocate for pedestrian, bicycle, and if warranted, an emergency vehicle access only across Lemon Creek (the water body) connecting the neighborhoods to the commercial uses.

During committee and public hearings, the topic came up often that access was wanted back to the industrial commercial area to help alleviate the traffic along Glacier Highway and Anka Street, which resulted in the first action, said Ms. Maclean. It was an update to the access study and what it evaluated, she said. The second action is focused more on the larger area of industrial and commercial traffic, and the patterns and the uses that occur there, she added.

Mr. Hickok asked if in reference to the transit system if there had been any discussion regarding the addition of shuttles within the area to help alleviate the transportation problems.

This committee did not look at shuttles, said Ms. Maclean. They were more focused on the existing transit opportunities within the routes that they take, especially the snow routes in the winter, when workers have to walk further, and also the timing of the runs. Public transit does not currently run to Home Depot and to Costco, noted Ms. Maclean.

Mr. Voelckers said the Committee wanted it stipulated in the plan that there is a large, currently unserved need for public transit to various areas within Lemon Creek.

Chairman Haight said it appeared to him that this was tied to the economic development of the area. Limitations to transportation lead to limitations for economic development, he added.

Natural Resources and Recreation
Mr. Voelckers said on page 51 within this section that Parks and Recreation is implementing a borough-wide Parks and Recreation plan. They made it clear there would be quite a bit of value placed upon the results of this study, he said. He said he thought there was a perception that perhaps Lemon Creek has been a little under-served compared to other communities within Juneau with recreational amenities.

Economic Development
Mr. Voelckers commented that the goal to action within this section might be expanded a bit. He said there was a lot of conversation and concern expressed about commercial creep in industrial zones and weighing the value of industrial and the value of commercial vitality.

Ms. Eddins stated this was also addressed in the History and Community Character chapter. It addressed knitting communities together and enhancing buffers where they were needed.

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Mr. Voelckers asked if the portion of the chapter addressing uses specifically allowed in Industrial zones was to promote greater flexibility within Industrial zones or if it was to rein in how the zone was being used.

Ms. Maclean said she thought it was to rein in how the zone was currently being used. She added that it was felt that our industrially zoned land has a lot of what could be considered general commercial use within the industrial zones. Home Depot and Costco are already located on industrially zoned land and it was felt there was the need to protect the amount of industrially zoned land that is available, she said.

Mr. Dye asked if the uses were tightened what would happen to the businesses that would then be in nonconformance.

Ms. Maclean said it could also be used to look at the development of the land on the north side of Home Depot that is owned by the CBJ and is still vacant. There could be the emphasis placed that the land be used for industrial purposes, she added. Moving into Hidden Valley they could work to make sure that land was used for industrial purposes with no commercial businesses creeping into it, she said.

Chairman Haight asked how much of this action promoted rezoning certain parcels within the area, to how it is actually being used.

Ms. Maclean said she felt they were careful in their wording to state that they would review and update this portion of the plan, and that it was not a blanket statement to address the entire area that is currently zoned Industrial. It will need careful review in the future, she said. She said she would also shy away from implementing changes based upon what exists today since this plan looks 20 years into the future. She said the Comprehensive Plan looked at what was on the ground at that time, but it did not look into the future. Existing zoning may not be of the best use, and existing owners may wish their land be zoned differently, she added. If zone changes to the area are recommended, it would be important to bring in the existing property owners, said Ms. Maclean.

Mr. Dye said he could understand the process better if rezoning of any areas was requested by the property owners themselves.

Ms. Maclean said she was not sure how they could change the wording to make it more open.

Mr. Voelckers asked if the expectation was that as the Planning Commission made recommendations at the regular meeting concerning this draft, if the draft would go back to the committee, or come back to the Commission and then be forwarded to the Assembly.

Mr. Steedle said this would stay at the Planning Commission level. The Steering Committee has made its recommendations, he said. The Planning Commission will be making its recommendation to the Assembly, he added.

Implementation

Ms. Maclean explained that the idea of this chapter was that it could be more of a work plan that could be relied upon rather than have having to review the entire plan each time. This portion is to identify the goals and actions, identify the lead party, the potential advocates, with the short mid-and long-term actions, said Ms. Maclean. It was also thought that this could feed into the CIP process as well, she added. This condenses all of the chapters into one section of the plan, said Ms. Maclean.

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There are actions that are repeated in different chapters, said Ms. Maclean. These actions were repeated purposefully so that they would not be missed, said Ms. Maclean.

Mr. Voelckers asked that the action on page 80 be explained further under "Neighborhoods and Housing" which reads, "Action: Consider rezoning Churchill Mobile Park to D-10-SF, which would be more compatible with the D-5 zoning of the adjacent Pinewood Park subdivision. "

Ms. Maclean said in general she feels like those in the Lemon Creek area feel that they carry a lot of the affordable housing for the community. They would like to see more of an equitable distribution throughout the community of affordable housing. They discussed Churchill Mobile Park which had been commented upon with concern about it being zoned specifically D-10 SF, said Ms. Maclean. In the plan it does say that rezoning could be considered, said Ms. Maclean. Churchill Park would be conforming; they would not do anything which would make it nonconforming, she added. Potential rezoning could make that area a good transition area, said Ms. Maclean, to neighboring zones.

Mr. Dye asked if the plan operated under the assumption that the landfill would remain in Lemon Creek.

Ms. Maclean said that it did not operate under that assumption.

Mr. Dye asked if the Lemon Creek plan was going to try to tell the rest of the borough how to deal with its recycling. He asked if this was going outside the boundaries of the plan.

Ms. Maclean said they tried to remain within the boundaries, but that some items had consequences outside of the designated area for the plan.

Mr. Voelckers said that there really is both a factual basis and the perception that Lemon Creek has shouldered more than its share of community operations. You can't get away from methane gas, said Mr. Voelckers. The landfill itself and the secondary issues arising from its existence in the area are placing a shadow over the neighborhood, said Mr. Voelckers. They wanted to go on the record supporting that the City pursue other long range alternatives for the landfill, he added.

Mr. Dye said there are sewage treatment plants in other neighborhoods which will not be moved because their location is permanent. He said it was difficult for him to see where the boundary was in all of the action items if they were not consistently applied.

At the request of Mr. Voelckers, Ms. Maclean said there was discussion about the gravel extraction and the work that is done upstream. It was posited that it may have the beneficial effect of creating a lack of flooding downstream, she said. The committee wanted it mentioned in the report that the gravel extraction was not just a negative for the community, but carried some potential positive effects for the area as well, said Ms. Maclean.

Mr. Voelckers said there was another action item as well encouraging the Borough to focus on a FEMA reassessment in Lemon Creek because there was the thought that there would be substantial insurance premium reductions to reflect the possibility of less flooding, he said.

Mr. Hickok asked if there had been any discussion of recycling the methane gas.

Mr. Voelckers said representatives from the City and Waste Management discussed this topic which was raised. The representative from Waste Management said they are inventing a process in Juneau which

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is not used anywhere else in the country because of Juneau's relatively mild climate, said Mr. Voelckers. This results in a super aggressive methane production, he added. They dilute the methane before it is released which reduces the smell, said Mr. Voelckers. However, they said it was not reusable methane, said Mr. Voelckers.

Mr. Dye asked if Goal 4 on page 82 which states, "Action: Reduce impacts of dust on surrounding uses, bicyclists, and pedestrians by requiring and enforcing dust control methods on industrial and commercial vehicles" should be listed under the Planning Commission and Community Development and JPD authority or if it should instead be under the provenance of the Assembly and Manager's Office, since it involved a change outside of Title 49.

Mr. Steedle replied that it would involve a change outside of title 49.

Mr. Dye suggested that they change the lead responsible party for that action.

Mr. Dye also suggested that the abbreviations be identified somewhere within the document in a key so that everyone would know what they meant.

Chairman Haight said he has noticed that he is not hearing much discussion about the corrections facility within the Lemon Creek area. He asked if there had been discussion about the correction facility's impact on the adjacent neighborhoods.

Ms. Maclean said there was some discussion about the shooting range, but that it did not make it to the level of an actionable item. What did make it to an action concerning the correctional facility was the desire to rename it so that Lemon Creek may not have a negative perception because it was associated with the correctional facility.

On page 84 Mr. Dye identified the action: "…mitigate the impacts of resource extraction and eliminate unnecessary water pollution and erosion." He asked if it was not general engineering that reviewed all of the building permits and the storm water protection plans.

Mr. Steedle said that is correct.

Mr. Dye asked if some of these items, therefore, were review of practices the City is already doing.

Ms. Maclean said this is true, but that they could be encouraged to do it better.

Mr. Dye asked if this is the case, should they not identify those items which could be done better.

Chairman Haight said it seemed to him that noting these items in this Lemon Creek Plan helps the City to better promote them in the CIP when it comes before the Commission for review.

Mr. Voelckers said Mr. Dye's exact point did come up during conversation, but that there were items which were not currently being properly addressed, so they wished to highlight some of these items.

Mr. Dye said if the action was to eliminate "unnecessary" water pollution, then they were stating that water pollution was acceptable at some level.

Mr. Voelckers suggested that it could read, "Provide greater scrutiny with compliance of water standards."

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Mr. Voelckers said it might be appropriate to have a memo from the Planning Commission accompany the draft Lemon Creek Area Plan as it is passed to the Assembly.

Mr. Steedle said the Lemon Creek Area Plan and the recommendations on the CIP are happening parallel to each other. He said he felt it was entirely appropriate for the Planning Commission to express its views on the Plan as it goes to the Assembly. They will be discussing the Commission's CIP ideas on the same night they will be taking action on this plan, said Mr. Steedle. They should be separate documents with separate comment from the Planning Commission, he said.

Mr. Hickok asked if the Auke Bay Plan has a 20 year forecast as well and asked if CIP projects for Auke Bay would have priority over Lemon Creek projects because the Auke Bay Plan was done first.

Mr. Steedle said that although the Auke Bay plan was developed first, it does not have priority over the Lemon Creek CIP items.

III. OTHER BUSINESS - None

IV. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

V. ADJOURNMENT

The meeting was adjourned at 6:44 p.m.

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Chapter	Comments	Page
	Fix footer	X
Chapter 3 Land Use		
	Goal 1 Action 1 Change "zoning" to "development"	20
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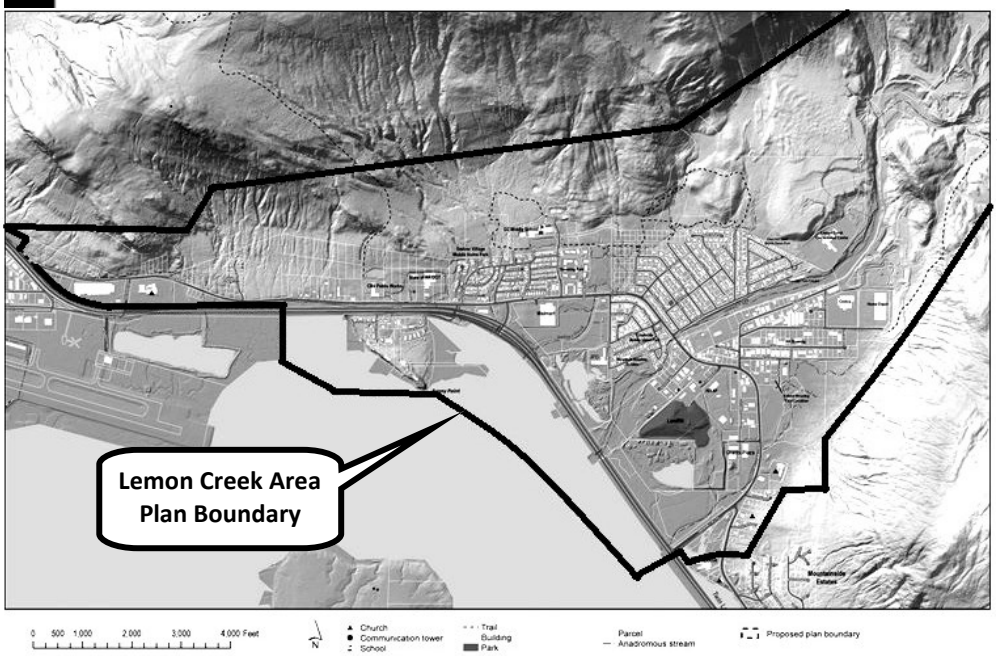
Chapter 8 Implementation		
	Economic Development Goal 1 Action 5 is repeated - delete bolded version	86

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **text amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan.** View the draft plan at any public library, the City Clerk's office at City Hall (155 S. Seward St.), or www.juneau.org/lemoncreekplan.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through Sept. 22, 2017

Your comments to the Planner, Jill Maclean will be included in the staff report.

September 23 through 3 pm, October 10

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, October 10, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

October 11

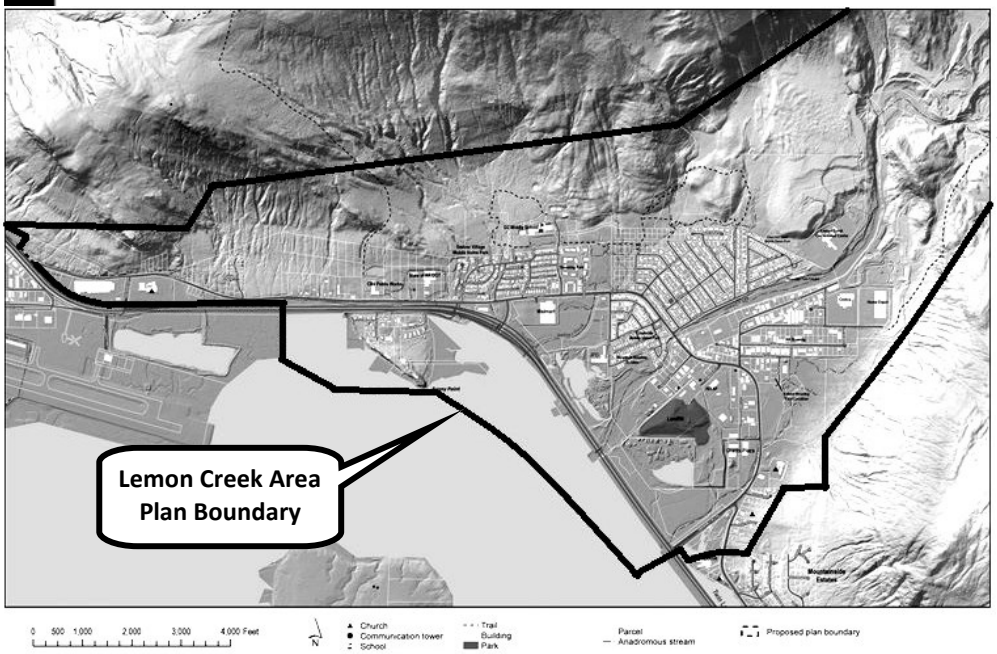
The results of the hearing will be posted online.

Phone: **(907)586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: AME2016 0016
Location.: Lemon Creek Area
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: September 11, 2017

Invitation to Comment

PLEASE NOTE: **The date of this hearing by the Planning Commission has been changed to October 24, therefore you are receiving a second notice.**



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

A request has been submitted for consideration and public hearing by the Planning Commission for a **text amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan.** If recommended for approval, the request will be sent to the CBJ Assembly for final consideration. **View the draft plan at any public library, the City Clerk's office at City Hall (155 S. Seward St.), or www.juneau.org/lemoncreekplan.**

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at **http://www.juneau.org/assembly/novus.php**

Now through October 8, 2017

Your comments to the Planner, Jill Maclean will be included in the staff report.

October 9 through 3 pm, October 24

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, October 24, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

After the PC Hearing

Results will be posted online and if recommended for approval, the case will be sent to the CBJ Assembly.

Phone: **(907) 586-0715** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: AME2016 0016
Location.: Lemon Creek Area
CBJ Parcel Viewer: http://epv.juneau.org
Date notice was printed: October 2, 2017

AME2016 – 16
LEMON CREEK AREA PLAN

Planning Commission Public Hearing

October 24, 2017

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Background

- The Comprehensive Plan identifies the need for area plans for Lemon Creek, Switzer Creek and Salmon Creek.

- The Plan is a step in the borough's strategy for influencing change in this area. The *Lemon Creek Area Plan* will form the basis for defining the vision and projects for the Lemon Creek area.

- In 2015, the Assembly tasked CDD with undertaking the *Lemon Creek Area Plan*.

Background

- Per the *Guidelines for the Development or Update of Community-Based Area or Neighborhood Plans*, endorsed by the Planning Commission, CDD conducted an open house on March 10, 2016
  - Solicited interest from the community
  - Provided information on the planning process
  - Requested applications for interested people to serve on the Steering Committee
  - Sought input from the public on what they believe are the Lemon Creek area's boundaries, strengths / weaknesses / challenges / opportunities, and where they live, work and play.

- On April 12, 2016, the Planning Commission appointed the Steering Committee, which included residents, property owners, and business owners.

Steering Committee

STEERING COMMITTEE MEMBERS:

Stephen Johnson, Chair
Michael Lukshin, Vice-Chair
Tom Chard
Daniel Collison
Wayne Coogan
Sandra Coon
Susan Erben
Dave Hanna
Mark Pusich
Patrick Quigley
Michael Short
Paul Voelckers, Planning Commission Liaison

Background

- June 2016, CDD conducted six focus group meetings, including: infrastructure and transportation, natural resources and recreation, business and economic development, human services, history and cultural resources, and city departments.
- September 2016, the Steering Committee began regularly holding public meetings.
- The Steering Committee was presented with background information on the Comprehensive Plan and other relevant CBJ plans; zoning and land use; housing needs; and feedback received from the open house and focus groups.
- This information combined with the chapters drafted by CDD planners, and other relevant CBJ staff, allowed the Steering Committee to formulate informed goals and actions for each chapter of the Plan.

Boundary Map

Background

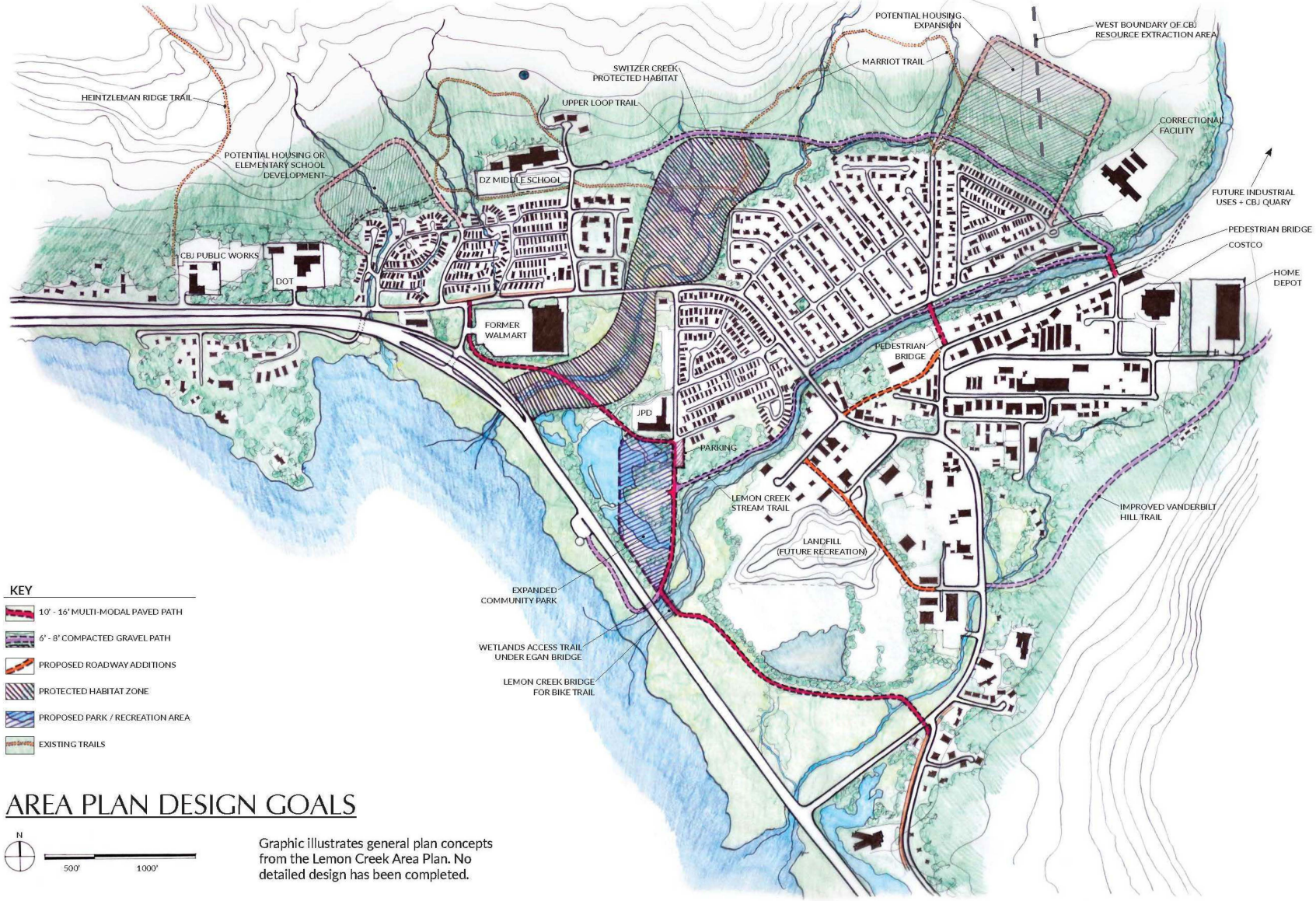
- Public testimony was also taken at each Steering Committee meeting and considered as decisions were voted upon. The Steering Committee approved each goal and action through a consensus building process resulting in a majority vote of the committee.

- On February 4, 2017, a public design workshop was held to seek input from the public primarily on recreation and bike/ped connectivity throughout Lemon Creek.

- MRV Architects worked with CDD to conduct the workshop and led the public through this design process, which ultimately resulted in an overarching design concept – *Area Plan Design Goals*.

- The *Area Plan Design Goals* illustrates the community's vision of how the area should develop over the next twenty years. Features include preservation of the Switzer Creek area, multi-modal paths connecting Lemon Creek to Downtown and the Mendenhall Valley, trails connecting to the Mendenhall State Game Refuge, and potential new streets in the commercial and industrial areas.

Background



AREA PLAN DESIGN GOALS

Graphic illustrates general plan concepts from the Lemon Creek Area Plan. No detailed design has been completed.

Background

- The culmination of this community planning process is the draft *Lemon Creek Area Plan*, which was distributed for a two-week public comment period from July 17 through July 30, 2017.

- CDD staff compiled the comments received and made recommendations to the Steering Committee. At their August 7, 2017 public meeting, the Steering Committee voted on whether to:

  - Amend the Plan in response to the public comments; and

  - Recommend the final draft *Lemon Creek Area Plan* to the Planning Commission for consideration and favorable recommendation to the Assembly.

Steering Committee Priority Actions

STEERING COMMITTEE PRIORITY ACTIONS

The Steering Committee developed a series of implementation priorities which are identified in detail within each chapter of the plan and compiled in *Chapter 8: Implementation* on page 73. The goals and actions identified are necessarily fluid and inter-related, and are expected to evolve over time based on changed conditions, as the Lemon Creek area develops.

For this *Executive Summary*, the Steering Committee identified the highest-priority actions from each Chapter, based on their understanding of area and neighborhood needs. It is important to note that these priority actions do not diminish other actions of the plan, but are intended to emphasize key first steps.

The Steering Committee has prioritized actions and development in the Lemon Creek area as follows:

- Ensure that land use decisions and transportation projects promote neighborhoods and create or enhance buffers between different land uses and/or zoning districts (*Chapter 2: History and Community Character*).
- Identify an appropriate future location(s) for the landfill or transfer facility (*Chapter 3: Land Use*).
- Improve Capital Transit bus schedules and routes through Lemon Flats and near anchor businesses that support shift work schedules (*Chapter 7: Economic Development*).
- Pursue and foster projects that "knit" the Lemon Creek area together such as greenways, pedestrian bridges over Lemon Creek, and the creation of public parks (*Chapter 2: History and Community Character*).
- Develop housing targets for the Lemon Creek area, as recommended by the *Housing Action Plan*, consistent with recommended zone changes identified in this plan (*Chapter 4: Neighborhoods and Housing*).
- Allow for industrial and commercial growth in strategically located areas (*Chapter 3: Land Use*).
- Protect resource extraction as a critical industry and educate the public on its benefits to the community, such as lower development costs and flood protection (*Chapter 6: Natural Resources and Recreation*).
- Pursue making CBJ gravel and organic waste disposal resources in the Lemon Creek area available to the private sector (*Chapter 7: Economic Development*).
- Advocate for the extension of Glacier Highway to Egan Drive at the McNugget intersection (*Chapter 5: Transportation and Infrastructure*).
- Preserve, protect, and enhance the Switzer Creek watershed; specifically ensure that Switzer Creek stream buffers remain undisturbed (*Chapter 6: Natural Resources and Recreation*).

COW COMMENTS

- On September 26, 2017 the Planning Commission's Committee of the Whole held a public meeting to discuss the draft plan.

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Chapter 8 Implementation		
	Economic Development Goal 1 Action 5 is repeated - delete bolded version	86

Staff Recommendation

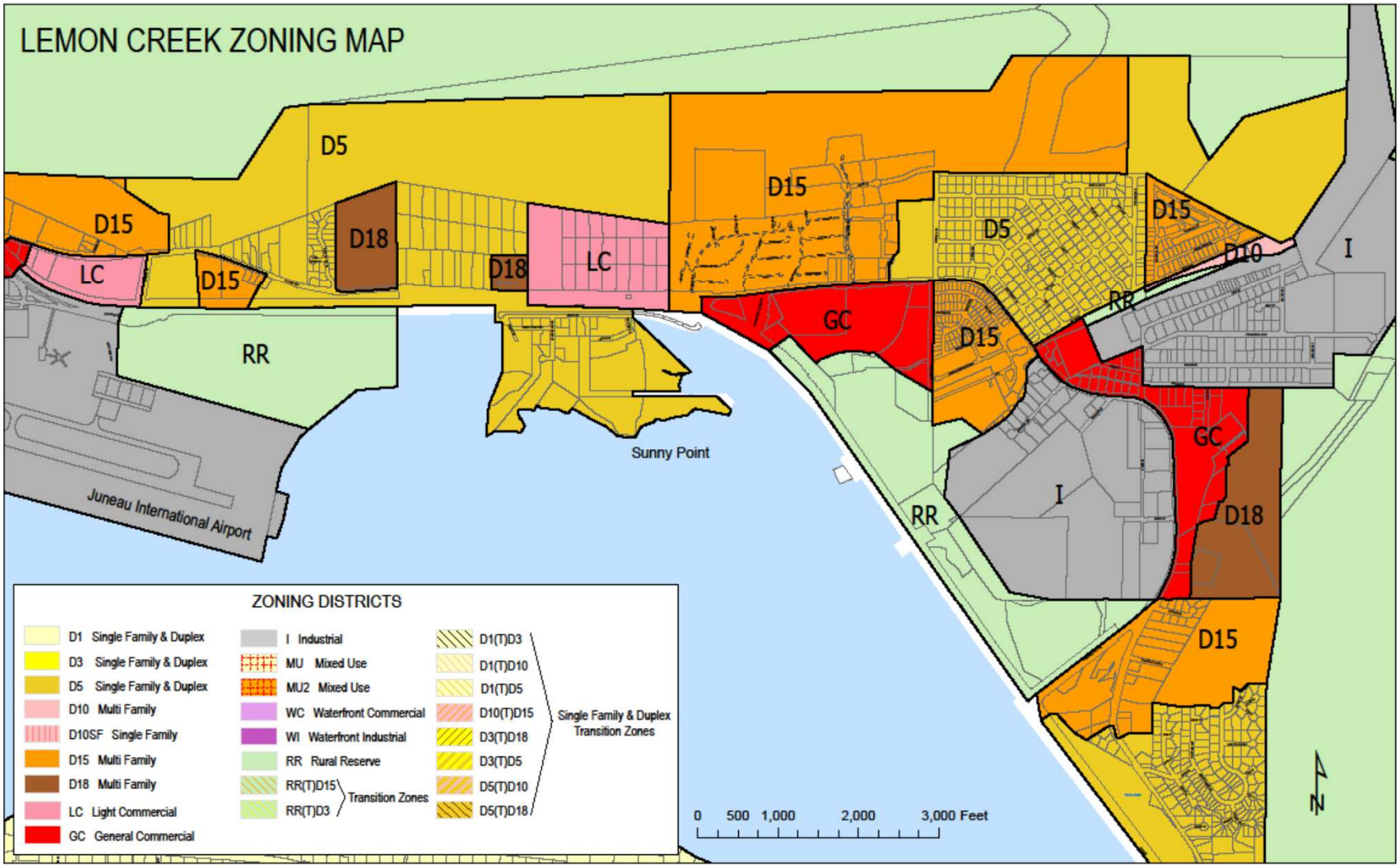
Staff recommends that the Planning Commission review and consider the draft *Lemon Creek Area Plan* and recommend to the Assembly its adoption as an addendum to the Comprehensive Plan.

AME2016 – 16
LEMON CREEK AREA PLAN

QUESTIONS?

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Zoning Map



Note: This is not an adopted zoning map. This is for general reference only.

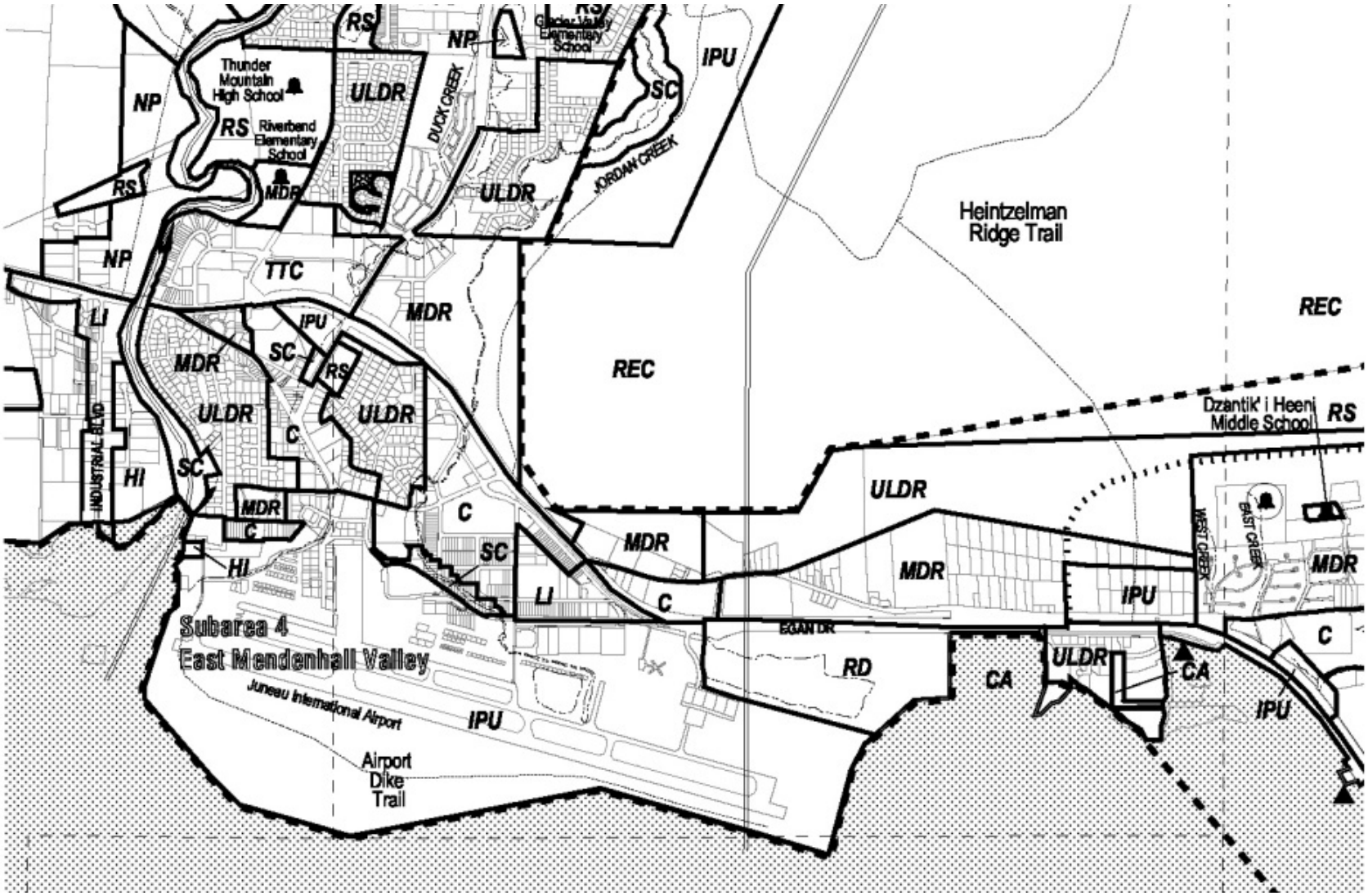
Compliance with the Comp Plan

The Comprehensive Plan (Chapter 11) identifies the need to conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas. The draft *Lemon Creek Area Plan* complies with the Comprehensive Plan, and specifically with Chapter 11 Land Use Maps G and H.

- Map G – Subarea 4: East Mendenhall Valley and Airport includes a portion of the Lemon Creek Study Area along 7 and 8 Mile Glacier Highway.
    - The draft Lemon Creek Area Plan does not make any rezoning recommendations in this area and the draft plan is compliant with the Land Use Designations of Map G.
- Map H – Subarea 5: Switzer Creek, Lemon Creek, & Salmon Creek includes the majority of the Lemon Creek study area, in addition to the Salmon Creek area which is not part of this planning process.

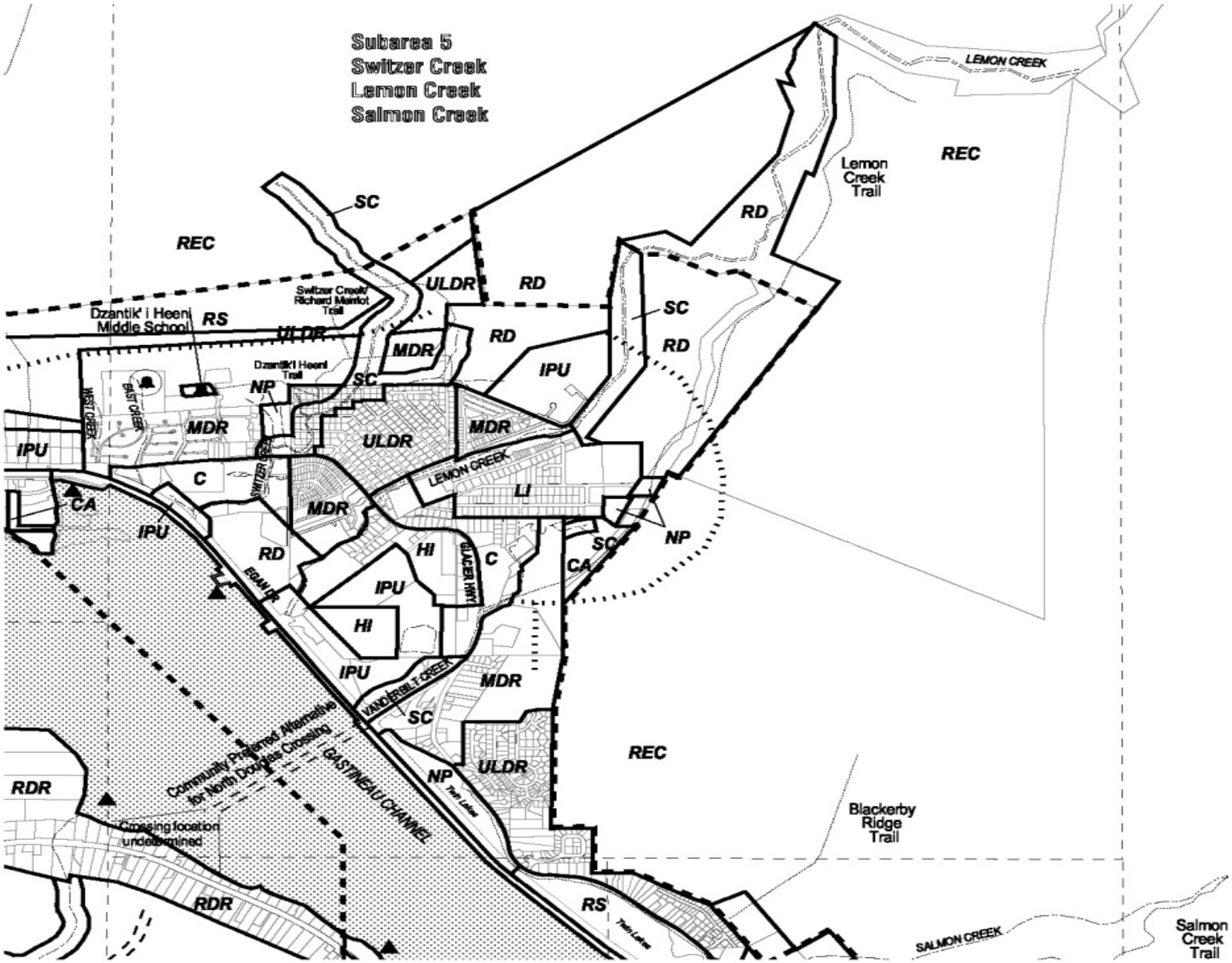
Comp Plan & Land Use

Map G



Comp Plan & Land Use

Map H



Compliance with the Comp Plan

Subarea 5 Guidelines and Considerations includes 15 guidelines (see Attachment C) of which Guideline 1 is to:

- "Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian- and bicyclist- related safety improvements, and (5) reduce incompatible uses and minimize or mitigate adverse impacts of such incompatible uses related to air quality (noise, dust, fumes, odors), public safety and natural resource protection".

  - The draft *Lemon Creek Area Plan* makes several rezoning recommendations in Subarea 5 and these recommendations are compliant with the Land Use Designations of Map G.

Compliance with the Comp Plan

- If adopted, the *Lemon Creek Area Plan* would be an addendum to the Comprehensive Plan.

- The *Lemon Creek Area Plan* provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability.

- Where the *Lemon Creek Area Plan* and the Comprehensive Plan conflict, or where the *Lemon Creek Area Plan* is more specific, the *Lemon Creek Area Plan* supersedes the Comp Plan.

<u>Findings</u>

Based upon the information presented, the draft *Lemon Creek Area Plan* complies with the Comprehensive Plan.

Compliance with Other Relevant CBJ Plans & Studies

- The draft *Lemon Creek Area Plan* reviewed other relevant CBJ plans and studies, as well as, plans and projects by other agencies.

- The draft *Lemon Creek Area Plan* complies with these plans and studies, and some instances, makes more specific recommendations. For example, Chapter 5: Transportation and Infrastructure notes that a recurring theme of transportation plans in the Lemon Creek area is better connections for bicyclists and pedestrians, and mitigating conflict between the residential and commercial / industrial vehicles. The *Area Plan Design Goals* depicts additional multimodal paths and trails throughout the area, while enhancing the existing bike/ped trails.

<u>Findings</u>

Based upon the information presented, the draft *Lemon Creek Area Plan* complies with other relevant CBJ Plans and Studies.

Planning Commission
(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION
NOTICE OF RECOMMENDATION
Date: November 1, 2017
File No.: AME2016 0016

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding a Text Amendment to Adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan.

Hearing Date: October 24, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 12, 2017, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan with revisions (see table of revisions below).

Attachments: October 12, 2017 memorandum from Jill Maclean, Senior Planner, Community Development, to the CBJ Planning Commission regarding AME2016 0016.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020 (b).

Project Planner: Jill Maclean
Jill Maclean, Senior Planner
Community Development Department

Benjamin C. Haight
Benjamin Haight, Chair
Planning Commission

Filed With City Clerk — November 3, 2017 Date

cc: **Plan Review**

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

Chapter	Comments	Page	Goal & Action May also be Found in Chapter 8 Implementation
Chapter 3 Land Use			
	Goal 1 Action 1 Change "zoning" to "development"	20	76
	Goal 3 Action 4 Delete entire action (regarding housing stock)	21	77
Chapter 4 Housing and Neighborhoods			
	Update info regarding Housing First in the narrative: *The Juneau Housing First Collaborative Forget-Me-Not Manor permanent supportive housing project opened in September 2017. It was an $8.3 million dollar project that combines 32 units of permanent supportive housing and, on-site, the JAMHI Health & Wellness, Inc. Community Health Center that offers healthcare, behavioral health, dental, and pharmacy services for the residents and the community at-large.* *The permanent supportive housing is staffed 24hours, 7-days a week and includes a facility director, benefits coordinator (2), housing specialist (2), a driver, and front desk personnel (5). Studio apartment residences are located on the 2nd and 3rd floors with dining room, kitchen, conference room, meeting rooms, and office space on the ground level. Forget-Me-Not Manor shares a parking lot with the headquarters for the Tlingit-Haida Regional Housing Authority.* (per S. Ciambor, Chief Housing Officer)	25	N/A
	Identify zoning in each neighborhood listed in the narrative	23 - 29	N/A
Chapter 5 Transportation and Infrastructure			
	Goal 4 Action 2 Change Responsible Party from CDD, PC, JPD to JPD only	47	82
Chapter 6 Natural Resources and Recreation			
	Goal 2 Action 2 Change wording to: "*Provide greater scrutiny to compliance of water standards and erosion controls* ."	59	84
	Goal 2 Action 3 add JPD	59	84
Chapter 8 Implementation			
	Add a list of Acronmyns/Abbreviations for Departments, Agencies, Organizations at the beginning of Ch. 8	73	73

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: October 12, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP, Senior Planner
Community Development Department

FILE NO.: AME2016 0016

PROPOSAL: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

ATTACHMENTS

Attachment A – Draft Minutes, Lemon Creek Steering Committee, August 7, 2017
Attachment B – Draft Lemon Creek Area Plan September 2017
Attachment C – Comprehensive Plan Chapter 11 Land Use Maps Guidelines and Consideration for Subarea 4 and Subarea 5
Attachment D – Guidelines for the Development or Update of Community-Based Area or Neighborhood Plans
Attachment E – Draft Minutes from the Planning Commission Committee of the Whole, September 26, 2107
Attachment F – Proposed Revisions

INTRODUCTION

The City and Borough of Juneau Title 49 Land Use Code states in CBJ 49.10.170(a) that one of the duties of the Planning Commission is Comprehensive Plan review. Furthermore, CBJ 49.10.170(d) requires the Commission to "make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan". The Comprehensive Plan and its additions are incorporated into Title 49 at CBJ 49.05.200.

BACKGROUND

The Comprehensive Plan identifies the need for subarea plans within the borough (see Compliance with Comprehensive Plan section, below, and Attachment C). *The Lemon Creek Area Plan* is a step in the borough's strategy for influencing change in this area. The *Plan* will form the basis for defining the vision and projects for the Lemon Creek area. It is a consensus based plan, built through input from residents, local business and property owners, local non-profit groups, and other interested parties.

In 2015, the Assembly tasked the Community Development Department (CDD) with undertaking the *Lemon Creek Area Plan*. In accordance with the *Guidelines for the Development or Update of Community-Based Area or Neighborhood Plans* (see Attachment D), CDD conducted an open house on March 10, 2016 to solicit interest from the community, provide information on the planning process, and request applications from interested people to serve on the Steering Committee. On April 12, 2016, the Planning Commission appointed the Steering Committee, which included residents, property owners, and business owners.

Throughout the month of June 2016, CDD conducted six focus group meetings, including: infrastructure and transportation, natural resources and recreation, business and economic development, human services, history and cultural resources, and city departments.

In September 2016, the Steering Committee began regularly holding public meetings. The Steering Committee was presented with background information on the Comprehensive Plan and other relevant CBJ plans, zoning and land use, housing needs, and feedback received from the open house and focus groups. This information, combined with the chapters drafted by CDD planners and other relevant CBJ staff, allowed the Steering Committee to formulate informed goals and actions for each chapter of the plan. Public testimony was also taken at each Steering Committee meeting and considered as decisions were voted upon. The Steering Committee approved each goal and action through a consensus building process resulting in a majority vote of the committee.

As neighborhoods and areas of the borough differ from each other, the following chapters were seen as relevant to Lemon Creek: History and Community Character, Land Use, Neighborhoods and Housing, Transportation and Infrastructure, Economic Development, and Natural Resources and Recreation.

On February 4, 2017, a design workshop was held to seek input from the public primarily on recreation and bicycle and pedestrian connectivity throughout Lemon Creek. MRV Architects worked with CDD to conduct the workshop and led the public through this design process, which ultimately resulted in an overarching design concept – *Area Plan Design Goals* (see Attachment B - Appendix A: Public Participation).

The Area Plan Design Goals illustrates the community's vision of how the area should develop over the next twenty years. Features include preservation of the Switzer Creek area, multi-modal paths connecting Lemon Creek to Downtown and the Mendenhall Valley, trails connecting to the Mendenhall State Game Refuge, and potential new streets in the commercial and industrial areas.

The culmination of this community planning process is the draft *Lemon Creek Area Plan*, which was distributed for a two-week public comment period from July 17 through July 30, 2017. CDD staff compiled the comments received and made recommendations to the Steering Committee. At their August 7, 2017, public meeting, the Steering Committee voted on whether or not to amend the Plan in response to the public comments (see Attachment B – Draft Lemon Creek Plan, Appendix B: Public Comments). The Steering Committee also voted to recommend the final draft *Lemon Creek Area Plan* to the Planning Commission for consideration and favorable recommendation to the Assembly.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan (Chapter 11) identifies the need to conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas. The draft *Lemon Creek Area Plan* complies with the Comprehensive Plan and specifically with Chapter 11, Land Use Maps G and H.

Map G – Subarea 4: East Mendenhall Valley and Airport includes a portion of the Lemon Creek Study Area along 7 and 8 Mile Glacier Highway. The draft *Lemon Creek Area Plan* does not make any rezoning recommendations in this area, and the draft plan is compliant with the Land Use Designations of Map G.

Map H – Subarea 5: Switzer Creek, Lemon Creek, & Salmon Creek includes the majority of the Lemon Creek Study Area, in addition to the Salmon Creek area which is not part of this planning process. Subarea 5 Guidelines and Considerations include 15 guidelines (see Attachment C) of which Guideline 1 is to:

> *Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian- and bicyclist- related safety improvements, and (5) reduce incompatible uses and minimize or mitigate adverse impacts of such incompatible uses related to air quality (noise, dust, fumes, odors), public safety and natural resource protection.*

The draft *Lemon Creek Area Plan* makes several rezoning recommendations in Subarea 5, and these recommendations are compliant with the Land Use Designations of Map G.

If adopted, the *Lemon Creek Area Plan* would be an addendum to the Comprehensive Plan. The *Lemon Creek Area Plan* provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability. Where the *Lemon Creek Area Plan* and the Comprehensive Plan conflict, or where the *Lemon Creek Area Plan* is more specific, the *Lemon Creek Area Plan* supersedes the Comp Plan.

Findings
Based upon the information presented, the draft *Lemon Creek Area Plan* complies with the Comprehensive Plan.

COMPLIANCE WITH OTHER RELEVANT CBJ PLANS AND STUDIES
The draft *Lemon Creek Area Plan* reviews other relevant CBJ plans and studies, as well as plans and projects by other agencies. The draft *Lemon Creek Area Plan* complies with these plans and studies and, in some instances, makes more specific recommendations. For example, Chapter 5: Transportation and Infrastructure notes that a recurring theme of transportation plans in the Lemon Creek area is better connections for bicyclists and pedestrians and mitigating conflict between the residential and commercial / industrial vehicles. *Area Plan Design Goals* depicts additional multimodal paths and trails throughout the area, while enhancing the existing bicycle and pedestrian trails (see Attachment B - Appendix A: Public Participation). For a complete list of plans and studies, see Appendix C: Referenced Plans and Studies of the draft *Lemon Creek Area Plan*.

Findings
Based upon the information presented, the draft *Lemon Creek Area Plan* complies with other relevant CBJ Plans and Studies.

COMMITTEE OF THE WHOLE
On September 26, 2017, the Planning Commission's Committee of the Whole met to review and discuss the draft *Lemon Creek Area Plan*. Staff presented the draft Plan, the public process, the goals and actions, and the *Area Plan Design Goals* illustration. The Committee of the Whole made minor wording revisions and discussed zoning recommendations but did not make significant changes to the draft Plan (see Attachments E and F).

STAFF RECOMMENDATION
Staff recommends that the Planning Commission review and consider the draft *Lemon Creek Area Plan* and recommend to the Assembly its adoption as an addendum to the Comprehensive Plan.

Lemon Creek Area Plan
Steering Committee
Meeting Agenda
Gruening Park Rec Room

August 7, 2017 at 6pm

I. Roll Call, 6:00 pm

Steering Committee Members Present: Stephen Johnson, Chair; Susan Erben; Sandra Coon; Dave Hanna; Mark Pusich; Wayne Coogan; Daniel Collison

Steering Committee Members Absent: Paul Voelckers, Planning Commission Liaison; Michael Lukshin, Vice-Chair; Patrick Quigley; Michael Short; Tom Chard

Community Development & CBJ Staff Present: Jill Maclean, AICP Senior Planner;
Allison Eddins, Planner II; Bhagavati Braun, Administrative Assistant

II. Review Comments Received from Public Comment Period

Mr. Johnson stated his intentions on how to go through the process. Mr. Pusich asked for a point of order about how to incorporate public participation. Mr. Collison clarified by saying the committee ought to let the public discuss before a vote was held on each item.

Ms. Maclean explained the public comments document in front of the committee, and outlined the first comment from Mr. Heumann.

Ms. Coon asked about Comprehensive Plan maps not agreeing/overlapping. Ms. Maclean clarified that this refers to a later comment.

Mr. Collison asked about the Riveredge Park condos land donation for a park – were there other contributions above and beyond the land? Ms. Maclean said they were to provide easements for open space and put in the trail. They did this and maintained it for some time and maintenance was supposed to be taken over by CBJ, she said. Language that speaks to “playground or trail” and “funds or in-kind services” makes it appear that the developer met what they were supposed to do.

Mr. Collison asked that staff verify that the developer met their contributions, and that the city does not consider that the developer needs to contribute more. Ms. Erben suggested that whatever can be cleared up ought to be put in writing. Instead of stating that we are 90% sure, we should be totally sure and state that they have met their obligation, she said. There will be less gray area, and she advocates that the committee find this for sure. Mr. Coogan said he felt the committee was getting in the weeds and if the committee were to do this for them why not do it for others? Mr. Pusich said that if they have their Certificate of Occupancy, they should have satisfied the conditions. They have maintained it for many years, he said, and suggested the committee move on.

Mr. Coogan said he thought blight shouldn’t be taken lightly because property values are affected. He said he didn’t know if there is anything more to be done at this stage, but it should be acted upon and not just talked about.

Ms. Maclean said she believed this was addressed in the document. Ms. Erben and Ms. Coon both said that if the committee wants to change something there needs to be specific suggestions for language changes at this meeting. Mr. Coogan stated that if Ms. Maclean thinks it has been addressed then he is satisfied.

MOTION: ***by Mr. Collison to amend Chapter 4 Neighborhoods and Housing Goal 1 and Chapter 6 Natural Resources and Recreation Goal 3 by adding an action: "Retain easement at Riveredge Park condos for public trail and park associated with the rezone of this area. Develop trail and park area." - Timeframe is short-term; Lead Responsible Party is CBJ P&R. Mr. Hanna Seconds.***

Mr. Johnson opened the motion for discussion. He stated that the blight issue is already covered.
Ms. Maclean clarified that any comments that the public provided to us – we stated where they were already addressed in the plan. Only addressed things not in the plan.
Ms. Erben said that she feels strongly that we give this public input the seriousness that it deserves. Maybe we could make it stronger.
Ms. Maclean took offence at the suggestion that the committee and staff need to give more time and energy into this. She stated that everyone has worked very hard on these topics and have compiled this document with a lot of care. If there are specific suggestions please share them, but we have put a lot of work into these already.
Mr. Coogan: here is the quote: reads from the Lemon Creek Area Plan.
Ms. Erben said she thinks we could do more.
Mr. Coogan: I don't think it really could – this covers the general problem and doing more is inappropriate.
Mr. Collison: as I understand it there's one motion on the floor and that has to do with the park and the trail. He stated that if Ms. Erben has language that she would like to add to motions she should do so, but her concern seems to be different than the motion on the floor.
Discussion about how the chart is formatted and how to go through the public comments.

Mr. Hanna friendly **this would be the only part of Mr. Heuman's comments we take and move on after this motion passes.**
Mr. Collison did not accept.
Mr. Collison let's talk about this motion and move on – if it's more about this item that's fine.
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson calls for vote
Carries – unanimous

Ms. Erben asked for more time.
Mr. Hanna: respectfully no, we have had time before now – if you are not prepared we should move on.

Mr. Johnson moves onto the next line, comments made by Margaret O'Neal
Ms. Maclean outlines staff work on sheet, all issues are covered in the Plan. No staff recommendation to change.

MOTION: ***by Mr. Hanna to adopt findings of staff and move on. Mr. Johnson seconds.***
Ms. Coon: I think it was addressed.
Mr. Collison **friendly amendment** after seeing a lot of comments relating to D10 SF I came up with new language. In Ch4, Goal 2, Actions 4 and 5 add "which would be more compatible with existing D5 zoning in adjacent Pinewood Park subdivision".

Mr. Hanna **accepts.**
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson calls question
Passes – unanimously

Ms. Maclean outlined the next comment, from Richard Harris, and staff findings. She clarified that the boundaries were chosen though the public process, that's why the Ridgeview Subdivision is included in the study area. Staff has made sure these recommendations all comply with the Comprehensive Plan.

MOTION: ***by Mr. Hanna to adopt staff's findings and move on. Mr. Pusich seconded.***
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson calls question – Motion carried with Mr. Coogan opposed

Ms. Maclean outlined the comment from Daniel Nore and staff findings, additionally she Outlined CBJ comments about the area, these are noted in the CBJ Comments section of the document.
Ms. Coon stated that on the corner of Pine and Central off of Glacier Highway it is extremely dark at night. Mr. Johnson said this may be covered on the new DOT road plan.
Ms. Coon said that since these people made comments – it should be addressed.
Mr. Pusich asked Ms. Maclean, didn't we talk about this in the document?
Ms. Maclean – not sure immediately, did talk to public works about this.
Mr. Collison requested that if someone had a specific motion, they please bring it forward.

MOTION: ***by Mr. Pusich to adopt comments and staff's findings. Mr. Collison seconded.***
Mr. Johnson invites public to participate:

> Marcy Larson – increased light and safety is something that the Alaska Brewing Company has talked about. Streetlights are important especially when you have children.

Ms. Erben said this was true, especially when there are needles and drug users that can take our neighborhood down in a second. Unfortunately I didn't prepare that much, she said, but I think that it's a shame if we don't address because people have made the comment that we aught to address it.
Mr. Coogan **friendly** we ask staff to find the appropriate place to put the recommendation that the city explore neighborhood residents concerns regarding street lighting. (Ms. Maclean suggested it could go into Chapter 4, Goal 1)
Mr. Pusich **accepted**
Mr. Collison asked Mr. Coogan if his suggestion is for the narrative or a goal
Mr. Coogan left it up to staff
Mr. Hanna: Ms. Maclean has already identified a good spot – might also include in Ch 5, Goal 3 – but we should leave it up to them.
Mr. Johnson called the question
Motion carries - unanimous

Ms. Maclean outlined comment from Anonymous and staff findings. Outlines CBJ comments about the area.
Ms. Erben wants to clarify who is CBJ employees etc from emails.
Ms. Coon clarified that this question about environmental issues was brought up by an anonymous commenter.
Ms. Erben: they need to complain to another place – city should pass comment on to DEC.
Mr. Johnson asked Ms. Maclean if she would pass the comments on to DEC.
Ms. Maclean said she would.

MOTION: ***Mr. Hanna moves to adopt comments and staff findings. Mr. Pusich seconds.***
Mr. Johnson invites public to participate – no public comment.
Mr. Johnson called the question
Motion carries - unanimous

Ms. Maclean outlined comments from John Blasco, representing Alaskan Brewing Co. and outlined staff comments.
Ms. Erben: what is the DBA
Downtown Business Association

MOTION: ***Mr. Hanna moves to adopt staff findings and recommendations. Mr. Collison second.***
Mr. Coogan "encourage common walls" have we talked about that?
Ms. Maclean – yes, outlines a bit of what was talked about – more wrapped into density question regarding topography of the land
Mr. Collison: Mr. Hanna is your motion about the whole line or just the recommendation?
Mr. Hanna: all of it
Mr. Johnson asks AK Brewing about common walls

> John Blasco – workforce housing, enjoyable and attractive, is what we would like to see. Could be affordable and good for people who could be our employees. Encouraging workforce housing style.

Ms. Erben I like to keep it to two homes (e.g.: duplexes), without bringing our property downhill
Ms. Coon stated that common walls won't necessarily bring property values down
Mr. Pusich disagreed with Ms. Erben: I don't think we're taxed with limiting development – I think the brewery is asking for us to be open to workforce housing, we shouldn't be getting that restrictive.
Ms. Erben I think it's important that we protect our neighborhoods and not make them very dense, and we've let the city do all these high zonings, and our value is going to go down like crazy. I feel like we're held up against the wall and the city is saying "you have to do this" and I think this is just going to go downhill. We didn't get any D5. I feel like we're in a corner.
Mr. Hanna **amend – the comments are valuable, and the recommendation for common wall dwellings are good, on Ch 4, Goal 1 add "this may include allowing common-wall development in some zonings"**
Mr. Collison ask the chair if we could ask the Brewing Co. if our motion address their concerns.

> Mr. Blasco – yes
> Ms. Larson – yes, we mostly had questions, we think they have been well addressed. We would add the word "economic" before "incentives" in the staff recommendation. She also asked a question about LCBA and a difference with DBA

Loren Jones clarified that the DBA sets their own rules, not a City entity.
Mr. Johnson clarified that the LCBA doesn't exist

> Ms. Larson: but it's referred to in the plan

Ms. Maclean – the Plan recommends the creation of the Lemon Creek Business Association (LCBA)it is understood that it doesn't currently exist. Outlines where it falls into the plan. Hopes for how they might influence the city and the Lemon Creek area.
Mr. Coogan **friendly** add "optional" after "potential"
Mr. Hanna did not accept
Mr. Collison friendly add "economic" to motion in chart (as suggested by Ms. Larson above).
Mr. Hanna accepted
Mr. Hanna clarified: it's just suggesting that this could be done. If may never happen, if it does it could have these people, but it doesn't have to.
Mr. Coogan **friendly** strike responsible party JEDC or Chamber from what is in the table.

Mr. Hanna did not accept
Marcy – was there a place for community center?
All – no
Mr. Johnson calls the question
Motion carries - unanimous

Ms. Maclean outlines comments from Llewellyn Lutchansky and Staff recommendation.s
MOTION: *Mr. Hanna* ***move to find staffs findings thorough and accurate and adopt findings as they are. Mr. Collison seconded.***
Mr. Hanna believe these comments may be due to a breakdown in communication because we were talking about more than low income housing – I think our work was misinterpreted and we did address all housing.
Mr. Coogan: no staff recommendation so there will be no action here.
General agreement
Ms. Erben would like to see the addition of senior upper and medium income housing.
Mr. Hanna doesn't see the need.
Mr. Johnson calls the question
Motion carries – Ms. Erben against

Ms. Maclean outlines comments from Leo Lutchansky and Staff recommendations.
Mr. Collison stated that there was no specific language suggested, and no place to put this.
Ms. Maclean: this is more support and identifying that we reviewed and looked at it, no actual proposal.
Mr. Collison: is there actually language in the Goals and Actions specific to advocating for the output of the public workshop?
Ms. Maclean: the actions hit on everything, but there is no action actually advocating support for the Vision Plan.
Mr. Collison I could support an action item about supporting the Vision Plan, something like "Support (the development and maintenance of) open space and trials as depicted in the Lemon Creek Area Vision Plan"
Mr. Johnson: if all of the issues it addresses are in the Plan separately we don't have to do this. I don't want to adopt the vision plan solidly because it's fluid.
Mr. Coogan Chapter 6, Goal 3, Actions 1 and 4, don't these cover the issues?
Mr. Collison agreed, it looks like the actions already speak to this.
Ms. Maclean these actions were ones that directly came from the chart from the public design workshop. It is the plan combined.
Ms. Erben suggested adding "**including input from the Lemon Creek Area Vision Plan**" at end of Goal 3, Action 1 think it makes it stronger if it's named.
Mr. Hanna we had this discussion earlier and there was a lot of agreement that the vision isn't very clear and not a universal agreement, let it be a guide, not a dictate. I would not vote for that motion. It's critical that we include the vision, and the basic ideas of what are desired, which the plan does. Shouldn't muddy the waters.
Ms. Erben "continued input" is listed, it makes is stronger if we name it.

MOTION: ***Ms. Erben moved to add "including input from the Lemon Creek Area Vision Plan" at the end of Goal 3, Action 1. Ms. Coon seconded.***
Mr. Johnson called the question
Motion carries – Mr. Johnson and Mr. Coogan opposed

Ms. Erben suggested that staff add ideas about density/street construction be integrated into the Plan where appropriate.
Mr. Pusich: the city has laws and regulations about these – these things to make the neighborhood "more attractive" these are already in play. There may be exceptions, and the laws here may be changed, it might not be feasible.
Ms. Erben expressed concerns about sidewalks and underground utilities, buried storm drainage.
Mr. Pusich clarified these issues for Ms. Erben.
Ms. Erben asked staff to find a place in a goal to say that we would like to strive that all utilities are going to be underground.
Mr. Collison: Ms. Erben is identifying a motion to act on. If no one is willing to second let's move on.

MOTION: ***Ms. Erben moves to direct staff to find a place in a goal or someplace that would add a little part about "to direct the city to do what it can for buried utilities" "to achieve buried utilities wherever possible"***
Ms. Maclean asks to interject.
Ms. Erben OK
Ms. Maclean this type of requirement would be difficult legally to implement these only in the LC area Additionally if we look under land use goal Mr. Johnson, action Mr. Coogan, action Ms. Erben, these get at the issues. What you're saying plus more.
Mr. Johnson do we have a second?
Mr. Coogan seconded
Mr. Coogan friendly should be at least 48 inches deep
Ms. Erben not accepted
Mr. Johnson called the question
Motion fails – Ms. Erben in favor

Ms. Erben would like to change "Lemon Flats" to "Lemon Valley". It may have been used, but it's not a common term.
MOTION: ***Ms. Erben moves to change "Lemon Flats" to "Lemon Valley". Mr. Coogan seconded***
Mr. Johnson called the question
Motion fails – Ms. Erben in favor

MOTION: ***Mr. Collison moves to adopt staff's review and strike the recommendation. Mr. Hanna seconded.***
Ms. Erben doesn't want more waste in the Lemon Creek area. Is it going to be a second dump?
Mr. Hanna: Mr. Lechansky could be misinformed. It's not another garbage dump. Mr. Hanna gives some more detail, it's not toxic, it's not a garbage dump, regulated by DEC, relatively benign materials.
Mr. Coogan ready to vote – concerns of public member are unfounded.
Mr. Johnson calls the question
Motion carries – Ms. Erben opposed

Ms. Maclean outlines comments from Brady Fink, and Staff recommendations.
MOTION: ***Mr. Collison moves to adopt staff's review. Mr. Pusich seconded.***
Mr. Johnson calls the question
Motion carries – unanimous

Ms. Maclean outlines comments from Steve Haaviq and Staff recommendation – needs to be a borough wide issue – it's at a higher level, and is being addressed.

MOTION: ***Mr. Coogan motion to adopt Staff review. Mr. Pusich seconded.***
Mr. Johnson calls the question
Motion carries – unanimous

Ms. Maclean outlines comments from Irene Gallion and Staff recommendations.
MOTION: ***Mr. Collison moves to adopt staff review. Ms. Coon seconded.***
Ms. Erben worried that she is the first person to say the dump is a benefit. Everybody hates it.
Ms. Maclean – outlines CBJ Engineering and Public Works (E&PW) comment which addresses the dump.
Mr. Pusich should we take action on that as well now?
Mr. Collison: I'm saying let's accept this one and move on.
Mr. Coogan motion is to accept Irene's comment line, the E&PW line really isn't telling us anything that's new under the sun. We covered the dump thoroughly in the Plan. Sounds like E&PW is saying to leave well enough alone, it looks like this comment is tempering the need to change landfill.
Ms. Maclean clarified that the E&PW recommendation would make no change to actions – it would be integrated in the chapter for context.
Mr. Pusich: respect your point – under Goal 2 there are still strong points about landfill. This language doesn't change our actions wont lessen our impact
Mr. Collison amended his motion – strike recommendation – include "see CBJ engineering comments for related information"
Mr. Coogan we don't need to add anything here. This is probably the most sensitive subject and why are we letting bureaucrats tamper with it?
Ms. Erben: the narrative was so long ago that I would have to review it.
Mr. Hanna: there is a motion on the floor which has been seconded, and it takes out the suggestion that we put that language in.
Mr. Johnson calls the question.
Motion carries – unanimous

Ms. Maclean outlines comments from Alex Ditcharo and Staff recommendations.
Ms. Erben wanted to know if he was public or city. (public)
MOTION: ***Mr. Collison moves to accept Staff's review. Mr. Pusich seconded.***
Mr. Johnson asks public for input.
Ms. Larson expressed concern that a second access was not listed in the Plan.
Ms. Maclean clarified that the Plan does address second access a number of times.
Mr. Johnson calls the question
Motion carries – Mr. Coogan opposed

Ms. Maclean outlines comments from Amy Sumner, and Staff recommendations.
Question about if it was as a public person or in her capacity in a field – unsure staff will review. (Staff found that she was acting on behalf of Juneau Watershed Partnership and her comments are reflected as thus in the final Plan.)
MOTION: ***Mr. Collison moves to adopt Staff review of Ms. Sumner's comments and associated recommendations, and that staff follows up and asks if she was commenting as an individual or in professional capacity. Mr. Hanna second.***
Mr. Johnson: are we harming gravel extraction with these recommendations?
General agreement: no.
Ms. Erben wants to make creeks not impaired.
Ms. Maclean: committee did agree to what is currently in the plan – after extensive discussion.
Ms. Erben would like to see more about repairing watersheds.

Mr. Coogan **friendly – remove asking Ms. Sumner if she was commenting as an individual or as a professional.** ***Not seconded.***
Ms. Maclean suggestion – will call and clarify, this will change location in chart.
Mr. Coogan was pleased with this change.
Mr. Johnson calls the question
Motion carried – Ms. Erban opposed

Ms. Erben: is there a place where we could add a couple words that we still want to work to not throw the towel in on Lemon Creek (water body).
Mr. Hanna clarified that this was in the motion that just passed.
Mr. Pusich: in addition, lists other action Ch 6, Goal 2. Covers this issue.

Ms. Maclean outline comments from CBJ Parks & Recreation (P&R) and Staff recommendations – recommendation to add item to both chapters because the issues is covered in the narrative of both chapters.
MOTION: ***Mr. Pusich moves to adopt Staff findings and recommendations. Mr. Hanna seconds.***
Mr. Hanna expressed a little "heart burn" on their comments on non-motorized recreation. In public comment on P&R the highest scoring item on improvements was off-road motorized recreation.
Ms. Erben: there is the whole Borough to do that, it doesn't have to happen in the Lemon Creek area.
Mr. Hanna expressed a general comment about P&R not listening to public on motorized recreation.
Mr. Johnson calls the question
Motion carries – unanimously

Ms. Maclean reviewed comments from CBJ Engineering (E&PW) and Staff recommendations
Mr. Collison: this language has not been added yet.
Ms. Erben: where would it go so we can read that real fast?
Additional language would be located on p. 20 above relevant plans and studies.
MOTION: ***Mr. Coogan moves to delete the recommendation and move that we will not regard this recommendation. Mr. Johnson seconded.***
Ms. Erben **friendly to remove the last part – leave the recommendation blank.**
Ms. Erben uncomfortable with unfamiliarity with the document
Mr. Coogan: they're talking about the landfill in glowing terms, it's manipulative, I have throttled back my ire.
Mr. Johnson calls the question.
Motion carries – Ms. Erben opposed

Ms. Maclean outlines comments from CBJ Engineering – Quarry, and Staff recommendations.
MOTION: ***Mr. Hanna moves to remove recommendations from this comment, and accept the rest of the row. Mr. Coogan second.***
Mr. Hanna: when we first did this [made a recommendation to consider selling CBJ gravel to the public sector] we knew that staff would have heartburn on this and they did. I see no need to water it down.
Ms. Erben: I think we should adopt this recommendation, but I think that we should have it open enough that we aren't tying things down.
Mr. Coogan: addressing this we have already vetted this issue thoroughly. The action says "pursue" it isn't pinning anything down.
Mr. Johnson calls the question
Motion carries – Ms. Erben and Mr. Collison opposed

MOTION: ***Ms. Erben moves to add "after gathering public input" at the end of current action (Ch 7 Goaln2, Action 10). No second.***

Ms. Maclean outlines comments from CBJ Lands & Resources (L&R), and Staff recommendations. She added that Mr. Voelckers can add extraction area to the Lemon Creek Area Vision Plan.
MOTION: ***Mr. Hanna moves to adopt staff findings and recommendation not accept recommendation on conducting a community dialogue. Mr. Johnson second.***
Mr. Collison: I appreciate that they want to appreciate that they want this on the plan, but should also be on the map in the housing section.
Ms. Maclean clarified that there is an updated map which clearly defines area 3 (per L&R concerns).
Mr. Collison where would it be in the Vision Plan?
Ms. Maclean clarified that the Vision Plan is conceptual, gives general vicinity, there are no property lines so it can't get very specific.
Mr. Johnson calls the question
Motion carries – Mr. Collison and Ms. Erben opposed

Ms. Maclean outlines comments from the Alaska Department of Fish and Game (ADF&G) and Staff recommendations.
MOTION: ***Ms. Erben moves to accept Staff findings and recommendations. Mr. Hanna seconded.***
Mr. Collison: there are lots of issues regarding landfill – concerned that we're adding language that puts a spotlight on bear problems, we have other concerns about the landfill.
Ms. Erben withdraws motion
MOTION: ***Mr. Collison moves to accept Staff findings, striking recommendation. Mr. Coogan second.***
Mr. Collison clarified that the existing goal remains.
Ms. Erben further voice to bears not being the main problem about the dump.
Mr. Johnson calls the question
Motion carries – unanimous

Ms. Maclean outlines comments from the Alaska Department of Transportation, Southcoast Region (AKDOT&PF) and Staff recommendations.
MOTION: ***Mr. Pusich moves to approve recommendation and analysis. Mr. Hanna second.***
Mr. Johnson calls the question
Motion carries – Unanimous

<u>III. Public Participation</u>
Ms. Larson – proposed Vision Plan map appears several times, and it seems like that is "the plan" just an observation. Perhaps rename for clarity.
Well done. Thank you, really good finished project, impressive work.

Ms. Erben would like to add narrative comments from table 4 to the public participation chapter.

Mr. Collison: given the public comments should we change the name? Maybe "Lemon Creek Plan as envisioned by community members of the date public design workshop"
MOTION: ***Mr. Hanna moves to rename vision plan "visioning done at public design workshop"***
Mr. Collison could we say "suggested recreational activities"
Mr. Coogan second
Some discussion about different ideas for the new name ensued.

Mr. Johnson calls the question
Motion carries – Ms. Erben opposed

It was recommended that Chapter numbers be added to footers.

IV. Recommend DRAFT Lemon Creek Area Plan to the Planning Commission

MOTION: ***Mr. Pusich moves to approve plan as modified tonight, and send to the Planning Commission. Mr. Coogan second.***
Mr. Johnson calls the question.
Motion carries – unanimous

V. Review Next Steps

Ms. Maclean outlined next steps:
The Plan will likely be heard first at a Committee of the Whole (COW) meeting at 7:00 on 9/12, this would be a work session. The public hearing will probably happen at the following Planning Commission meeting on 9/26. [These dates changed after this meeting.]

Mr. Coogan comment – as they're wrapping it up Staff have freedom to do clerical and design improvements without changing content.

Mr. Collison making neighborhood association great again. How they can the group further the action items?
Ms. Maclean: there will be public notification once adopted. Neighborhood Association was listed on last notice with a call to respond if residents were interested in joining, only one response. CBJ may work with the association to get the word out, but the association should take the lead.
Mr. Collison: envisioned identifying a date and location, and the city could help advertise. Announcement could add action items that we want to highlight. Asks about timeline for adoption.
Ms. Maclean outlined the timeline: the Planning Commission will hear it in late September, could send back to committee or recommend to the Assembly, it will then go to the Assembly for two more hearings before it could be adopted.
Mr. Collison when's the soonest it could be heard by the Assembly?
Ms. Maclean probably late November or December.
Mr. Collison would like to start revitalizing the association earlier.
Ms. Maclean clarified that the actions cannot be advertised as official city stance until adopted by the assembly – the neighborhood association could jump in and do anything at any time.
Mr. Coogan suggested using the app Next Door.

VI. Adjournment

The meeting was adjourned at 9:15 pm.

Attachment B – Draft Lemon Creek Area Plan, September 2017

This attachment can be found on-line at http://www.juneau.org/lemoncreekplan/, or in hard copy at any Juneau Public Library, the City Clerk's office in City Hall (155 S. Seward Street), or at the Community Development Department, 4th floor of the Marine View Building, 230 S. Franklin Street.

Guidelines and Considerations for Subarea 5:

1. Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian- and bicyclist-related safety improvements, and (5) reduce incompatible uses and minimize or mitigate adverse impacts of such incompatible uses related to air quality (noise, dust, fumes, odors), public safety and natural resource protection. (***The Draft Plan addresses these issues***).
2. Provide for additional medium- to high density residential development in areas with access to arterial roadways from collector streets. Encourage the efficient use of land by allowing non-family housing, such as for students, single-adults or seniors, in mixed use districts within shopping centers or malls. Increase building height limits and decease or eliminate parking requirements for such residential developments where adequately served by public transit. (***See Chapter 3 Land Use and Chapter 4 Neighborhoods & Housing***).
3. Restrict residential development in areas where off-site impacts of sand and gravel extraction operations, such as noise, dust, heavy truck traffic, would adversely affect residents unless it were assured that residents of the proposed housing would not be so adversely affected, such as for transition or temporary housing. (***See Chapter 5 Transportation & Infrastructure and Chapter 6 Natural Resources & Recreation***).
4. Provide a safe pedestrian and bicycle circulation system in the Lemon Creek and Switzer Creek areas, per the Area Wide Transportation Plan, the 2009 Non-Motorized Transportation Plan, the Safe Routes to Schools plan, and Chapter 8, Transportation, of this Plan. (***See Chapter 5 Transportation & Infrastructure).***
5. Protect access to Lemon Creek Trail, Salmon Creek Historic Trail and Heintzleman Ridge Trail. (***See Chapter 2 History & Community Character and Chapter 6 Natural Resources & Recreation***).
6. Encourage the construction and/or retention of a buffer and initiation of a beautification effort along all major roads. (***See Chapter 2 History & Community Character, Chapter 5 Transportation & Infrastructure and Chapter 6 Natural Resources & Recreation***).
7. Reserve wetlands and tidelands in public ownership for fish and wildlife habitat and open space/natural areas. (***See Chapter 4 Neighborhoods & Housing and Chapter 6 Natural Resources & Recreation***).
8. Designate CBJ-owned areas outside the Salmon Creek Dam inundation hazard area for Bartlett Regional Hospital expansion hospital and related medical facilities. (***Not addressed in the Draft Plan – the Bartlett Regional Hospital campus was not considered part of the Lemon Creek area***).
9. Allow for expansion of state office complex facilities adjacent to existing offices within public/institutional land use designation areas west of Switzer Creek but not along shoreline areas. (***See Chapter 3 Land Use and Chapter 4 Neighborhoods & Housing***).
10. Identify sufficient land to accommodate commercial and industrial uses. Adjust the boundary between commercial and industrial lands in the Vanderbilt-to-Lemon Creek area to account for current conditions and market demands. Provide additional buildable land for heavy industry and prohibit higher intensity uses, such as retail, office and residential

uses, within the heavy industrial areas. (***See Chapter 3 Land Use, Chapter 4 Neighborhoods & Housing and Chapter 7 Economic Development***).

11. Renninger Road serves a CBJ school and water reservoir and an affordable rental housing development and could further be used to access other CBJ lands suitable for development of affordable housing. (***See Chapter 4 Neighborhoods & Housing***).
12. Jordan Creek, Lemon Creek and Vanderbilt Creek are listed as impaired water bodies by the Alaska Department of Environmental Conservation (DEC) and, therefore, careful review of all future development proposals that could affect the volume, velocity, cleanliness, and overall water quality of these creeks and their watersheds and tributaries is warranted. Coordinate all development within the sphere of influence of Jordan, Lemon and Vanderbilt Creeks with DEC to ensure that development meets the guidelines of the creeks' restoration plans, called the TMDL Document. (***See Chapter 6 Natural Resources & Recreation***).
13. The Parks and Recreation Comprehensive Plan, Chapter 8, recommends a number of parks, trail, community garden and stream corridor improvements. Those recommendations include: (a) construction of a coastal trail along Egan Drive or along the "inside" or north side of Egan Drive, connecting Sunny Point to neighborhoods to the east and west; (b) Upgrade the Dzantik'i Heeni Middle School and the Switzer Creek/Richard Marriott trail; (c) construct a covered basketball court/play area at Dzantik'i Heeni Middle School; (d) reserve a stream corridor on Switzer Creek; (e) resolve Lemon Creek Trail issues; (f) develop an All-Terrain-Vehicle (ATV) or Off-Highway Vehicle (OHV) course in the Upper Lemon Creek area; (g) develop a trail from the Sunny Point intersection to the Pioneer's Home intersection and along the Pioneer's Home marsh with an accessible viewing platform for bird watchers; (h) protect access to the Heintzleman Ridge trail; (i) review the area for suitability for mini-parks; (k) establish a community garden area; (l) study the Lemon Creek area for suitable park sites; and, (m) continue ADA improvements at Twin Lakes. (***See Chapter 2 History & Community Character, Chapter 6 Natural Resources & Recreation and Appendix A Public Participation Lemon Creek Vision Plan***).
14. Identify historic and cultural resources within the subarea. Projects that may impact historic resources identified within this subarea are to be reviewed by the Historic Resources Advisory Committee (HRAC) prior to issuance of a permit. Where new historic or cultural resources are discovered or identified, the Juneau-Douglas City Museum should be contacted immediately for documentation and technical assistance toward preservation and/or curating of the resource. The demolition or removal of historic resources should be avoided and should only occur when no other option for its preservation or relocation to a suitable site exists. (***See Chapter 2 History & Community Character***).
15. Since views of the water are a highly-rated value by residents, buildings in the (WCI)-designated areas should be situated or oriented to retain views of the water between buildings. (***See Chapter 4 Neighborhoods & Housing, Chapter 6 Natural Resources & Recreation and Appendix A Public Participation Lemon Creek Vision Plan***).

Attachment D

GUIDELINES FOR THE DEVELOPMENT OR UPDATE OF COMMUNITY-BASED AREA OR NEIGHBORHOOD PLANS

Request for Area or Neighborhood Plan:

The development or update of community-based area or neighborhood plans should be initiated by direction of the Assembly, the City Manager, and/or the Director of the Community Development Department (CDD). The Planning Commission (PC), neighborhood associations, and other interested groups may make recommendations to the Assembly.

Scheduling:

Community-based planning initiatives may be scheduled on an individual, case by case basis, and may be undertaken with consideration of staff availability and workload. Efforts should be made to complete the planning initiatives within 18-to-24-months of commencement, and may vary upon complexity of the issues and the plan.

Staff assistance for the planning effort and boundaries of the affected area should be approved by the Director. The boundaries of the affected area should be drafted by the Planning staff with direction from the Steering Committee and input from the public.

Notification & Planning Team Appointment:

Upon PC approval of the planning initiative, a Steering Committee should be established. The CDD should notify the public via a newspaper of general circulation, the City and Borough's website, social media, and other means appropriate (i.e. external business or agency newsletters) that a steering committee is being formed and that any member of the public fitting the criteria of the affected planning area initiative is encouraged to apply. The Director, with input from Planning staff, should recommend a slate of stakeholders from the affected area representing residents, property owners, business owners, education, youth, and other relevant groups to the PC. The steering committee should be comprised of no more than eleven members depending on the planning initiative. A PC member as well as the Assembly member from the affected district, may act as liaisons to the steering committee, and should not be considered voting members.

The steering committee members should reside in or own property within the affected area, or own a business or other community agency within the affected area; and commit to the following:

- Volunteer their time and commit to attending meetings for the planning initiative;
- Commit to consider compromises that may assist in managing conflict and building consensus;
- Listen to and consider testimony from the public and government agencies;
- Commit to develop a plan that represents the affected study area;
- Commit to distributing accurate information to other community members and clarifying misunderstandings or misperceptions.

Should any steering committee member fail to meet the commitments outlined above, miss 50% of the steering committee meetings, or miss three meetings in a row, the member may be removed by the Director.

Steering Committee & Public Outreach Methods:

Upon approval of a planning initiative, Planning staff may conduct research, inventory resources, and prepare background text, base maps, and other related items that may be useful for the needs of the steering committee. The information may be prepared in draft format and provided to steering committee members in advance of the first steering committee meeting. Planning staff should determine which public engagement methods may be utilized throughout the planning initiative in order to identify issues and concerns within the affected area.

Steering committee meetings and public engagement sessions should be advertised at a minimum with the newspaper of general circulation, and on the City and Borough's website. Property owners, registered voters, registered neighborhood associations, and current residents located within the affected area should be notified by mailing that a planning initiative is being undertaken and public sessions are scheduled. Additional public outreach is strongly recommended, such as notification provided to business owners operating within the affected area, public notification posted on public information boards when available, notification sent home with schoolchildren, notification included in utility bills, PSAs on local radio, and other appropriate methods that may be identified. If specific dates are not known, a general description of the project, a phone number, and email contact should be provided for more information.

Planning staff should hold public sessions within the affected area at locations that are ADA accessible. Planning staff should facilitate all public sessions, including steering committee meetings, and public input should be taken at a designated time during each session. Recommendations may be made by the steering committee, and votes should require a simple majority. This allows the steering committee to hear from the public, discuss issues and concerns, and make recommendations based upon a full and complete understanding of the context.

Public sessions should be held at times and locations determined by Planning staff throughout the public participation process. Public session format and timing may vary depending on the planning initiative, the agenda, and the attempt to engage as many participants as possible. The public sessions allow the community to actively participate in the planning initiative, ensure that their voice is heard, and allows Planning staff and steering committee members to fully understand the needs of the affected area.

Draft Plan Document:

Upon completion of the public engagement process, Planning staff should develop a draft plan that may be available in the Community Development Department office, in the City and Borough public libraries, and on the City and Borough website. A comment period timeframe should be set, and property owners and registered voters located within the affected area should be notified by mailing that the draft plan is complete and that they may submit comment either at the public session or via email or letter. Each planning initiative should have a dedicated webpage and email address.

The draft plan should also be provided to the steering committee no less than two weeks in advance of a publicly advertised session. The steering committee should review and provide comment on the draft

plan at a public session, at which time the public should also be given the opportunity to provide feedback and comments. A two-week public comment period should be established after the draft plan is presented to the steering committee. Upon closing of the comment period, Planning staff should make recommendations to the steering committee, which should address the comments received and whether or not the comment was incorporated.

Steering Committee Review & Recommendation:
The steering committee should review Planning staff's revisions, and should hold a public session (publicly noticed as detailed above) to recommend the plan to the Planning Commission. Planning staff should present and facilitate discussion on the sections of the draft plan, the public comments received, whether or not the comments were incorporated into the draft plan, and the reasoning for incorporating comments or not. Public comments should be included as an appendix to the plan.

The steering committee should vote by simple majority to recommend each section of the draft plan to the PC. Steering committee votes will either recommend each section to the PC or send the section back to Planning staff for further revision. The steering committee should work towards consensus and attempt to minimize voting. If voting occurs, it should be by roll call vote. No proxy voting is allowed; voting via conference call is permitted. If the steering committee determines that further revisions are necessary, the steering committee should review Planning staff's revisions and should hold a public session (public notice as detailed above).

The draft plan should not be forwarded to the PC until the steering committee has made recommendations on all sections of the plan.

Public Hearings:
The PC should hold a public hearing prior to voting on the adoption of an area or neighborhood plan to provide the public with an opportunity to present their support or objections to the draft plan. The PC should hold a second public hearing to make their final recommendation on the draft plan. The PC may recommend revisions to the draft plan prior to submittal to the Assembly. The PC should submit their recommendation to the Assembly.

The Assembly should hold, at a minimum, one public hearing to vote on the adoption of the Planning Commission's recommended draft plan. The plan should be adopted by ordinance as an element of the Comprehensive Plan.

Implementation and Monitoring:
The outcome of the plan should not be the plan, but actions implementing the plan. The actions of the plan should be considered in the budgetary process, Capital Improvement Program, and integrated into the Comprehensive Plan. People who participated in the development of the plan should be encouraged to transform the steering committee and other involved parties into a neighborhood association or other such organization recognized by the CBJ with specific responsibilities for implementation. Further,

monitoring of plans and related activities should be undertaken on a two-year basis, or as otherwise specified.

Agenda
Planning Commission
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
September 26, 2017

I. ROLL CALL

Ben Haight, Chairman, called the Committee of the Whole meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 5:36 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Nathaniel Dye, Dan Hickok, Dan Miller, Carl Greene, Kirsten Shelton

Commissioners absent: Michael LeVine, Percy Frisby

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Allison Eddins, Planner I

Assembly members: Loren Jones, Debbie White

II. REGULAR AGENDA

AME2016 0016: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

Lemon Creek Steering Committee Members		
Stephen Johnson, Chair	Wayne Coogan	Mark Pusich
Michael Lukshin, Vice Chair	Sandra Coon	Patrick Quigley
Tom Chard	Susan Erben	Michael Short
Daniel Collison	Dave Hanna	Paul Voelckers (P.C. Liaison)

Ms. Maclean told the Commission that the Comprehensive Plan identifies the need for area plans throughout the borough. She said that Lemon Creek and Switzer Creek are identified as one area. The plan itself focuses predominantly on Lemon Creek and Switzer Creek, she told the Commission. This plan is a step in the Borough strategy to introduce change in this area, she said. This plan identifies the projects and vision to move this forward, she said.

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In 2015, the Assembly tasked the Community Development Department (CDD) with undertaking the Lemon Creek Area Plan, said Ms. Maclean. In 2016 the Planning Commission endorsed guidelines for the development or update of community-based neighborhood plans, said Ms. Maclean. The CDD staff solicited interest from the community, and provided information on the planning process, she noted. In April of 2016 the Planning Commission appointed the steering committee which included residents, property owners, and business owners, said Ms. Maclean. This was preceded by an open house held in March to solicit interest from the community, provide information on the planning process, and request applications for interested people to serve on the steering committee, said Ms. Maclean. Subsequently the Commission appointed 12 people to the Steering Committee, she added.

Throughout the month of June, 2016, CDD conducted six focus group meetings including: infrastructure and transportation, natural resources and recreation, business and economic development, human services, history and cultural resources. In September, 2016, the Steering Committee began holding regularly scheduled public meetings, said Ms. Maclean. The Steering Committee was presented with background information on the Comprehensive Plan and other relevant CBJ plans, zoning and land use, housing needs, and feedback received from the open house and focus groups, she said.

This information combined with chapters drafted by CDD planners and other relevant CBJ staff allowed the Steering Committee to formulate informed goals and actions for each chapter of the plan, explained Ms. Maclean. Public testimony was also taken at each Steering Committee meeting, and considered as decisions were voted upon, she said. The Steering Committee approved each goal and action through a consensus-building process resulting in a majority vote of the committee, she explained.

The boundaries for this area plan include parts of Switzer Creek, but does not include Salmon Creek, said Ms. Maclean. It is south around the Pioneer Home and Tamarack condominiums, going all the way to Hidden Valley and north past Fred Meyer, she noted. They wanted the boundary to extend past Fred Meyer so that the shopping center closest to the residents would be included in the plan, she noted, for the purpose of transportation and shopping needs being met for the community.

The area combines two Comprehensive Plan area use maps, noted Ms. Maclean. The draft Lemon Creek Area Plan makes several rezoning recommendations in Sub-Area Five, and these recommendations are compliant with the Land Use Designations of Map G, said Ms. Maclean. Public testimony was welcome at each public meeting as they developed the chapters, she said. Upon the completion of a chapter, the Steering Committee would vote on the chapter before they moved forward to the next, she said. They approved each goal and the actions by consensus, not necessarily always unanimous, said Ms. Maclean.

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A public design workshop was conducted on February 4, (2017) with MRV Architects and other CBJ staff from the Engineering Department, said Ms. Maclean. This was held to seek public input primarily on recreation and bicycle and pedestrian connectivity throughout lemon Creek, she said. MRV Architects created an illustration which they are calling the Area Plan Design Goals, said Ms. Maclean. This is an overarching design concept accepting the input from four different tables that participated in this workshop with about 30 people present, she noted. They ranked the concepts according to how often they occurred amongst the groups participating, said Ms. Maclean. The goals illustrate the community's vision of how the area should develop over the next 20 years, she explained. The features include the preservation of the Switzer Creek area, paths connecting the Lemon Creek area to the other areas within the community, trails connecting to the Mendenhall State Game Refuge and potential new streets in the commercial and industrial areas.

Ms. Maclean noted there has been conversation about how specific the design is. Proposed paths and new streets are in color in contrast to the existing routes, she said. Some proposed new housing is also displayed, she said. This is where the public would like to see some housing development, she said. This is a 20-year plan, noted Ms. Maclean. Some of the proposed new routes and housing are aspirational and to be used as a guide, she added.

The draft plan was submitted for public comment for two weeks in mid-July, said Ms. Maclean. They combined the recommendations coming out of these meetings and provided them to the Steering Committee, said Ms. Maclean. The Steering Committee voted on whether to amend the plan based upon public comments, and to recommend the final draft to the Planning Commission for its consideration, said Mr. Ms. Maclean. The public comments, the staff recommendations and the subsequent action of the Steering Committee are all within the action plan document, said Ms. Maclean.

The Lemon Creek Steering Committee kept Its rezone requests to its' area only, said Ms. Maclean. The draft plan is compliant with the land use designations on Map H, which encompasses the majority of the Lemon Creek study area, said Ms. Maclean. The Salmon Creek area is not a part of this planning process, she noted.

Sub-Area Five guidelines and considerations includes fifteen guidelines, said Ms. Maclean. Guideline one is to:

> *Conduct a neighborhood plan for the Lemon Creek and Switzer Creek areas to (1) address livability concerns for the residential areas, (2) accommodate the land use and transportation needs of commercial and industrial uses, (3) address recreational and natural/conservation area needs, (4) identify transportation improvements, especially pedestrian and bicyclist related safety improvements, such incompatible uses related to air quality*

(noise, dust, fumes, odors), public safety and natural resource protection.

The draft Lemon Creek Area Plan makes several rezoning recommendations in Sub-Area Five, and these recommendations are compliant with the Land Use Designation of Map G, noted Ms. Maclean.

If adopted, the Lemon Creek Area Plan would be an addendum to the Comprehensive Plan. The Lemon Creek Area Plan provides a 20-year vision to guide growth, protect natural resources, and enhance and maintain amenities for livability, said Ms. Maclean. Where the Lemon Creek Area Plan and the Comprehensive Plan conflict, or where the Lemon Creek Area Plan is more specific, the Lemon Creek Area Plan supersedes the Comprehensive Plan, noted Ms. Maclean.

The staff recommends that the Planning Commission Committee of the Whole review and consider the draft Lemon Creek Area Plan and schedule it for a public hearing before the Planning Commission on October 24, 2017, said Ms. Maclean.

Commission Comments and Questions
Mr. Voelckers said he would like to review the process by which the Commission will review this plan.

Ms. Maclean said she is open to suggestions from the Commission as to how it would like to proceed with its review of the draft plan. She said she felt Chapter 8 would be the most useful to the Commission, which is the implementation chapter, she said. This addresses the goals and actions and is a combination of all of the goals and actions from each chapter, she explained.

Mr. Dye asked if the end result was to have all of the geographic areas of Juneau in some sort of plan. He asked, for example, if the Twin Lakes area would eventually have its own plan.

Ms. McKibben said the Comprehensive Plan specifically addresses Auke Bay, Lemon Creek, downtown Juneau and Douglas. At this point it does not specifically address other areas in Juneau, she said. The Economic Development Plan and the Housing Action Plan address more neighborhoods within the community, she said.

Mr. Dye asked for what examples of potential conflicts between the Lemon Creek Area Plan and the Comprehensive Plan may be.

Ms. Maclean said she has no specific instances of this occurring within the Lemon Creek area, but that this issue has arisen within Auke Bay so this was written within the plan to address any unforeseen conflicts, she said.

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Mr. Voelckers suggested that the Commission review the Steering Committee priority actions outlined at the beginning of the report. He said he felt this may be a good approach to provide some context for the plan.

Ms. Maclean said as part of the executive summary they covered some of the major themes heard from the public, via the open house and focus group meetings which were conducted, as well as the Steering Committee meetings:

- Ensure that land use decisions and transportation projects promote neighborhoods and create or enhance buffers between different land uses and/or zoning districts (Chapter 2: History and Community Character).

- Identify an appropriate future location(s) for the landfill or transfer facility (Chapter 3: Land Use).

- Improve Capital Transit bus schedules and routes through Lemon Flats and near anchor businesses that support shift work schedules (Chapter 7: Economic Development).

- Pursue and foster projects that "knit" the Lemon Creek area together such as greenways, pedestrian bridges over Lemon Creek, and the creation of public parks (Chapter 2: History and Community).

- Develop housing targets for the Lemon Creek area, as recommended by the Housing Action Plan, consistent with recommended zone changes identified in this plan (Chapter 4: Neighborhoods and Housing).

- Allow for industrial and commercial growth in strategically located areas (Chapter 3: Land Use).

- Protect resource extraction as a critical industry and educate the public on its benefits to the community, such as lower development costs and flood protection (Chapter 6: Natural Resources and Recreation).

- Pursue making CBJ gravel and organic waste disposal resources in the Lemon Creek area available to the private sector (Chapter 7: Economic Development).

- Advocate for the extension of Glacier Highway to Egan Drive at the McNugget intersection (Chapter 5: Transportation and Infrastructure).

- Preserve, protect, and enhance the Switzer Creek watershed; specifically ensure that Switzer Creek stream buffers remain undisturbed (Chapter 6: Natural Resources and

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Recreation).

Mr. Dye asked how the decisions were made in the setting of the area boundaries.

The decisions were made in concert with public input, said Ms. Maclean. They showed the public a map of the general area with no boundaries set. At the open house the majority of the individuals who provided input wanted one of the boundaries set on Glacier Highway past Fred Meyer. Hidden Valley was included for development potential and for natural resources, because whatever development happened in that area would be experienced downstream. Egan Highway and the Mendenhall Wetlands comprise a natural barrier, and that side of the area and mountainside estates was perceived as separate from the general Lemon Creek area, said Ms. Maclean.

Mr. Voelckers said he felt there were one or two issues related to intersections and public safety that helped to drive the extent of the boundaries. He said just about 95 percent of the comments in the specifics of the plan place the boundaries at Switzer Creek or a bit further.

Land Use
Action: Promote mixed-use zoning as a business and neighborhood development tool for underutilized sites i.e. the former Walmart location and Grant's Plaza.

Mr. Voelckers said he was a little confused as to if this mixed-use zoning referred to the term distinguishing Mixed-Use zoning, or if it referred to the general concept of mixed zoning.

Ms. Maclean said she believed it was more a general term about the zoning, not a reference to the specific Mixed-Use zone.

Neighborhoods and Housing
Mr. Voelckers said on page 25 of this chapter that the reference to Housing First need no longer be in the future tense because it has been accomplished. He said as a general comment that on page 25 through pages 27 that it was a little inconsistent in defining the underlying zoning in the housing blocks.

Mr. Hickok asked how directly involved the City and Borough of Juneau would be in the development of some of these Lemon Creek areas. He added that the implementation of some of these ideas takes a large amount of funds.

The Steering Committee with input from the public did discuss tax incentives for economic development and redevelopment within this area, said Ms. Maclean.

Mr. Steedle said there is new state legislation which would enable the CBJ to provide incentives for the economic development of properties. That item will be taken up at some point by the Assembly, he added. The Commission also has its role to utilize in making recommendations for the Capital Improvement Program, (CIP) said Mr. Steedle. The Commission would also have input on any public land or programs, he added.

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Mr. Voelckers said on page 31 of the draft under the paragraph called "Housing Mix" the draft stops just short of an implied action or a remedy to the Lemon Creek housing situation. He said it might be advantageous to add what those future options might include.

Transportation and Infrastructure
Mr. Voelckers said on page 46 which is the first page of the goals and action items that he could not recall what the difference was between the first two items.

Action: Enhance pedestrian/recreational linkages connecting the residential neighborhoods to Dzantik'i Heeni Middle School.

Action: Advocate for pedestrian, bicycle, and if warranted, an emergency vehicle access only across Lemon Creek (the water body) connecting the neighborhoods to the commercial uses.

During committee and public hearings, the topic came up often that access was wanted back to the industrial commercial area to help alleviate the traffic along Glacier Highway and Anka Street, which resulted in the first action, said Ms. Maclean. It was an update to the access study and what it evaluated, she said. The second action is focused more on the larger area of industrial and commercial traffic, and the patterns and the uses that occur there, she added.

Mr. Hickok asked if in reference to the transit system if there had been any discussion regarding the addition of shuttles within the area to help alleviate the transportation problems.

This committee did not look at shuttles, said Ms. Maclean. They were more focused on the existing transit opportunities within the routes that they take, especially the snow routes in the winter, when workers have to walk further, and also the timing of the runs. Public transit does not currently run to Home Depot and to Costco, noted Ms. Maclean.

Mr. Voelckers said the Committee wanted it stipulated in the plan that there is a large, currently unserved need for public transit to various areas within Lemon Creek.

Chairman Haight said it appeared to him that this was tied to the economic development of the area. Limitations to transportation lead to limitations for economic development, he added.

Natural Resources and Recreation
Mr. Voelckers said on page 51 within this section that Parks and Recreation is implementing a borough-wide Parks and Recreation plan. They made it clear there would be quite a bit of value placed upon the results of this study, he said. He said he thought there was a perception that perhaps Lemon Creek has been a little under-served compared to other communities within Juneau with recreational amenities.

Economic Development
Mr. Voelckers commented that the goal to action within this section might be expanded a bit. He said there was a lot of conversation and concern expressed about commercial creep in industrial zones and weighing the value of industrial and the value of commercial vitality.

Ms. Eddins stated this was also addressed in the History and Community Character chapter. It addressed knitting communities together and enhancing buffers where they were needed.

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Mr. Voelckers asked if the portion of the chapter addressing uses specifically allowed in Industrial zones was to promote greater flexibility within Industrial zones or if it was to rein in how the zone was being used.

Ms. Maclean said she thought it was to rein in how the zone was currently being used. She added that it was felt that our industrially zoned land has a lot of what could be considered general commercial use within the industrial zones. Home Depot and Costco are already located on industrially zoned land and it was felt there was the need to protect the amount of industrially zoned land that is available, she said.

Mr. Dye asked if the uses were tightened what would happen to the businesses that would then be in nonconformance.

Ms. Maclean said it could also be used to look at the development of the land on the north side of Home Depot that is owned by the CBJ and is still vacant. There could be the emphasis placed that the land be used for industrial purposes, she added. Moving into Hidden Valley they could work to make sure that land was used for industrial purposes with no commercial businesses creeping into it, she said.

Chairman Haight asked how much of this action promoted rezoning certain parcels within the area, to how it is actually being used.

Ms. Maclean said she felt they were careful in their wording to state that they would review and update this portion of the plan, and that it was not a blanket statement to address the entire area that is currently zoned Industrial. It will need careful review in the future, she said. She said she would also shy away from implementing changes based upon what exists today since this plan looks 20 years into the future. She said the Comprehensive Plan looked at what was on the ground at that time, but it did not look into the future. Existing zoning may not be of the best use, and existing owners may wish their land be zoned differently, she added. If zone changes to the area are recommended, it would be important to bring in the existing property owners, said Ms. Maclean.

Mr. Dye said he could understand the process better if rezoning of any areas was requested by the property owners themselves.

Ms. Maclean said she was not sure how they could change the wording to make it more open.

Mr. Voelckers asked if the expectation was that as the Planning Commission made recommendations at the regular meeting concerning this draft, if the draft would go back to the committee, or come back to the Commission and then be forwarded to the Assembly.

Mr. Steedle said this would stay at the Planning Commission level. The Steering Committee has made its recommendations, he said. The Planning Commission will be making its recommendation to the Assembly, he added.

Implementation

Ms. Maclean explained that the idea of this chapter was that it could be more of a work plan that could be relied upon rather than have having to review the entire plan each time. This portion is to identify the goals and actions, identify the lead party, the potential advocates, with the short mid-and long-term actions, said Ms. Maclean. It was also thought that this could feed into the CIP process as well, she added. This condenses all of the chapters into one section of the plan, said Ms. Maclean.

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There are actions that are repeated in different chapters, said Ms. Maclean. These actions were repeated purposefully so that they would not be missed, said Ms. Maclean.

Mr. Voelckers asked that the action on page 80 be explained further under "Neighborhoods and Housing" which reads, "Action: Consider rezoning Churchill Mobile Park to D-10-SF, which would be more compatible with the D-5 zoning of the adjacent Pinewood Park subdivision. "

Ms. Maclean said in general she feels like those in the Lemon Creek area feel that they carry a lot of the affordable housing for the community. They would like to see more of an equitable distribution throughout the community of affordable housing. They discussed Churchill Mobile Park which had been commented upon with concern about it being zoned specifically D-10 SF, said Ms. Maclean. In the plan it does say that rezoning could be considered, said Ms. Maclean. Churchill Park would be conforming; they would not do anything which would make it nonconforming, she added. Potential rezoning could make that area a good transition area, said Ms. Maclean, to neighboring zones.

Mr. Dye asked if the plan operated under the assumption that the landfill would remain in Lemon Creek.

Ms. Maclean said that it did not operate under that assumption.

Mr. Dye asked if the Lemon Creek plan was going to try to tell the rest of the borough how to deal with its recycling. He asked if this was going outside the boundaries of the plan.

Ms. Maclean said they tried to remain within the boundaries, but that some items had consequences outside of the designated area for the plan.

Mr. Voelckers said that there really is both a factual basis and the perception that Lemon Creek has shouldered more than its share of community operations. You can't get away from methane gas, said Mr. Voelckers. The landfill itself and the secondary issues arising from its existence in the area are placing a shadow over the neighborhood, said Mr. Voelckers. They wanted to go on the record supporting that the City pursue other long range alternatives for the landfill, he added.

Mr. Dye said there are sewage treatment plants in other neighborhoods which will not be moved because their location is permanent. He said it was difficult for him to see where the boundary was in all of the action items if they were not consistently applied.

At the request of Mr. Voelckers, Ms. Maclean said there was discussion about the gravel extraction and the work that is done upstream. It was posited that it may have the beneficial effect of creating a lack of flooding downstream, she said. The committee wanted it mentioned in the report that the gravel extraction was not just a negative for the community, but carried some potential positive effects for the area as well, said Ms. Maclean.

Mr. Voelckers said there was another action item as well encouraging the Borough to focus on a FEMA reassessment in Lemon Creek because there was the thought that there would be substantial insurance premium reductions to reflect the possibility of less flooding, he said.

Mr. Hickok asked if there had been any discussion of recycling the methane gas.

Mr. Voelckers said representatives from the City and Waste Management discussed this topic which was raised. The representative from Waste Management said they are inventing a process in Juneau which

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is not used anywhere else in the country because of Juneau's relatively mild climate, said Mr. Voelckers. This results in a super aggressive methane production, he added. They dilute the methane before it is released which reduces the smell, said Mr. Voelckers. However, they said it was not reusable methane, said Mr. Voelckers.

Mr. Dye asked if Goal 4 on page 82 which states, "Action: Reduce impacts of dust on surrounding uses, bicyclists, and pedestrians by requiring and enforcing dust control methods on industrial and commercial vehicles" should be listed under the Planning Commission and Community Development and JPD authority or if it should instead be under the provenance of the Assembly and Manager's Office, since it involved a change outside of Title 49.

Mr. Steedle replied that it would involve a change outside of title 49.

Mr. Dye suggested that they change the lead responsible party for that action.

Mr. Dye also suggested that the abbreviations be identified somewhere within the document in a key so that everyone would know what they meant.

Chairman Haight said he has noticed that he is not hearing much discussion about the corrections facility within the Lemon Creek area. He asked if there had been discussion about the correction facility's impact on the adjacent neighborhoods.

Ms. Maclean said there was some discussion about the shooting range, but that it did not make it to the level of an actionable item. What did make it to an action concerning the correctional facility was the desire to rename it so that Lemon Creek may not have a negative perception because it was associated with the correctional facility.

On page 84 Mr. Dye identified the action: "…mitigate the impacts of resource extraction and eliminate unnecessary water pollution and erosion." He asked if it was not general engineering that reviewed all of the building permits and the storm water protection plans.

Mr. Steedle said that is correct.

Mr. Dye asked if some of these items, therefore, were review of practices the City is already doing.

Ms. Maclean said this is true, but that they could be encouraged to do it better.

Mr. Dye asked if this is the case, should they not identify those items which could be done better.

Chairman Haight said it seemed to him that noting these items in this Lemon Creek Plan helps the City to better promote them in the CIP when it comes before the Commission for review.

Mr. Voelckers said Mr. Dye's exact point did come up during conversation, but that there were items which were not currently being properly addressed, so they wished to highlight some of these items.

Mr. Dye said if the action was to eliminate "unnecessary" water pollution, then they were stating that water pollution was acceptable at some level.

Mr. Voelckers suggested that it could read, "Provide greater scrutiny with compliance of water standards."

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Mr. Voelckers said it might be appropriate to have a memo from the Planning Commission accompany the draft Lemon Creek Area Plan as it is passed to the Assembly.

Mr. Steedle said the Lemon Creek Area Plan and the recommendations on the CIP are happening parallel to each other. He said he felt it was entirely appropriate for the Planning Commission to express its views on the Plan as it goes to the Assembly. They will be discussing the Commission's CIP ideas on the same night they will be taking action on this plan, said Mr. Steedle. They should be separate documents with separate comment from the Planning Commission, he said.

Mr. Hickok asked if the Auke Bay Plan has a 20 year forecast as well and asked if CIP projects for Auke Bay would have priority over Lemon Creek projects because the Auke Bay Plan was done first.

Mr. Steedle said that although the Auke Bay plan was developed first, it does not have priority over the Lemon Creek CIP items.

III. <u>OTHER BUSINESS</u> - None

IV. <u>REPORT OF REGULAR AND SPECIAL COMMITTEES</u> - None

V. <u>ADJOURNMENT</u>

The meeting was adjourned at 6:44 p.m.

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Chapter	Comments	Page
	Fix footer	X
Chapter 3 Land Use		
	Goal 1 Action 1 Change "zoning" to "development"	20
	Goal 2 Action 2 Suggestion to review language regarding mandatory recycling - seen as overreaching the boundaries of the Plan	20
Chapter 4 Housing and Neighborhoods		
	Update info regarding Housing First	25
	Identify zoning in each neighborhood listed	23 - 29
Chapter 5 Transportation and Infrastructure		
	Goal 1 Action 1 Change "land" to "lane" in Goal 1 Action 1	46
	Goal 4 Action 2 Change Responsible Party from CDD, PC, JPD to JPD only	47
Chapter 6 Natural Resources and Recreation		
	Goal 1 Action 2 delete "unnecessary"	59
	Goal 1 Action 3 add JPD as a Responsible Party	59
Chapter 8 Implementation		
	Economic Development Goal 1 Action 5 is repeated - delete bolded version	86