

Agenda

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

July 26, 2016
Assembly Chambers
7:00 PM

- I. ROLL CALL**
- II. APPROVAL OF MINUTES**
 - A.** June 28, 2016 Planning Commission meeting minutes
- III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**
- IV. PLANNING COMMISSION LIAISON REPORT**
- V. RECONSIDERATION OF THE FOLLOWING ITEMS**
- VI. CONSENT AGENDA**
 - A.** USE2016 0022, Conditional Use Permit application for a marijuana testing facility in the General Commercial zoning district.
- VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS**
- VIII. UNFINISHED BUSINESS**
- IX. REGULAR AGENDA**
 - A.** USE2016 0020, A Conditional Use permit for pet grooming and boarding.
 - B.** USE2016 0023, Conditional Use permit for senior housing.
- X. BOARD OF ADJUSTMENT**
- XI. OTHER BUSINESS**
- XII. DIRECTOR'S REPORT**
- XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES**
- XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS**
- XV. ADJOURNMENT**

Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
June 28, 2016

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 7:00 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Bill Peters, Michael LeVine, Percy Frisby, Nathaniel Dye, Matthew Bell, Kirsten Shelton-Walker, Carl Greene

Commissioners absent:

Staff present: Rob Steedle, CDD Director; Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Eric Feldt, Planner II; Jonathan Lange, Planner II; Tim Felstead, Planner II

Assembly members: Debbie White, Loren Jones

I. APPROVAL OF MINUTES

A. May 24, 2016 Regular Planning Commission Meeting

MOTION: *by Mr. Peters, to approve the May 24, 2016 Regular Planning Commission Meeting minutes with any minor alterations by staff or Commission members.*

II. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Chris Carte, who lives on Long Run Drive, said that last week she and her husband attended a meeting of the Subdivision Review Committee. They learned that they could not subdivide their property like their neighbor did last September, because the rules have changed about rezoning a rectangular piece of land. She said she had heard that perhaps there were some unintended consequences to the Subdivision Ordinance as it was updated last year. She told the Commission that she would appreciate it if this item could be rectified so they could proceed with the subdivision of their property.

Chairman Haight asked if they could receive the report from the Subdivision Review Committee at this point in the meeting rather than at the end of the meeting.

Mr. Voelckers, of the Subdivision Review Committee, said they have run into a few cases where this has occurred where what used to be a relatively clean subdivision request is now not working smoothly. A portion of the text called “minimum rectangle” had been removed because it was deemed as unnecessary, he said. They are finding that this is a problem and that the staff is working on some changes. This may be coming up at the Committee of the Whole meeting on July 12, (2016) said Mr. Voelckers.

III. PLANNING COMMISSION LIAISON REPORT

Assembly Liaison to the Planning Commission Debbie White reported that the Assembly has not been working on any items affecting the Commission directly. She gave the Commission the opportunity to ask any questions. There were no questions from the Commission at this time.

IV. RECONSIDERATION OF THE FOLLOWING ITEMS - None

V. CONSENT AGENDA

- A. USE2016 0014:** Conditional Use Permit for encroachment into side yard setback for shed adjacent to public open space.

Applicant: William Clutton

Location: 10390 Mendenhall Loop Road

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and approve the requested Conditional Use permit.

The permit would allow the development of two (2) sheds and supportive decking constructed and located as per the applicant's plans. The combined structure may have a 0 foot side setback yard setback where the subject lot abuts public open space. This Conditional Use permit does not allow for encroachment into any other yard setbacks.

The approval is subject to the following conditions:

1. An as-built survey is required prior to final inspection of any associated building permit, so as to verify that no structures, including roof eaves, encroach onto CBJ land.
2. The existing shed encroaching onto CBJ property must be removed prior to final inspection of any associated building permit.

- B. USE2016 0017:** A Conditional Use Permit for a standard marijuana cultivation facility in an Industrial zone.

Applicant: Paul V Disdier

Location: 8415 Airport Blvd.

Staff 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 standard marijuana cultivation facility to be located within the Industrial Zoning District.

The approval is subject to the following conditions:

1. The applicant shall pass all CBJ Fire Marshall inspections.
2. Security cameras shall have an unobstructed view of each doorway to the cultivation building.
3. Security cameras shall have unobstructed views of the regular activity without sight blockage from plants, fixtures, or other equipment in the cultivation facility.
4. Security cameras shall have a battery back-up system installed that operates for a minimum of 24 hours; all batteries must be replaced annually.
5. No offsite glare shall be produced by exterior facility and doorway lights.
6. As a condition of approval, staff recommends, that prior to Certificate of Occupancy for the facility, staff conduct a site visit to ensure the surveillance system is fully operational and all health and safety signs are displayed.

MOTION: *by Mr. Peters, to approve the Consent Agenda as read.*

The motion passed with no objection.

VI. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VII. UNFINISHED BUSINESS - None

VIII. REGULAR AGENDA

A. USE2016 0015: Conditional Use Permit for an Assisted Living Facility.

Applicant: Marathon Development Inc.

Location: Clinton Drive

Chairman Haight recused himself from participating in this item due to a conflict.

Staff 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 80units/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.

Ms. Maclean said there has been no public comment against this item. The parcel meets the zoning requirements, she said. This property is located along the Mendenhall River near Vintage Park on one side and Postal Way with a commercial building and Post Office on the other side. The site is approximately two acres in size, she said. This property is surrounded by Commercial and D-18 zoned land, said Ms. Maclean.

The Comprehensive Plan land use designation is as a Traditional Town Center, said Ms. Maclean, which calls for high density residential and nonresidential uses around shopping centers, employment centers and public transportation, with 18 units and more per acre. This parcel is zoned Mixed Use, said Ms. Maclean.

The applicant is requesting the Conditional Use Permit for an assisted living facility called Riverview Senior Community which 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 square foot building consists of a three-story structure for the assisted living facility, attached to a one-story structure for the memory care facility.

A lot line adjustment for lots 26A and lot 31A of Vintage II Subdivision was recently approved, said Ms. Maclean. 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, she explained.

The project includes a kitchen, dining area, lobby, administrative office area, courtyard, walking paths, activities room, laundry and parking, said Ms. Maclean. The project proposes 37 parking spaces with two ADA spaces, said Ms. Maclean. A Traffic Impact Analysis is not necessary since not enough traffic would be generated to require that analysis, she said. 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, she said.

An exterior lighting plan has not yet been submitted, said Ms. Maclean. However, one is required, and they are recommending that it be submitted before approval of the building permit. No landscaping is required under this use, however the project wants to create an inviting and natural landscape for the residents, and proposes that almost 20 percent of the site have vegetative cover, said Ms. Maclean.

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; and a four foot to six foot high hedge along the easterly property line with a six foot high good neighbor fence which must transition to a maximum four foot height along Clinton Drive, said Ms. Maclean. There is to be an atrium located within the memory care unit, with plantings along all foundation walls and ornamental trees located throughout the property.

All signs proposed by the development must be submitted to the Community Development Department (CDD) staff for review and approval, said Ms. Maclean. The surrounding area is a mix of vacant, retail, and commercial uses, said Ms. Maclean. There may be a minimal increase in traffic noise generated on neighboring streets during commute times. No excess noise is expected as a result of this development, said Ms. Maclean.

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, said Ms. Maclean. She said at this stage the Building Division has no issues with the project, and that Capital City Fire and Rescue has no concerns about this development.

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, said Ms. Maclean.

While the project is not located downtown, said Ms. Maclean, it is located in an area classified as Traditional Town Center by the Comprehensive Plan land use maps, which strives to create village-like centers similar to a downtown area. This project is in accordance with the draft Housing Action Plan, the Juneau Economic Development Plan, Title 49, the Area Wide Transportation Plan, and the Juneau Non-Motorized Transportation Plan, said Ms. Maclean.

No public comments have been received regarding this project, said Ms. McLean. The U.S. Fish and Wildlife Service (USFWS) did express some concern over storm water runoff originating from parking lots that can contain hydrocarbons and other pollutants that are harmful to aquatic life, said Ms. Maclean. USFWS also expressed concern over the river bank which has been addressed in the proposed conditions, said Ms. Maclean. It encourages the use of stormwater Best Management Practices that are designed to attenuate storm water through infiltration or other means on-site, she said.

It has been determined that the application is complete, that the proposed use is appropriate according to the Table of Permissible Uses, and that the development as proposed would comply with the other requirements of this chapter, unless the Commission shall find, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding, said Ms. Maclean.

Commission Comments and Questions

Mr. Voelckers asked if there were any impacts anticipated from the development along the river.

Ms. Maclean said the walking path along the river will be restored, and as a consequence of that work the slope may need to be re-vegetated.

Applicant

Sioux Douglas, president of Senior Citizens Support Services Inc., which is an established nonprofit organization in Juneau, told the Commission that this organization was also responsible for the construction of Fireweed Place. They have been working on this project for three years, she said. With the granting of the Conditional Use Permit, she said, they hope to break ground on the project this year, opening late in 2017.

MOTION: *by Mr. Peters, to approve USE2016 0015 which is a Conditional Use Permit for an assisted living facility, adopting the staff findings, analysis and recommendations, and asked for unanimous consent.*

Speaking in support of the motion, Mr. LeVine said that this is a great project and that the applicants and staff are to be congratulated for the thoroughness and the way this project has been approached.

The motion was approved by unanimous consent.

Mr. Voelckers said this is a beautiful project and very timely.

- A. USE2016 0018:** Conditional Use Permit for a multifamily condominium development.
- Applicant:** Juneau Condos, LLC
- Location:** Riverside Drive

Mr. Greene recused himself due to a possible conflict.

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit and Density Bonus. The permit would allow the development of 51 units.

The approval is subject to the following conditions:

Applies to project (regardless of Density Bonus approval)

1. Prior to issuance of a building permit, the applicant shall install a silt fence on the 50-foot streamside setback line along the Mendenhall River. The silt fence shall be removed when construction is complete.
2. Prior to issuance of a building permit, the applicant shall submit to CDD a plan involving how vegetation will be replanted and maintained to ensure the project meets the minimum vegetative area requirement.
3. Prior to issuance of a building permit, the applicant shall submit an approved on-site drainage management plan using Best Management Practices (BMP) to ensure drainage is directed to an approved drainage infrastructure and does not directly enter the Mendenhall River without filtration.
4. Prior to issuance of a building permit, the applicant shall submit a design for the parking lot buffers (and if needed, buffering snow storage/ garbage containers) meeting one of the following features:
 - 1) Sight-obscuring fence or vegetation from grade (0 feet) up to six feet; or
 - 2) Sight-obscuring fence or vegetation from grade (0 feet) up to four feet and sight-obscuring (porous) up to six feet in height.
5. Prior to issuance of a building permit, the applicant shall show any exterior lighting, which must be downward-directed to minimize horizontal glare.
6. Prior to final CO, all required parking lot striping shall be in place (or wheel stops) which complies with dimensions as per 49.40 Parking and Traffic.
7. Prior to issuance of CO of last dwelling unit, the parking lot buffers meeting Condition No. 4 shall be in place.
8. Prior to issuance of CO of the first dwelling unit, the applicant shall submit the Homeowners Association documents to the CDD that indicate the maintenance of all required vegetation and on-site buffers.
9. Prior to issuance of CO of the last dwelling unit, the applicant shall coordinate with CDD staff for a site inspection to verify that the vegetative cover was installed accordingly. If CO is requested during poor planting conditions, the applicant shall submit a bond covering the costs of the remaining vegetation to be planted according to provisions of 49.55.010.

Density Bonus Conditions

10. Prior to issuance of a building permit, the applicant shall submit drawings and construction plans showing how the three density bonus features will be constructed in compliance with CBJ Land Use and Street standards.
11. Prior to issuance of a building permit for Units 49 – 51, the applicant shall submit plans and narrative indicating how all conditions will continue to be met.
12. Prior to final CO (Certificate of Occupancy) of last dwelling unit, the applicant shall

coordinate with CDD staff to ensure the three density bonus features as shown on Attachment H are complete. This shall include:

- a. The applicant to submit to CDD a recorded easement that preserves the land behind the back buildings, matching Attachment H.
- b. A site inspection performed by CDD, which concludes the presence of an entrance path to the Bethany Baptist church property.
- c. A site inspection performed by CDD, which concludes the presence of a sidewalk from the project's driveway to the Bethany Baptist church driveway and a crosswalk from the sidewalk at the church connecting to the existing sidewalk at Pinedale Street. Both the sidewalk and crosswalk must comply with CBJ street standards.

Mr. Feldt said that the Land Use Code does not differentiate between a condominium and an apartment complex. He said he felt it was important for the neighborhood to understand that it was condominiums which are planned for development, not an apartment complex.

The applicant has applied for A Conditional Use Permit because the project exceeds eight dwelling units, said Mr. Feldt. The project is located along the north of Riverside Drive along the east bank of the Mendenhall River, said Mr. Feldt. It is near Mendenhall River Community School, Melvin Park, and other attractions along Riverside Drive, he said.

Zoning and Project Configuration

The site is composed of four lots, said Mr. Feldt. The land is zoned D-15 which allows densities up to 15 units per acre, said Mr. Feldt, with surrounding land zoned at D-3 and D-5 allowing three to five units per acre. The applicant is requesting a density bonus which would allow more dwelling units than the maximum allowed. All buildings except for one will contain a six-plex with one drive to access Riverside Drive.

Approximately 320 feet of the site fronts Riverside Drive, said Mr. Feldt. Each of the four lots is approximately 80 feet wide, he said. The buildings will be three stories tall with exterior entry ways into each of the units. Every building will have a carport, said Mr. Feldt. The new drive for the development would be located across from an existing vegetated retaining wall, he said. A sidewalk would only be required for the west side of the road, he said. This site would be at a higher density than the surrounding land which is composed primarily of single-family homes, said Mr. Feldt. For the D-15 zone, the Land Use Code allows condominiums and apartments, said Mr. Feldt. None of these zones allow commercial uses, said Mr. Feldt. They are strictly residential zones, he said.

The proposed project is composed of eight buildings, said Mr. Feldt, with the original proposal from the applicant being a total of 46 dwelling units. However, said Mr. Feldt, the applicant is applying for a "density bonus". According to the Land Use Code, he said, if the applicant meets certain criteria, then they may file for more dwelling units than the maximum allowed.

All residents of the condominiums will use one driveway on to Riverside Drive. There would be a total of eight buildings. The development will be composed of six two-bedroom, two bath units per building except for one building, said Mr. Feldt. Parking will be placed in the middle of the site to mitigate the impacts from the headlights and noise on the neighbors, said Mr. Feldt. This development will be very similar to the applicant's completed development on Breezy Street, said Mr. Feldt.

Parking and Daily Trips

The parking requirement for 46 units is 81 parking spaces, said Mr. Feldt. If the density bonus was approved, the number of dwelling units could be increased to 51 units, said Mr. Feldt, which would increase the parking requirement to 89 spaces. The applicant is providing 100 spaces, he said, exceeding both parking requirements.

Traffic is estimated at 267 daily trips, said Mr. Feldt, for the basic proposal without any bonus. With the density bonus, he said, the daily trips would rise to 296 daily trips. The Land Use Code states that when daily trips are estimated to be from 250 to 500, that the Director has the discretion to whether a Traffic Impact Analysis is required. Over 500 daily trips would require a Traffic Impact Analysis, said Mr. Feldt. The CDD found that Riverside Drive in its current condition can accommodate the daily trips, he said.

Potential Impacts

The staff recommends that the applicant install a buffer that could consist of either a fence or vegetation, said Mr. Feldt.

Density Bonus

A density bonus is a fairly unique part of developments which tests the Land Use Code and Title 04, said Mr. Feldt. This is where subdivision, platting and standards exist, said Mr. Feldt, which is where the density bonus can be found. To decide on how many density bonus points the project could accrue, staff needed to look at both the Land Use Code and Title 04, said Mr. Feldt.

The applicant is required to provide a certain amount of amenities to accrue the necessary number of bonus points, said Mr. Feldt. The 10 percent increase in allowed density units is the lower end of the points which one could obtain, said Mr. Feldt.

There is no increase between the base line of dwelling units allowed and a 10 percent increase, said Mr. Feldt. Seven points are required to meet the minimum density bonus requirements, he said.

All but one of the eight buildings contains six dwelling units, said Mr. Feldt. One building contains only four dwelling units, he said. Those additional two spaces are proposed as a

commons room for the residents, he said. If the density bonus is approved, then the applicant would replace the commons space with two dwelling units, so that all eight buildings would contain six dwellings, said Mr. Feldt. Answering a question which he had received via an email from a Commissioner, Mr. Feldt said if the density bonus was granted and the applicant constructed 51 units, it would be under the conditions that they could all fit within the site while upholding all of the conditions within the Conditional Use Permit, he said.

Bonus points:

- ❖ (2) The applicant will preserve the area between the 50 foot streamside setback from Mendenhall River and the back of the four buildings facing the river
- ❖ (5) A new pedestrian connection to the adjacent property to the south where Bethany Baptist Church is located, and a new sidewalk from the project's driveway southward to the church's driveway connecting to a new crosswalk at Pinedale Street and Riverside Drive
- ❖ (2) Maintain more than the required 30 percent of the site in vegetative cover at 45 percent

The above bonus points as configured by staff would give the applicant a total of nine points, said Mr. Feldt, two points over the required amount.

The proposed new sidewalk would not interfere with existing mailboxes, said Mr. Feldt.

The project does conform with the Comprehensive Plan, said Mr. Feldt, as well as the Non-Motorized Transportation Plan and the Safe Routes to School Program. Acquiring a Conditional Use Permit will be the first step in the process for the applicant, said Mr. Feldt. If that permit is approved with or without the density bonus, the applicant would then consolidate the four lots, said Mr. Feldt.

Staff received some public comments expressing concern with traffic which would be generated from the project, said Mr. Feldt. Other neighbors expressed concern about the incompatibility of the building size and scale in relation to the surrounding single-family neighborhoods, said Mr. Feldt. The footprint of each building in the proposed project is about 3,000 square feet, said Mr. Feldt, which is larger than the average size home in the neighborhood. The applicant designed the site composed of eight smaller buildings rather than one large building to help maintain the residential scale within the neighborhood, said Mr. Feldt. Other neighbors said they felt the use of the land was inappropriate for the neighborhood, said Mr. Feldt. This is a permitted use within the zoning district, he said. Other neighbors have stated they had a concern about their property values being lowered, said Mr. Feldt. He said the staff felt with the recommended conditions that the property value of existing residences would not be lowered. There is also concern expressed about limiting access to the Mendenhall River, said Mr. Feldt. There is a standard in the Land Use Code that stipulates that a development adjacent to a water body has to provide public access through an

easement, he explained.

If the Conditional Use Permit is approved, said Mr. Feldt, construction of the units will go through the building permit process where zoning review takes place and a general engineering review, as well as building code review. Every building will be sprinklered, said Mr. Feldt.

The applicant will be using pervious pavement in the parking lot to, said Mr. Feldt, allow water to percolate through the pavement. Any drainage which may proceed towards the river would be required to go through a filtration system using Best Management Practices, said Mr. Feldt. There is a new bonus condition, said Mr. Feldt, (Number 13) which is to provide access from Riverside Drive to the Mendenhall River area. This must be provided prior to the Certificate of Occupancy for the first dwelling unit, said Mr. Feldt.

Commission Comments and Questions

Mr. LeVine asked if the staff had considered making the most recent condition more general in nature rather than to dictate to the applicant how to ensure access to the river. He said he felt if an easement was going to be recorded that it could better be accomplished during the subdivision or property division process. He said he felt it may be better to require the developer to ensure that there is public access from Riverside Drive to Mendenhall River, and to allow the developer to discern how best to accomplish this.

Mr. Feldt said he did not see a problem with this as long as it was clear from the record that the intent meets the purpose of that code citation.

Mr. LeVine asked how the staff determined how many points were allotted to each of the additional conditions to obtain the density bonus.

Density bonuses are not a common occurrence, said Mr. Feldt. Staff had to weigh how valuable a condition was to the general public, and to decide if the density bonus elements have some sort of relation to the investment the applicant proposes for each amenity. Those plans are determined by staff in a rather subjective manner, said Mr. Feldt. A goal for the future would be to make the process more objective, he said.

Mr. Frisby asked how big the buffer was between the road and the development.

The project itself does not have a required buffer between the buildings and the street, said Mr. Feldt. There are recommended buffers at the locations of the trash and snow storage, he said. Staff has not specified buffers between the building and the street, he said.

Mr. Frisby said he traverses that street quite frequently and that if he was walking by the constructed development that he would feel like he was almost walking into someone's living room, without any buffers.

Mr. Feldt said the required setback for the zoning district is 20 feet and that from the road to the right of way line it would be an additional 10 to 15 feet.

Mr. Frisby said he was satisfied with the quoted distances.

Mr. Voelckers asked what the width of the road right-of-way was along Riverside Drive.

The right-of-way width could be between 50 and 60 feet, answered Mr. Feldt. Sixty feet is more the standard CBJ right-of-way width, he added.

Mr. Voelckers asked if there was a surveyed site plan for the project at this juncture.

Mr. Feldt responded that they have not received one from the applicant at this time.

Mr. Dye asked for a clarification on the location of the trash and snow storage for the project.

Mr. Feldt responded that the applicant could clarify which specific areas would be used for the location of the trash and snow storage.

Applicant

The applicant, Travis Arndt, indicated on a map where the snow and trash storage would be located. He said the pervious pavement on their most recent project is working so well that there is no runoff from the pavement. In answer to Mr. Frisby's question, Mr. Arndt said the structures will be located 45 to 50 feet from the road. Instead of locating the buildings closer to the river, which would result in parking facing the road, they located the buildings further from the river and kept the parking in between the buildings resulting in less impact to the neighbors, he said. These will be condominiums, not apartments, he added. They lined the buildings up so that the eight buildings would appear as only four buildings from the road, and four buildings from the river, he said. There is roughly 20 feet between the buildings, he said, which is further than the setbacks within the single-family neighborhoods, since the side yard setback is only five feet, he said.

Mr. Voelckers asked where the carports would be located and how the units would be approached from the carports.

The applicants would follow a short covered walkway from the carports to access the stairs to their individual dwellings, explained Mr. Arndt.

Assuming they were granted a density bonus, Mr. Voelckers asked how the additional three units would be placed on the property.

Mr. Arndt responded that he is currently focused on 48 units, not 51 units. He said the 10% minimum is 51 units, but that he only plans on constructing 48 units.

Mr. Voelckers asked how big Mr. Arndt expected the pavilion to be and could it fit into the configuration considering fire and setback regulations.

Mr. Arndt responded that they have not yet specified a location for the pavilion. He said between two of the buildings the space is wider than between the other buildings.

Public Comment

Claudia Cook told the Commission she owns the property across the street from the proposed condominium development. She asked why the foliage in front of the parcel along Riverside had to be removed. She asked why the proposed sidewalk for the project was located when the safe route was away from school. She said most children will not walk away from the school to cross the road to go back down to the school. Ms. Cook said she has visited the condominium complex built by the applicant both in the day and in the evenings. She said at night that complex is lit up bright like a football stadium. She also expressed concern related to the poor drainage she said has experienced on her end of Riverside Drive.

Mr. Voelckers asked if the bright lights she perceived at the existing condominium emanated from the parking lot or from the units.

She said the light came out of the units as well.

Dean Blood, pastor at the neighboring church, said that he has two concerns about the project. He said the applicant has not contacted them on any issue. He said if they constructed a walkway from the condominium to the church property that he feared the church would be liable. He said he also feared that condominium dwellers would use the church parking lot to gain access to their dwelling. He said the church has been affected several times by drainage coming from the road system. He asked if they would be responsible for maintaining that portion of the walkway and if they could be held liable from events occurring on the sidewalk.

Dora Prince, treasurer for the Riverside Baptist Church, said the correct name for the church was "Riverside Baptist Church". She said in the Breezy Street neighborhood, where the applicant constructed the first condominium, located near the Glacier Valley Elementary School, there were no less than 21 multi-family units. She said that is a far different neighborhood than the neighborhood located near the proposed development on Riverside Drive. She said the homes in her neighborhood are single level or two-story homes. She said she felt the design should better conform to the neighborhood such as zero lot lines and duplexes. In contrast to the CDD Director, Ms. Prince said she felt that the additional traffic would prove to be a negative impact on Riverside Drive and that the street could not comfortably handle the additional vehicles. She said the core Valley roads between the times of 7:00 a.m. to 9:00 a.m. or the hours of 4:00 p.m. to 6:00 p.m. have heavy traffic. She said she

did not feel the additional trips generated by condominium vehicles would help the situation.

Mr. Peters asked what the traffic impacts were estimated for the church.

Ms. Prince said she did not remember.

Area resident Theresa Ullmayer said she did not understand the plan for the condominium project which combined the trash storage adjacent to the snow storage. If the snow were stored in that location, she asked how the garbage trucks would reach the dumpsters in the winter. She asked where the developer would put the easement. She said she visited the Bresee Street condominiums that the developer said were similar to this project. She said looking at the constructed condominium project made her feel "claustrophobic". Approving the Conditional Use Permit at this juncture was premature. She said she felt they needed more information about the project. She said the Bresee Street condominium project was the ugliest condominium project that she has seen in a long time. She said she would be embarrassed for the Planning Commission if it were to approve the project as presented with its cheap appearance and three floors. She said that 46 units were enough, and that the Commission should not even consider bonus units.

Mr. Walter Ullmayer said he wanted to emphasize that Stephen Richards Drive and Riverside Drive are backed up with traffic during morning and evening rush hours. He said he was also surprised that the applicant purchased the property in May of this year and submitted an application for a multi-family development just a few weeks later. With this issue already before the Planning Commission, he said he felt this project was moving too quickly. He said he felt traffic from the proposed condominium development would negatively impact the neighborhood. Neighbors in the neighborhood have also experienced problems with their sewage backing up, he said. He said he did not feel the existing sewer line was built to support the condominium project.

Applicant

Mr. Arndt said even before they purchased the property they had been trying to get a hold of Dean Blood, as pastor of the adjacent church. He said he has dialed the phone number several times that is on the sign and that it goes to voicemail. It then asks for a PIN and requests the caller leave a message, he said. He said he received a different number for Mr. Blood at 3:00 p.m. today, and that he called him at 4:00 p.m. today. Mr. Arndt emphasized that he wants to work together with the church because they are neighbors.

Mr. Arndt said if the church does not like the access being provided from the condominium units then they do not need to construct the walkway. He said they would still have sufficient number of points to proceed with construction of the condominiums. They had initially designed the crosswalk to proceed from the driveway, said Mr. Arndt. Subsequent conversations with CDD indicated to him that the natural place for a crosswalk is at an

intersection. Therefore, they were planning to put in a couple hundred extra feet of sidewalks so that the students could proceed down the street and use the crosswalk at the logical intersection location, said Mr. Arndt. He said he had no problems moving the current crosswalk back to its original location. He said it would save him a lot of trouble.

The lighting for the project is all down-lighting as is required, he said. The Breezy Street project is shaped in a horseshoe towards street, said Mr. Arndt. The current project will have light on the carports and the stair towers which will be located between the buildings.

Commission Comments and Questions

Mr. LeVine asked Mr. Arndt if he had some idea of where the public access easement to the river could be located on the property.

Mr. Arndt responded that it would be on the north lot line or the south lot line. Mr. Arndt responded that this is a new feature, and that he just heard about it at 5:00pm today.

Mr. Voelckers stated that these are very deep lots, and that he wondered if the applicant had considered shifting the complex closer to the river. He stated that it may make more sense to situate the condominiums closer to the river leaving a larger road frontage for bonus points.

Mr. Arndt stated that is a possibility. He said it is a steep drop to the water and the closer they build to the river the more they face problems and erosion since it is such a large drop-off to the water. He added he wants to keep the units in alignment and there is less room on the north side than on the south side. They could push the buildings closer together and still meet the requirements for parking and turnaround space but they upped the width and depth of the parking spaces, he said.

Mr. Voelckers asked if there has been a traffic analysis relative to any other projects on that end of Riverside Drive.

Mr. Feldt said he is not aware of any traffic studies in this general area.

Mr. Steedle responded that the four-way stop on Riverside is infamous for holding up traffic. The City has an agreement with the Department of Transportation and has set money aside to rectify this situation, he said. Several of the options include a small traffic circle or a traffic light, he said.

Mr. Voelckers asked if the staff could elaborate on the sewer capacity for the area.

Mr. Feldt said in his communication with the City Engineering staff that the sewer could accommodate a project of this size. He said because of the feedback from the public, that they will speak with the Engineering Department and see what issues with the sewer have been

raised in the past, and whether it was issues with the storm sewer or the regular sewer. He said this issue certainly warrants additional investigation and that it would also be addressed during the building permit process by the Engineering Department as part of its normal protocol.

Mr. Voelckers asked about the issues raised by the public about the crosswalk, and whether it was in a counterintuitive location for public use. He asked if it had been considered to take the crosswalk closer to the school or if there was a rationale locating the crosswalk further from the school.

Mr. Feldt said the CDD staff had originally felt that a crosswalk at the driveway entrance to the project would be the most effective since it was the shortest route. He said the General Engineering staff was opposed to a crosswalk that was not located at an intersection because the crosswalk is not perceived by drivers as easily when it is located between intersections. The engineering staff felt the crosswalk located at Pinedale would be safer for the public. He said they have required from the applicant only a sidewalk in front of the site and some sort of connection to the existing sidewalk across the street. If the Commission finds that the current crosswalk location proposed is not satisfactory, then perhaps the installation of a mid-block crosswalk could also be accomplished, he said. The maintenance of the sidewalk in front of the church would be the responsibility of the church, said Mr. Feldt. The liability question for pedestrians passing from the site to the church would be up to the Law Department, said Mr. Feldt.

Mr. Peters asked if this crosswalk would be similar to the crosswalk closer to Rotary Park which is lit with lights.

Mr. Feldt responded that the crosswalk would be marked with signs on either side, not a light.

Mr. Dye asked if the staff could clarify the responsibility within Juneau of sidewalk maintenance, not just for this site.

It is up to the private property abutting a sidewalk to maintain it, said Mr. Feldt. Mr. Feldt added that regarding the density bonus point criteria that the applicant had mentioned they felt they had enough points even if the connection from the site to the church was not created with the walkway. The applicant would still have seven points, which are enough points for the density bonus, said Mr. Feldt.

Mr. Peters asked if the crosswalk and the sidewalk were located further up north and it was a mid-street crosswalk, if it would then be abutting the condominium site and not the church.

Mr. Feldt said whatever crosswalk was being proposed that he would send it to the City Engineering Department for an assessment.

MOTION: *by Mr. Peters, to accept the findings, analysis and recommendations of the staff and to adopt USE2016 0018. It should be noted under the conditions that they accept all conditions except Number 11, and that they accept all 48 units as presented.*

As a friendly amendment to the motion of Mr. Peters, Mr. LeVine said that he would like to replace Condition 13 as staff presented it with the following language: "The developer shall ensure dedicated access for the public from Riverside Drive to Mendenhall River via a dedicated access that satisfies the provisions of CBJ Code §49.35.620".

Mr. Peters accepted the friendly amendment.

Mr. Voelckers said this is a hard decision for him, and that he will have to vote against the motion. Speaking against the motion, Mr. Voelckers said that he supports the project and the density of condominiums. He said he also agrees with some of the testimony heard on this issue and that it did seem fairly rushed and lacking in specificity. He said he would like to see what he was actually voting for. He has not yet seen a surveyed site plan, said Mr. Voelckers. He said he did not feel that he would be doing his due diligence to approve a permit for a project which at this point is still conjectural. That aside, said Mr. Voelckers, he said he is in favor of the 48 units and in general approves of the project.

Roll Call Vote:

Ayes: Peters, Frisby, LeVine, Bell, Dye

Nays: Voelckers, Shelton-Walker, Haight

The motion carries.

IX. BOARD OF ADJUSTMENT - None

X. OTHER BUSINESS - None

XI. DIRECTOR'S REPORT

Lemon Creek Steering Committee Appointment

Mr. Steedle said due to staff oversight an application from an extremely qualified applicant was misplaced. This individual is the current president of the neighborhood association, said Mr. Steedle. He recommended that Daniel Collison be appointed to the Lemon Creek Steering Committee.

The appointment of Daniel Collison to the Lemon Creek Steering Committee was approved by the Commission with no objection.

Front Yard Setback

Ms. McKibben said the variance the Commission heard at its last meeting regarding the front yard setback which had been continued, would need to come up before the Commission again on July 26, (2016) as the party does not yet have that information for the Commission.

Committee of the Whole

Mr. Steedle said the Committee of the Whole meeting has been moved to July 12, (2016) at 5:00 p.m.

XII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Lands Committee

Mr. Greene said the Lands Committee met last evening. The major topic was the CBJ involvement in housing. He said there was a presentation by the Director of Housing.

Ms. McKibben said the Commission will be hearing that presentation at its next meeting.

Mr. Greene said the Committee also discussed the Second Street and Franklin property. It recommended that the City proceed with negotiations with the party interested in purchasing the property.

The Lands Division of the CBJ has developed a standard CBJ film permit, said Mr. Greene. Film companies will be able to go to one location online to fill out the permit, said Mr. Greene.

XIII. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Voelckers asked the staff if they had an update on the establishment of the Rules Committee which had been approved by the Commission.

Mr. Steedle said he would discuss with Mr. Voelckers when Mr. Voelckers would like to hold the first Rules Committee meeting.

XIV. ADJOURNMENT

The meeting was adjourned at 9:29 p.m.



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: July 13, 2016

TO: Planning Commission

FROM: Chrissy Steadman, Planner II *Chris Mally*
Community Development Department

FILE NO.: USE2016 0022

PROPOSAL: Conditional Use Permit application for a marijuana testing facility in the General Commercial zoning district.

GENERAL INFORMATION

Applicant: Southeast Alaska Laboratories LLC

Property Owner: Ken Williamson

Property Address: 5450B Jenkins Drive

Legal Description: Lemon Glacier Lot 4

Parcel Code Number: 5-B12-0-101-006-0

Site Size: 25,342 square feet

Comprehensive Plan Future Land Use Designation: Commercial

Zoning: General Commercial

Utilities: City water and sewer

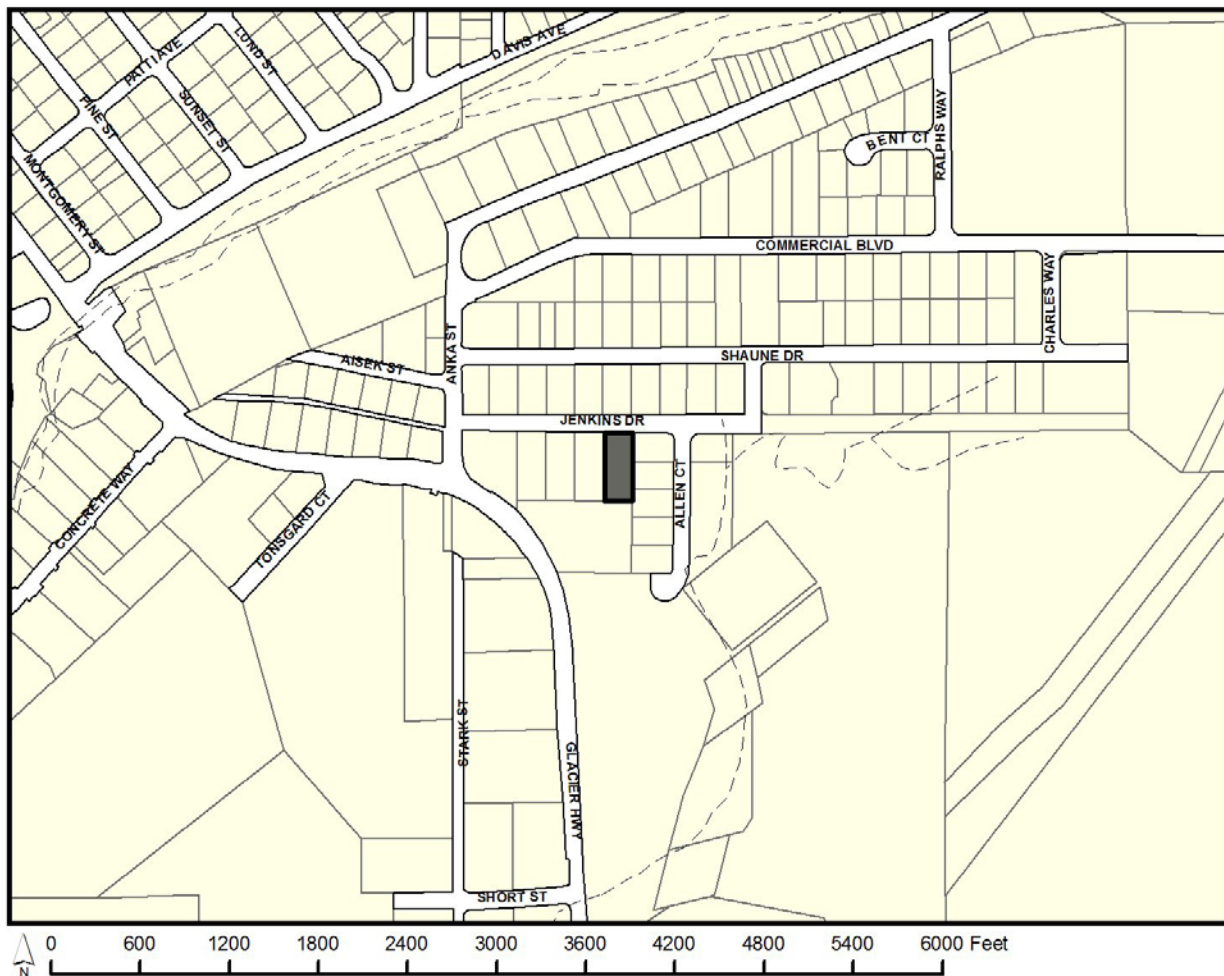
Access: Jenkins Drive

Existing Land Use: Storage Warehouse/Mechanical Repair

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 Surrounding Land Use:

North - Industrial
 South - General Commercial – Bobcat
 East - General Commercial – Tlingit & Haida Regional
 Housing Authority
 West - General Commercial - warehouse

Vicinity Map



ATTACHMENTS

Attachment A: Application & narrative
 Attachment B: Floor plan
 Attachment C: Public notice
 Attachment D: Testing equipment photos

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PROJECT DESCRIPTION

The applicant requests a Conditional Use permit (CUP) for the development of a marijuana testing facility in the General Commercial (GC) zoning district. The marijuana testing facility will test marijuana in all forms from licensed cultivation and product manufacturer facilities for potency, potential toxins, pesticides, mold, and microbials in order for those batches of product to be sold at licensed marijuana retail stores. Licensed marijuana testing facilities are permitted to test personal use marijuana.

BACKGROUND

The applicant is the first to propose a marijuana testing facility since the adoption of state and local regulations for the commercial sale and use of marijuana. A licensed marijuana testing facility in Juneau is necessary for legally produced marijuana to be sold through a licensed marijuana retail store. The State of Alaska Marijuana Control Board has implied that if a licensed marijuana cultivation or product manufacturing facility followed all required marijuana establishment regulations and transported samples for testing to a testing facility in another city via boat or plane they would be in compliance with state marijuana regulations. However, because marijuana is still federally illegal it is unclear whether modes of transportation governed by federal laws such as airplanes and the state ferry system will be legitimate ways to get samples from Juneau to Anchorage, for example, to be tested.

CBJ 49.65.1200 provides special use provisions for marijuana establishments including a CBJ marijuana business license. Once a facility receives an approved CUP and state license, CBJ staff will conduct an initial onsite inspection to ensure all conditions of the approved CUP are met and that the approved state license is in general conformity with the approved CUP. Once this inspection is complete Community Development Department will issue the local marijuana business license and the establishment may begin operations.

ANALYSIS

Project Site – The area to the east of Lemon Creek and north of Glacier Highway is primarily zoned Industrial with parcels closest to Glacier Highway zoned General Commercial. The subject site is located in the northeast section of the Lemon Creek area. The lot is part of the Lemon Glacier Subdivision which was platted in 1977. The subject lot is 102.88 feet wide and 246.33 feet in length, totaling 25,342.43 square feet. The minimum lot size in the GC zone is 2,000 square feet.

The subject lot contains two warehouse buildings. The building in which the marijuana testing facility is proposed was constructed in 1981. It is currently used for storage and has previously been used for equipment and vehicle repair by the Alaska Department of Fish and Game. The structure is 15 feet from the front lot line, 35 feet from the east side lot line and 27.89 feet from the west side lot line. CDD does not have a record of a building permit for the second structure on the southern side of the lot. However, during a site visit staff was able to confirm the structure is 15 feet from the rear lot line, 11 feet from the eastern side lot line and 11.89 feet from the western side lot line. According to the owner, the rear structure is leased by

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Alaska Department of Fish and Game for equipment repair. Setbacks in the GC zoning district are 10 feet on all sides therefore both the structures meet the required setbacks.

To the north of the subject site are two mini storage buildings, two boat condo structures a furniture warehouse, and a beverage dispensary. Adjacent to the west of the subject site is a structure containing four boat condo units. One of the units is occupied by Juneau Glass. Bobcat equipment rental is adjacent to the south. Adjacent to the east are the offices and shop for Tlingit & Haida Regional Housing Authority. To the southeast the Housing First development has recently started construction. This facility is considered multifamily housing with an out-patient clinic.



Figure 1: Aerial of site



Figure 2: Warehouse

Project Design – The proposed marijuana testing facility will occupy 1,040 square feet of the 3,200 square foot warehouse (see figure 2). The testing area will be an open format with a bathroom and entryway (Attachment B). The garage bay door to at the southeast corner of the building as shown in figure 2 will be removed with the renovation of the facility space. The main door shown adjacent to the bay door will be moved to the western side of the building. There will be no windows into the facility. The proposed facility will use five machines to test marijuana samples. The machines are pictured in Attachment D of this report and listed below.

- High performance liquid chromatography – used to test for potency.
- Mass Spectrometry – tests potency, pesticides, and residual solvents.
- Gas-liquid chromatography – potency, pesticides and residual solvents.
- Compound light microscope – tests for mold, mildew, microbials and other contaminants.
- Quantitative polymerase chain reaction – tests for mold, mildew and microbials.

Each piece of equipment is necessary to meet the state testing requirements for safety and quality control. The facility will be run by a Scientific Director as required by state regulations. In addition to the Scientific Director there will be two lab technicians.

State regulations require marijuana testing facilities to track samples using the state tracking database. All samples will be rendered unusable through the testing process.

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Traffic – The proposed facility anticipates 3 full time employees. According to the applicant 2-3 employees will staff the facility at one time. The application narrative states that the staff from the testing facility will pick up samples from marijuana cultivation and product manufacturing facilities and bring them back to the facility. This practice will reduce traffic to the facility and the amount of marijuana brought to the facility. Alternatively, individual marijuana cultivation or product manufacturing facilities would have to bring marijuana and marijuana products to the lab in bulk for a sample to be taken. Sample transport is not expected to occur more than once daily. 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. The proposed testing facility is not expected to generate more than 250 trips in a day.

Parking and Circulation – According to CBJ 49.40.210, the proposed marijuana testing facility is required to have 2 parking spaces. The remaining warehouse space requires two additional parking spaces. The rear warehouse requires 3 parking spaces for a total of 7 parking spaces. 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.

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. Therefore, the site requires a total of 8 parking spaces, one of which is accessible.

The applicant's site plan indicates the testing facility will have designated parking in the rear of the building. Figure 1 illustrates that the site provides adequate site circulation and adequate space for the required 8 parking spaces. Staff recommends as a condition of approval, that the applicant submit with the building permit plans a parking and circulation plan.

Noise – Noise is not expected to be of concern with the development of the marijuana testing facility. According to the applicant the testing equipment has low noise levels that would not be audible from outside the testing facility. Surrounding uses include 5 mini storage buildings, boat condos, a furniture warehouse and beverage distributor directly to the north. To the south is a heavy equipment rental business. To the west are boat condos and Juneau Glass warehouse. To the east are the Tlingit & Haida Regional Housing Authority offices and shop. All of these uses generate traffic and/or noise beyond that of the proposed testing facility.

Odor – Based on the experience of communities in the lower 48 states with legalized marijuana the offsite impacts associated with marijuana odor are primarily expected from marijuana cultivation facilities due to the large quantities of marijuana on the site. The testing facility will only have very small samples onsite at a given time and therefore odor is not expected to be a concern. Marijuana will be transported to the facility in sealed and locked containers and will only be opened once inside the lab.

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Waste – While the sample sizes for testing purposes are quite small, even these small amounts lose their potency in the testing process. Heat and pressure are used to conduct the required tests, extracting cannabinoids. Heat extracts the active ingredients in marijuana. State regulations require the unusable waste to be either be sent to a solid waste facility or incinerated. The proposed testing facility will discard the unusable waste to the local landfill.

Security – The application narrative and floor plan describe a surveillance and alarm system that will be installed. The outside entry to the lab will be lit with an LED motion sensor light as well as one light in the rear of the building. Four security cameras are proposed for the site; one on the exterior of the building at the entrance to the lab, one in the enclosed entry way, one in the southeast corner of the lab and one in the southwest corner. These locations are sufficient to monitor each area of the lab. The exterior and interior door will accessed with an electronic pin code.

Marijuana transported to the testing facility is required by state regulations to be accompanied by a manifest which includes the name of the individual transporting the marijuana, the make, model, and license plate of the vehicle used to transport the marijuana and the type, amount, and weight of marijuana being transported. While state regulations require the marijuana to be sealed, staff recommends as a condition of approval that the marijuana transported to the testing facility be in a nontransparent container that is kept locked until inside the facility.

Public Health or Safety – The testing of legal marijuana that will be sold in a legal retail setting is required by state and local law. The existence of a testing facility in the CBJ will ensure all marijuana establishments meet the state and local requirements for consumption safety and quality control. The facility itself will handle small amounts of marijuana at a given time and will be a secure facility. There is no evidence to suggest that the proposed marijuana testing lab will negatively affect public health or safety in the neighborhood.

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

Vegetative Cove – CBJ 49.50.300 requires ten percent of the site be maintained with vegetative cover. For this site, 2,534 square feet of vegetative cover is required. By using aerial photography, staff estimates the vegetative cover to be approximately 2,850 square feet, or 11 percent of the site. Therefore, the minimum vegetative cover requirement is met. Staff recommends as a condition of approval that a minimum of 2,534 square feet be maintained with live vegetative cover.

Property Value or Neighborhood Harmony – The site is adjacent to several storage facilities to the north and west. Bobcat equipment rental is adjacent to the south. The offices of Tlingit & Haida are adjacent to the west. The use as proposed is a commercial use appropriate for the General Commercial zoning district and, with appropriate conditions, is not anticipated to have

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any negative impact on surrounding uses. The testing facility will be located in an unmarked building with no windows and will likely go unnoticed.

At the time of this staff report no comments from the public had been received on this proposal.

Conformity with Adopted Plans – The subject site is located in Subarea 5 of the 2013 Comprehensive Plan and has a land use designation of Commercial (C). According to the Commercial land use designation definition found on page 148 of the Comprehensive Plan, retail, offices, food service, and personal services mixed with residential uses should be allowed on these lands. The proposed marijuana testing facility is a similar type of personal service use. The subject site is bordered by a Light Industrial (LI) land use designation where laboratories are listed as a use that should be encouraged in the area. The marijuana testing facility will be providing services to local businesses and is permitted to provide services to members of the public who want to have their personally grown marijuana tested. This use is appropriately located based on the land use designations for the area.

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.

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

The proposed development would help to diversify the economy and is a new business as encouraged by these policies. A marijuana testing facility will also ensure all marijuana establishments are able to follow all state and local regulations for the sale and use of legal marijuana by using a local testing facility.

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.

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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 3.500 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. Public notice of this project was provided in the July 16, 2016 and July 25, 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. 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 traffic is contained indoors in a secure facility where only employees are permitted.

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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 commercial uses and several mini storage facilities with similar and more intense off-site impacts such as noise and traffic. The proposed marijuana testing facility, with appropriate conditions, will not decrease the value of or be out of harmony with property in the neighborhood.

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

Yes. As discussed above the proposed marijuana testing facility is in general conformance with the land use plan and other officially adopted plans.

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

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 testing facility in the GC zoning district.

The approval is subject to the following conditions:

1. Marijuana and marijuana product samples transported to the testing facility shall be in non-transparent locked containers.
2. Parking spaces shall meet CBJ 49.40.210(b)(1); 8 spaces including 1 ADA assigned space shall be marked and maintained. A parking and circulation plan shall be submitted with the building permit application.
3. No offsite glare shall be produced by exterior lights.
4. A minimum of 2,534 square feet of the site will be maintained with live vegetative cover.

Project Number USE 20160022	CITY and BOROUGH of JUNEAU	Date Received: 6/10/16
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT

Project Description		
The setup and use of a designated area of the existing structure located at 5450 Jenkins Dr, to operate an organic testing and analytics laboratory, which will test cannabis and other organic compounds.		
PROPERTY LOCATION		
Street Address 5450B Jenkins Dr.	City/Zip Juneau, 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) The proposed building for use is at 5450 Jenkins Dr. Juneau, situated on Lot 4 Lemon Glacier Subdivision		
Assessor's Parcel Number(s) 5B1201010060 Lemon Glacier LT 4		
LANDOWNER/ LESSEE		
Property Owner's Name Ken Williamson	Contact Person: Ken Williamson	Work Phone: 907-789-0301
Mailing Address PO Box 32801 Juneau, Alaska 99803	Home Phone:	Fax Number: 907-789-1493
E-mail Address deltaak@ptialaska.net	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 <u>Ken Williamson</u> Landowner/Lessee Signature	31/May/2016 Date	
X <u>[Signature]</u> Landowner/Lessee Signature	05/31/2016 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 Southesth Alaska Laboratories LLC	Contact Person: Jessica Dreibelbis	Work Phone: 315-778-1469
Mailing Address 1689 Harbor Way Juneau, AK 99801	Home Phone:	Fax Number:
E-mail Address seaklabs@gmail.com	Other Contact Phone Number(s):	
X <u>[Signature]</u> Applicant's Signature	06/10/2016 Date of Application	

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)			USE 20160022
Variance Case (De Minimis and all other Variance case types)			
Wetlands Permits			
Zone Change Application			
Other (Describe)			

Comments:

Permit Intake Initials
EST

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TO BE COMPLETED BY THE APPLICANT

Revised July 2015- I:\FORMS\2015 Applications

Southeast Alaska Laboratories LLC

Physical Address:
5450B Jenkins Dr
Juneau AK 99801

June 09, 2016

Good Day,

As per our meeting on June 1st 2016, 1330, The following information has been collaborated in regards to, The Conference Summary.

Narrative

The property is zoned, General Commercial use under CBJ 49.25.300 section 3.5. Setbacks of 10' on all sides, building height is less than 45'. There will be two (2) parking spaces with the possibility for more if needed, one (1) will be designated for Handicapped usage. No landscaping is needed or proposed. Appropriate lighting will be placed above the main entrance and all sides of the building, see "floor plan" for locations of these placements. The classification for usage of the laboratory is "B" Occupancy. One hour fire separation is to be installed between the Lab and remaining footage of the structure. A bathroom will be constructed to meet ADA requirements. Chemicals for use in the laboratory are as follows: Chloroform alcohol, which will be combusted into CO² and H²O or will be disposed of into the sewer as it is a non-toxic waste and non-commercial cleaning solvents. A designated hazardous containment, container will be on site should the need arise for such disposal which will be handled to meet CBJ's hazardous waste requirements.

Samples are to be collected at the cultivation facilities to minimize traffic and avoid other potential issues with bulk transportation of cannabis product. The samples will be relatively small, sealed and in a locked safe, therefore the loading/unloading zone can be the closest parking space to the main entrance. If necessary a loading/unloading designated space may be designated and marked immediate to the main entrance.

Noise is not expected to be of any concern to the surrounding properties as the equipment in the laboratory while running is not audible enough to interfere with a conversation standing in the same room as the equipment, therefore there is no concern of any noise being audible to the neighboring properties.

A description of the facilities equipment as pictured, functions are as follows:

- (HPLC; High-pressure liquid chromatography) machine uses a technique in analytical chemistry used to separate, identify, and quantify each component in a mixture. It relies on pumps to pass a pressurized liquid solvent containing the sample mixture through a column filled with a solid adsorbent material. Each component in the sample interacts slightly differently with the adsorbent material, causing different flow rates for the different components and leading to the separation of the components as they flow out the column.
- The Mass spectrometry (MS) is an analytical technique that ionizes chemical species and sorts the ions based on their mass to charge ratio. In simpler terms, a mass spectrum measures the masses within a sample.
- The (GC) specifically gas-liquid chromatography - involves a sample being vapourised and injected onto the head of the chromatographic column. The sample is transported through the column by the flow of inert, gaseous mobile phase. The column itself contains a liquid stationary phase which is adsorbed onto the surface of an inert solid.
- The compound light microscope gathers light from a small area (where the specimen is on the stage) and sends this light up through the objective lens. The objective lens magnifies the sample, as do the eyepieces being looked through.
- The (qPCR- quantitative polymerase chain reaction) Real-time qPCR is the most sensitive and reliable method for detection and quantification of nucleic acids (DNA, cDNA, & RNA) levels. It is based on detection and quantification of fluorescence emitted from a reporter molecule at real time. This detection occurs during the accumulation of the PCR product with each cycle of amplification, thus allows monitoring the PCR reaction during early & exponential phase where the first significant increase in the amount of PCR product correlates to the initial amount of target template.
- All of said equipment is currently in use, at the NOAA Alaska Fisheries Science Center, Point Lena.

Odor is also not a concern as samples are sealed before being transported to the facility and will only be unsealed to process/analyze the sample. A ventilation system appropriate for

laboratory use will be installed, if a carbon filter is necessary and not already in the ventilation unit one will be implemented if odor becomes of valid concern.

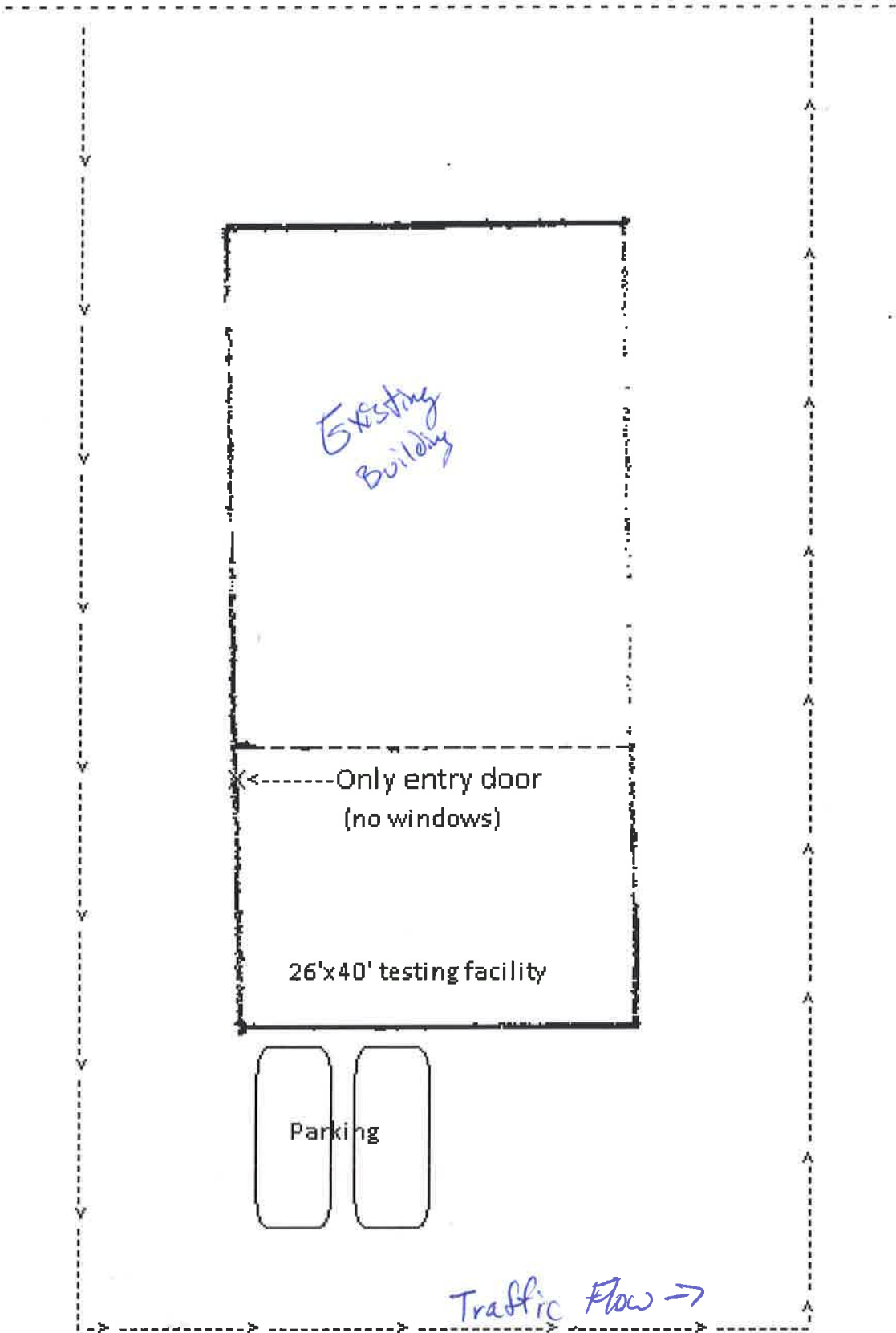
A security system know as Night Owl, is to be installed with a minimum of four cameras strategically placed as follows: one camera at the exterior of the entrance to show a minimum of a twenty (20) foot view from the entry door, one camera placed to view the interior of the entry door, one camera in the far SE corner of the laboratory to view the entire facility focusing toward the innermost entry door, one camera in the SW corner to view primarily the work procedures/lab operations. About the system; Night Owl's WM-845-4CM624 is an advanced 8 channel, 4 camera Security System that includes a pre-installed 500GB hard drive capable of recording up to 6 months of video surveillance, which can be expanded to 4TB for longer periods of storage and/or more cameras utilized. The cameras are hi-resolution with 600 TV lines and 50 ft. of night vision capabilities. This system is also expandable to 8 cameras if more coverage is desired. The system can also be viewed remotely by authorized personnel only and records of recorded footage will be keep off site at a secure location. This is the system intended to be installed if it becomes unavailable before the installation takes place a system with the same high quality specifications will be installed in place of said system.

The two main entry doors will have industrial grade security electronic pin pads or fingerprint recognition pads. Only authorized personnel will have clearance of entry with these devices. All other non authorized personnel will be screened in advance to their arrival at the facility and must be escorted by authorized personnel the entire time while in the facility.

Installed will also be an Alarm Security System, which will integrate the following devices to optimize security coverage of the facility; Door Sensor(s), PIR Motion Detectors, Smoke/Fire Detector, and a Gas Detector. The Alarm System, will have programed contact numbers with the ability to automatically send an alert to the preprogrammed numbers, should any of the following devices become triggered according to their nature. These numbers to be alerted will include, the facility manager(s) and local authorities such as Juneau Fire & Rescue and the Juneau Police Department.

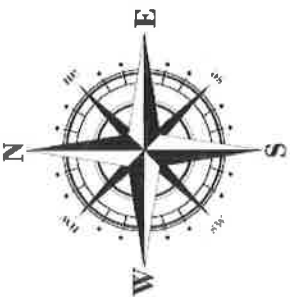
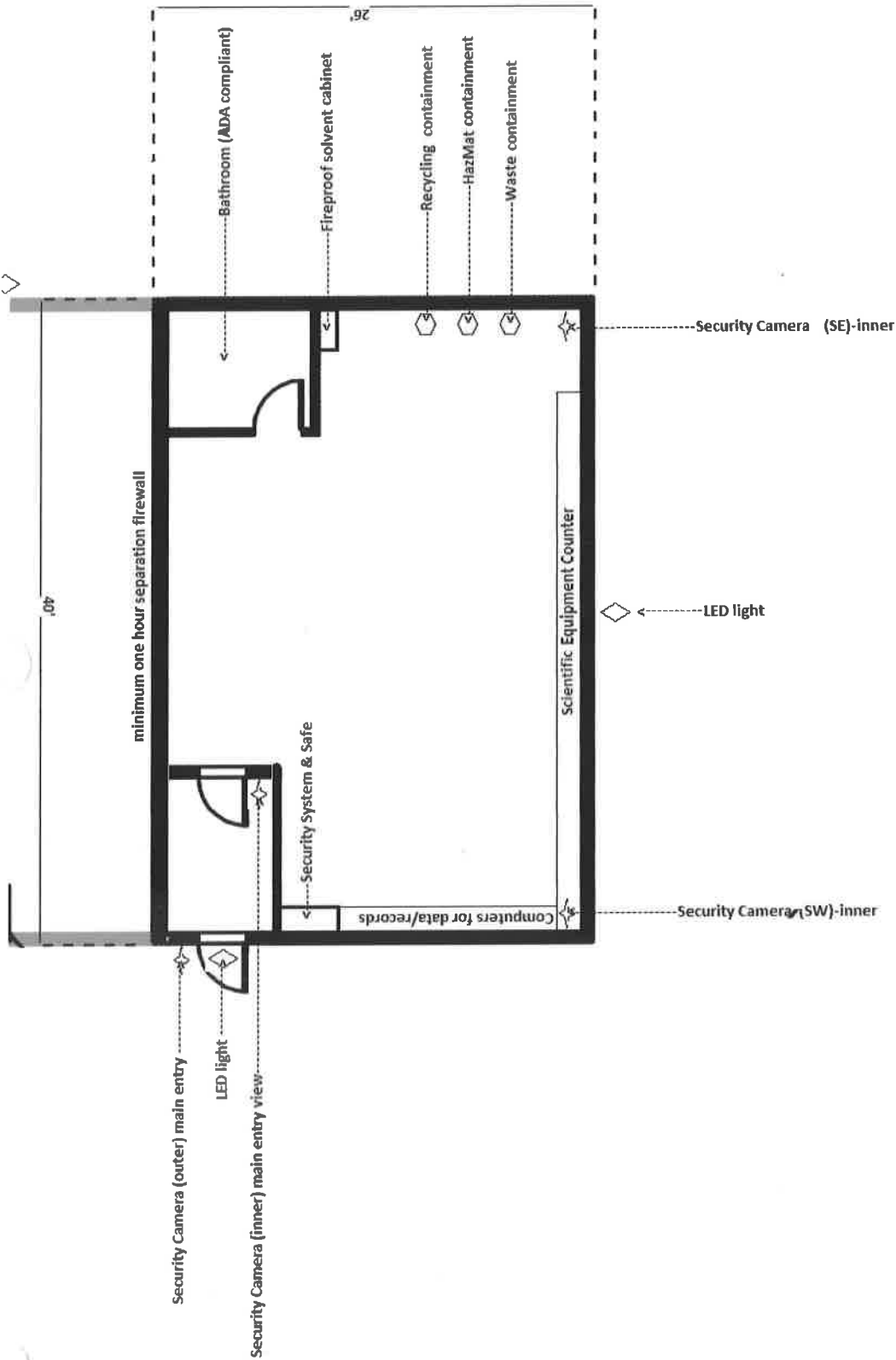
Jessica Dreibelbis
Southeast Alaska Laboratories LLC
seaklabs@gmail.com
Cell: 315-778-1469

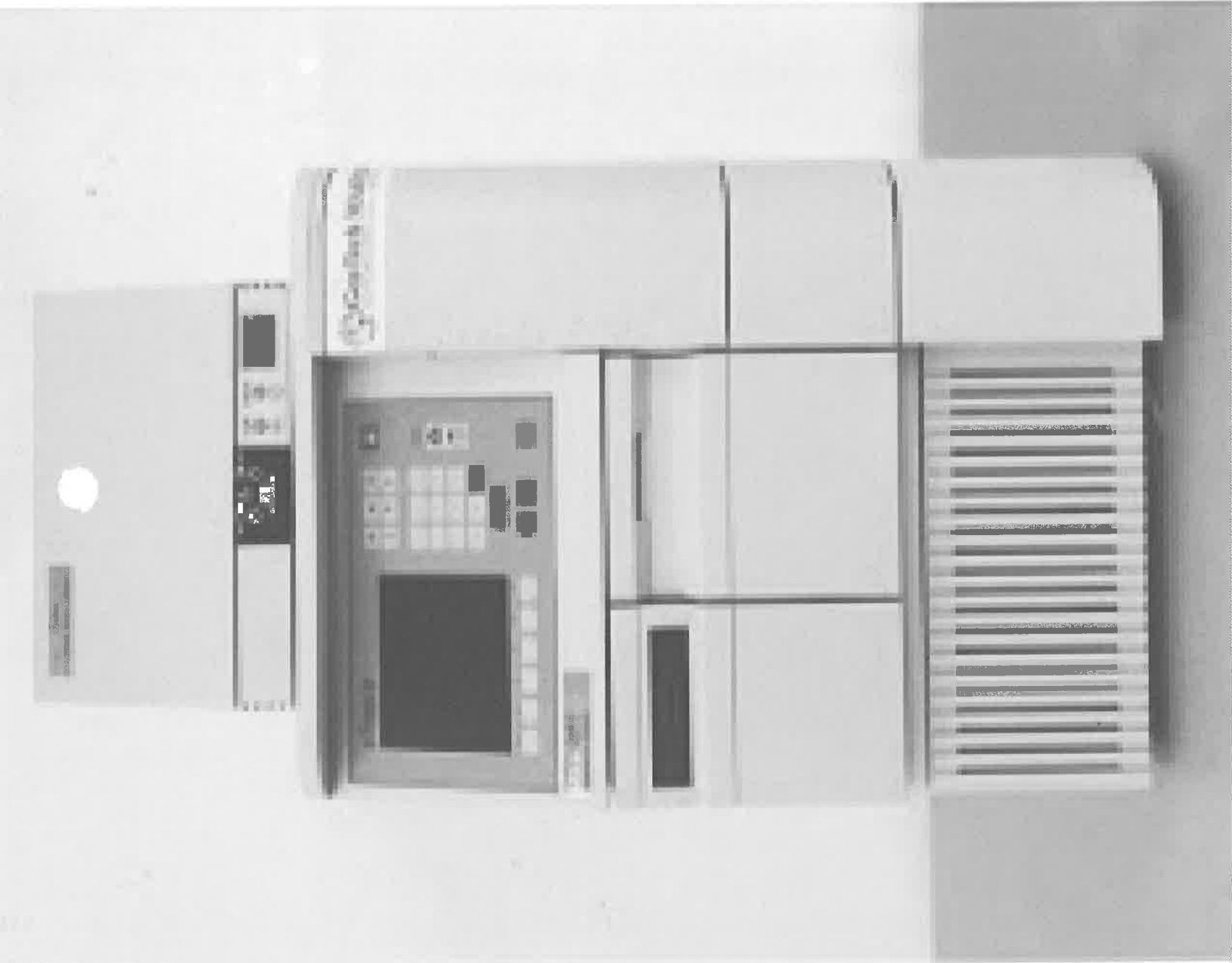
Jenkins Dr.



SITE PLAN

FLOOR PLAN



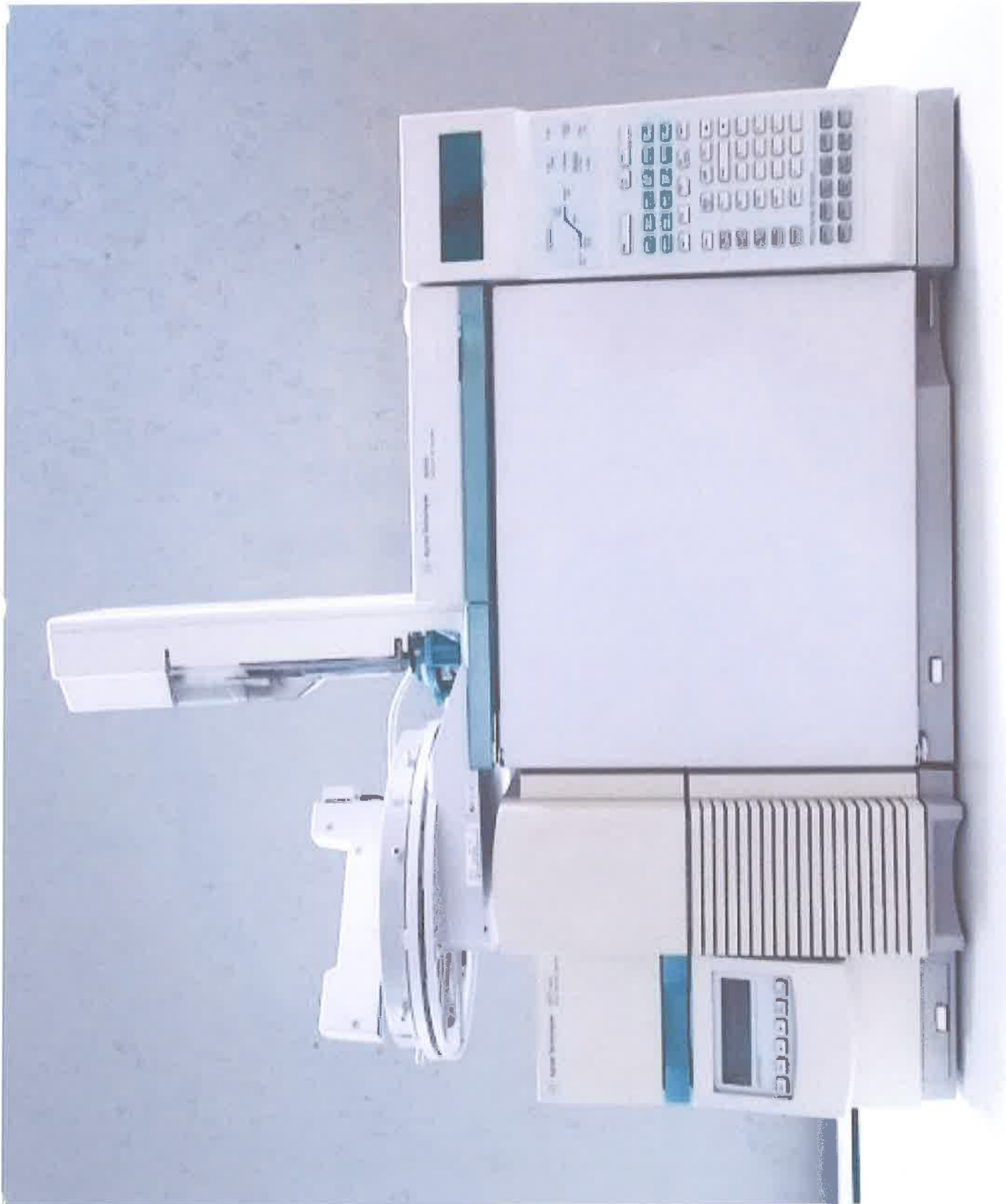


Attachment C

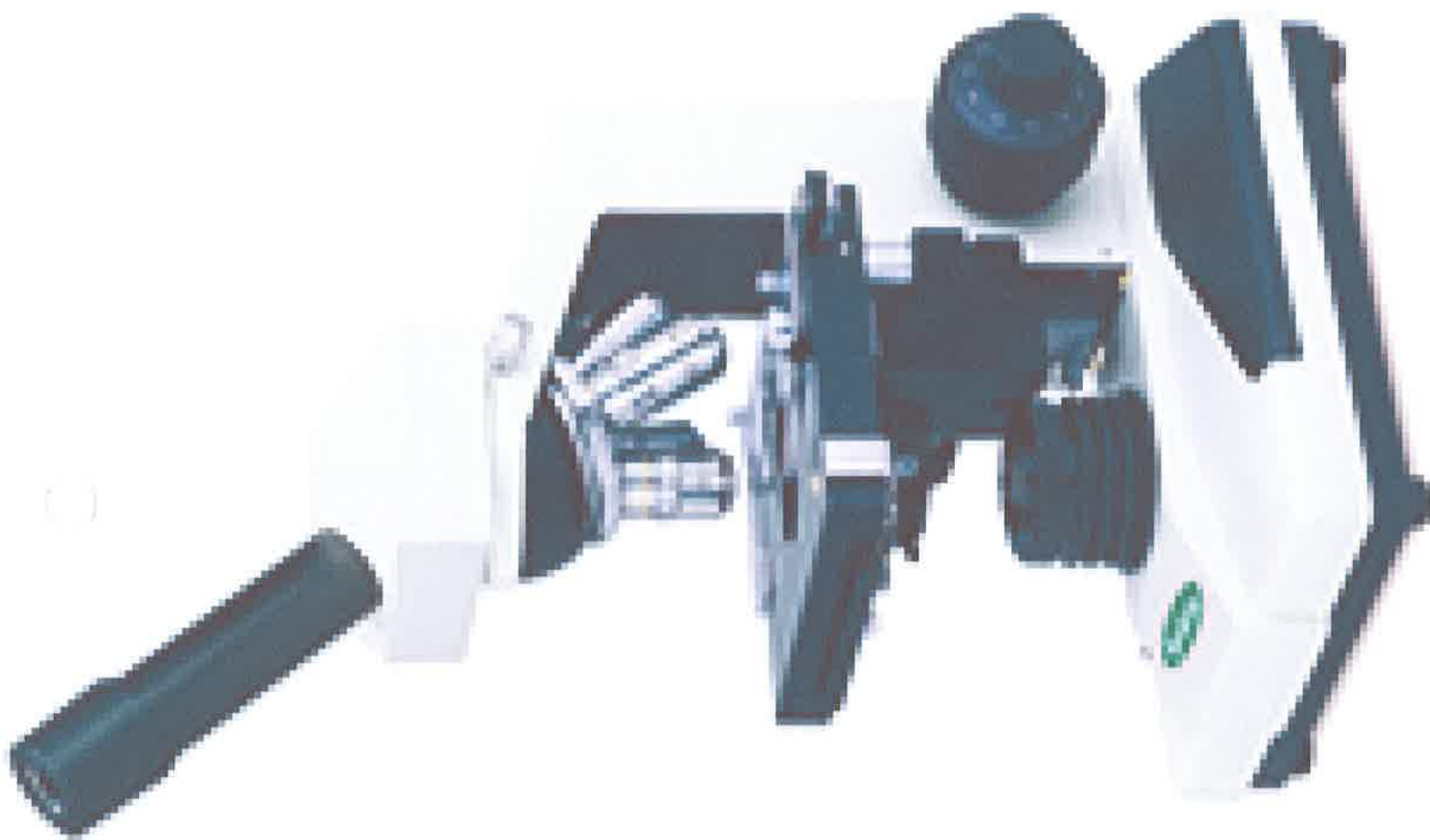
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Attachment C



Attachment C

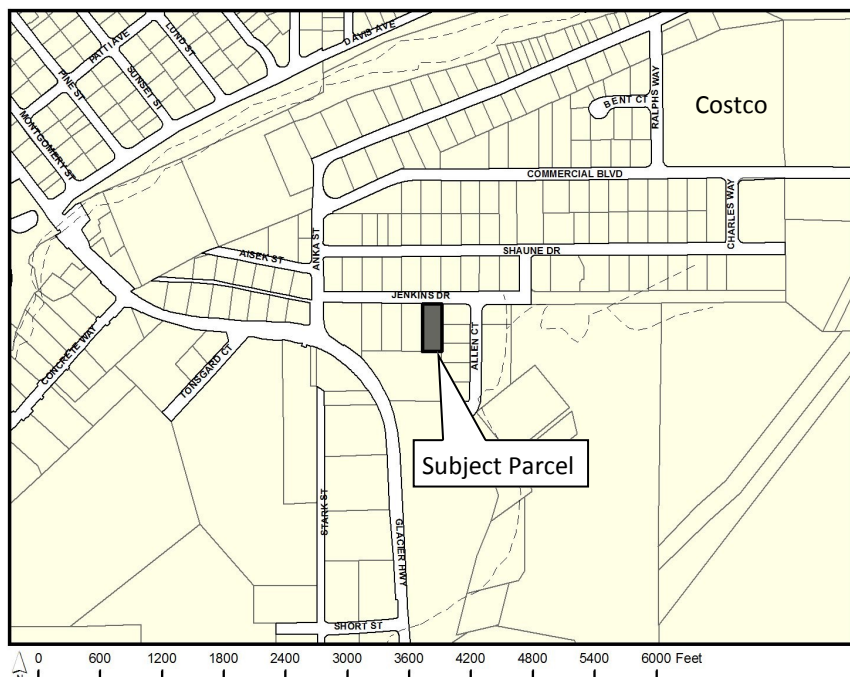


Attachment C





NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: Conditional Use Permit application for a marijuana testing facility in the General Commercial zoning district.

File No:	USE2016 0022	Applicant:	Southeast Alaska Laboratories LLC
To:	Adjacent Property Owners	Property PCN:	5-B12-0-101-006-0
Hearing Date:	July 26, 2016	Owner:	Ken Williamson
Hearing Time:	7:00 PM	Lot Size:	25,342 sq ft
Place:	Assembly Chambers	Zoned:	GC
	Municipal Building	Site Address:	5450B Jenkins Dr
	155 South Seward Street	Accessed Via:	Jenkins Dr
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

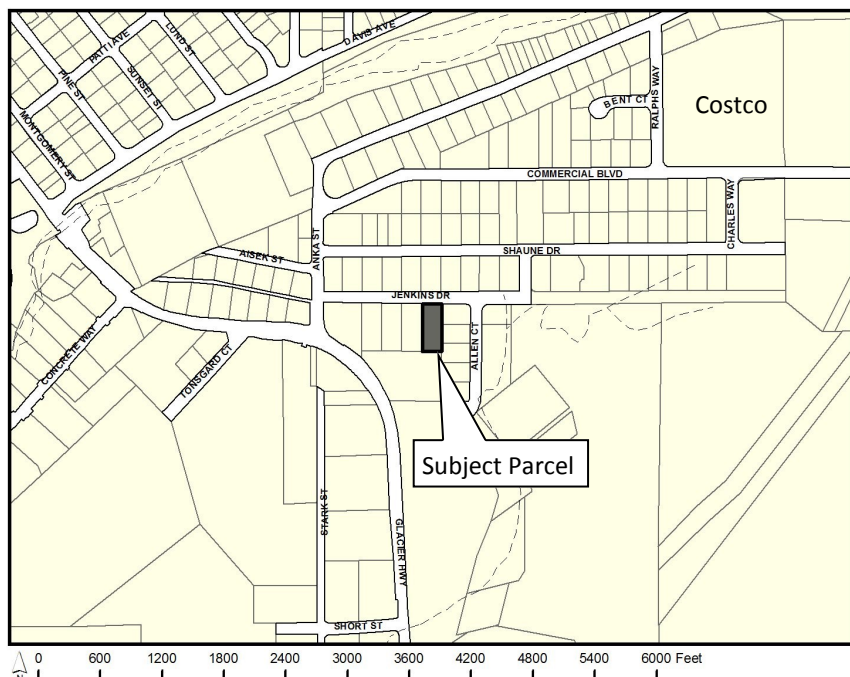
You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included 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 Christine Steadman at
Christine.Steadman@juneau.org or 586-0761.*





NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



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If you have questions, please contact Christine Steadman at Christine.Steadman@juneau.org or 586-0761.





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: July 27, 2016

File No.: USE2016 0022

Southeast Alaska Laboratories LLC
1689 Harbor Way
Juneau, AK 99803

Application For: Conditional Use Permit application for a marijuana testing facility in the General Commercial zoning district.

Legal Description: Lemon Glacier Lot 4

Property Address: 5450 B Jenkins Dr.

Parcel Code No.: 5-B12-0-101-006-0

Hearing Date: July 26, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 13, 2016 and approved the development of a marijuana testing facility 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. Marijuana and marijuana product samples transported to the testing facility shall be in non-transparent locked containers.
2. Parking spaces shall meet CBJ 49.40.210(b)(1); 8 spaces including 1 ADA assigned space shall be marked and maintained. A parking and circulation plan shall be submitted with the building permit application.
3. No offsite glare shall be produced by exterior lights.
4. A minimum of 2,534 square feet of the site will be maintained with live vegetative cover.

Attachments: July 13, 2016 memorandum from Chrissy Steadman, Community Development, to the CBJ Planning Commission regarding USE2016 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

Southeast Alaska Laboratories LLC

File No.: USE2016 0022

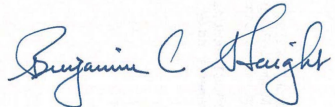
July 27, 2016

Page 2 of 2

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, July 26, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or January 26, 2018, 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:	 Chrissy Steadman, Planner Community Development Department	 Benjamin Haight, Chair Planning Commission
	 Filed With City Clerk	August 1, 2016 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.



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: July 15, 2016

TO: Planning Commission

FROM: Allison Eddins, Planner *A Eddins*
Community Development Department

FILE NO.: USE2016 0020

PROPOSAL: A Conditional Use permit for pet grooming and boarding.

GENERAL INFORMATION

Applicant: Benjamin Lee Nestler

Property Owner: Benjamin Lee Nestler

Property Address: 8757 Dudley St.

Legal Description: Field Acres Block C Lot 1 Lot B

Parcel Code Number: 5-B21-0-158-003-0

Site Size: 15,020 square feet (0.34 acres)

Comprehensive Plan Future Land Use Designation: (ULDR) Urban Low Density Residential

Zoning: (D5) Single-family/duplex

Utilities: City water and sewer

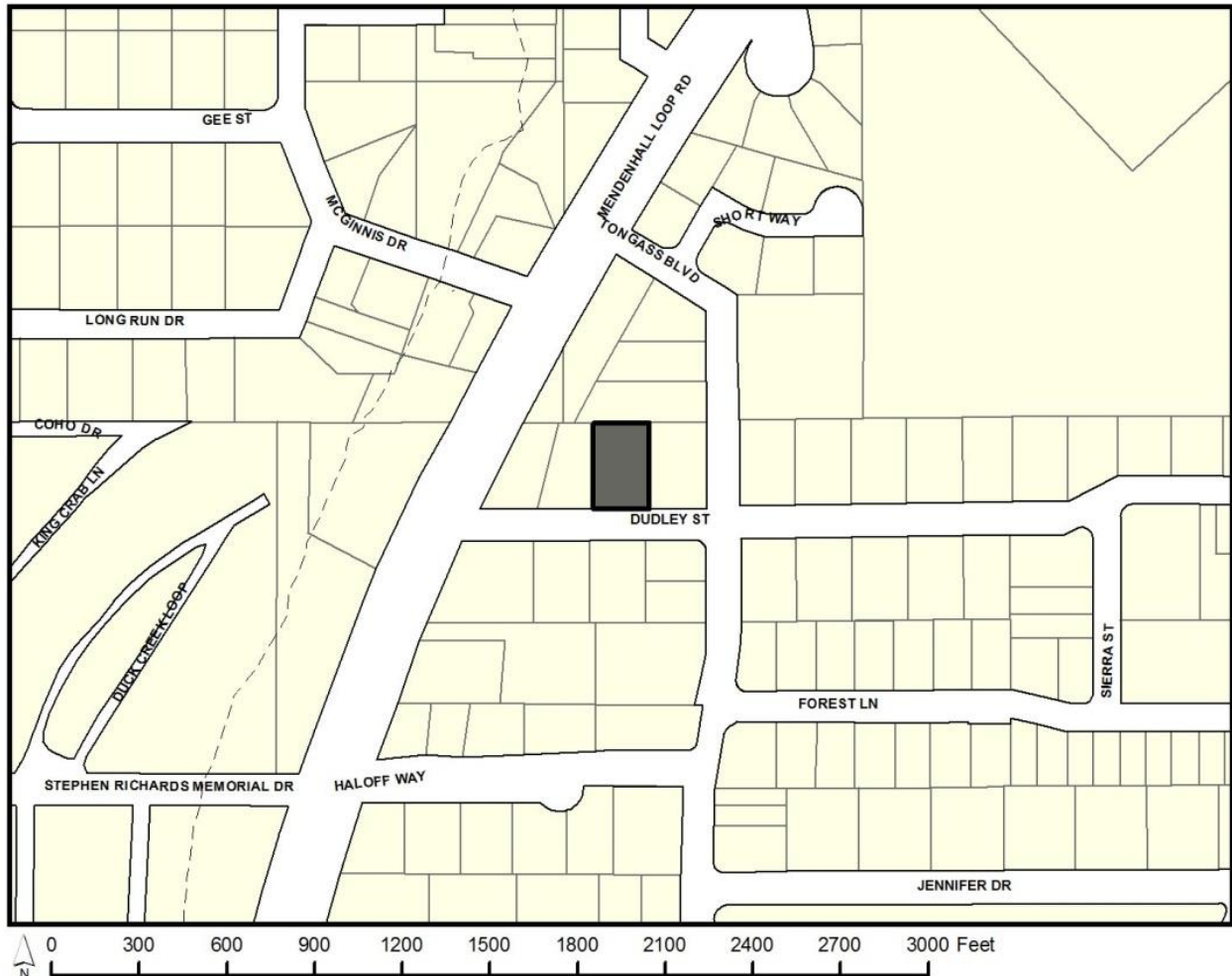
Access: Dudley Street

Existing Land Use: Residential/Home Occupation

Surrounding Land Use:

North	- (D5) Single-family residential
South	- (D5) Single-family residential
East	- (D5) Single-family residential
West	- (D5) Single-family residential

Vicinity Map



ATTACHMENTS

- Attachment A – Development Permit and Conditional Use Permit Application
- Attachment B – Project Narrative
- Attachment C – Floor Plan
- Attachment D – ENF 15-14 Letter to Applicant
- Attachment E – Pre Application Conference Notes
- Attachment F – Public Notice
- Attachment G – Public Comments

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PROJECT DESCRIPTION

The applicant is seeking a Conditional Use Permit to allow a pet grooming and dog day boarding business within a single family home in a D5 zoning district. The applicant also provides overnight boarding for up to four dogs. This is an allowed use in a D5 zoning district.

CBJ 49.25.300 Table of Permissible Uses, Section 1.700 allows home occupations in D5 neighborhoods without requiring a Conditional Use Permit. However, Doggie Do's does not meet the definition of a home occupation, per *CBJ 49.80.120 Definitions* and therefore does require an approved Conditional Use Permit to continue operating at its current location.

Doggie Do's operations take up more than 500 square feet inside the garage and the home. The business also generates traffic and requires parking in excess of that normally required for a single-family dwelling unit. There have been public comments concerning noise and odor associated with the business. Staff will address these concerns through the project analysis and recommended conditions.

CBJ 49.25.300, Table of Permissible Uses 12.250 requires that "Day Animal Services, grooming, walking, and day care" receive an approved Conditional Use Permit in the D5 zoning district.

BACKGROUND

The applicant has been operating Doggie Do's at this location, 8757 Dudley Street, since March 2007. In November 2015, the Community Development Department received a complaint about the business. An enforcement case was created (ENF15-14) and the business owner was sent a certified letter on December 7, 2015 notifying him of the complaint and the need for an approved Conditional Use Permit (see Attachment E).

ANALYSIS

Doggie Do's provides grooming services to all breeds of dogs and cats. Pets are dropped off by appointment only and no walk-ins are accepted. Grooming hours are between 9:00 am – 3:30 pm Monday through Friday. According to the applicant, Doggie Do's can groom, on average, a maximum of five pets per day. Drop off and pick up times for grooming services are typically scheduled 10 to 15 minutes apart, this way there is only one pet owner on site at any one time. Pets are immediately taken into the garage where the grooming takes place. Pets are placed in travel kennels while waiting to be groomed and when the grooming is complete until their scheduled pick-up time (see Attachment B).

Daytime boarding services (daycare) are also provided on the site between the hours of 7:00 AM and 6:00 PM, Monday through Saturday. Drop off hours for daytime boarding are between 7:00 am – 9:00 am. Clients can pick up their pets any time before 6:00 pm.

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Doggie Do's has been providing overnight dog boarding. This type of use is considered a kennel and is a separate use from the daytime boarding service. Kennels are not allowed in a D5 zoning district. CBJ 49.80.120 defines a kennel as *"a building in which six or more dogs more than four months of age are kept."*

The applicant was advised of this at a pre-application conference and states that the number of dogs boarded overnight has been limited to four, not including the applicant's dog (see Attachment E). Staff recommends as a condition of approval that no more than five dogs be on-site overnight, including those owned by the applicant. This is to keep the overnight boarding from being considered a kennel.

Agency Comments – Staff solicited comments from the CBJ Building Department, CBJ Streets Department, and Capital City Fire and Rescue. There are no concerns at this time. Staff also reached out to CBJ General Engineering for comments. According to CBJ Utility Code 75.01.050 water meters are required for all services, except residential service to single-family dwellings without accessory apartments, used solely for residential purposes. Staff recommends as a condition of approval, the installation of a water meter within 30 days of an approved Conditional Use Permit. The applicant has been made aware of this requirement as well as the \$750 meter installation fee.

Public Comments – There was an initial complaint filed with CDD in November 2015 concerning the pet grooming and dog boarding business. Since then Staff has received one phone call and one email from neighbors who are concerned about the impacts of noise and odor (see Attachment G). These concerns are addressed in the project analysis and with recommended conditions. Staff has also received public comment from three neighbors and eight clients who are in support of the business remaining in its current location (see Attachment G).

Project Site – The business is located in the Mendenhall Valley on Dudley Street in the Field Acres Subdivision. The neighborhood is zoned D5 and consists mainly of single-family residences with a few accessory apartments. The lot is approximately 15,000 square feet and the home is approximately 1,480 square feet. The backyard is completely fenced with a non-sight obscuring fence. There is a small deck and lean-to in the backyard. There are no other structures on the lot.

Project Design – The pet grooming portion of the business takes place in the garage. The garage is 576 square feet and houses a grooming station with a tub and table and large shelves to hold supplies. There are animal crates in the garage where groomed animals are kept until their owners arrive. All of the grooming activities take place inside the garage. Clients park in the driveway and enter through the front door directly into the living room. This is where clients drop off and pick up their pets and pay for services. All clients are required to use leashes or carriers (see Floor Plan in Attachment C).

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The day care and overnight animals have access to the main floor of the house and the backyard. The main floor of the house is approximately 400 square feet and the yard is completely enclosed with a non-site obscuring metal fence. The dogs are allowed access to the backyard. This has caused some concern with neighbors who cite the noise of barking dogs and the odor of dog excrement as having a negative impact on the neighborhood. Excessive noise and odors reduce neighborhood harmony and interfere with neighbors' enjoyment of their property. Since being made aware of the odor issue, the applicant has clean-up the backyard and treated the lot with an odor neutralizing product. Staff recommends the following conditions to address the noise and odor impacts:

- There shall be no more than five dogs boarded overnight, including those owned by the applicant.
- No more than five dogs boarded during the day, not including those owned by the applicant.
- The applicant must keep the yard free of animal waste. The waste will be stored in a plastic or metal container with a lid and will be properly disposed of regularly.
- No more than five dogs will be allowed in the yard at one time.

Traffic – The D5 neighborhood is mainly comprised of single family homes with a few accessory apartments. The subject lot is 300 feet from the intersection of Dudley Street and Mendenhall Loop Road, and is within half a mile of both Glacier Valley Elementary School and Floyd Dryden Middle School. Mendenhall Loop Road is an Alaska Department of Transportation (AKDOT) right-of-way and is classified as a minor collector by AKDOT. According to the latest annual traffic counts from AKDOT, this portion of Mendenhall Loop Road carries an average of 12,241 vehicles per day. Haloff Way, which is just south of Dudley Street, carries an average of 1,443 vehicles per day. (This information can be found by following this link http://dot.alaska.gov/stwdplng/transdata/traffic_AADT_map.shtml). Unfortunately, there is no traffic count information available specifically for Dudley Street.

Due to its close proximity to two schools and Mendenhall Loop Road, the neighborhood already experiences a relatively high volume of traffic. Doggie Do's can groom a maximum of five pets per day. Assuming the maximum number of pets are groomed each day; this will generate up to 10 vehicles trips per day. The grooming portion of the business operates from 9:00 am until 3:30 pm Monday through Friday.

Drop-off times for daycare boarding are by appointment only and are scheduled between 7:00 am and 9:00 am Monday through Saturday. The applicant has stated that drop-off and pick-up times are scheduled 10 to 15 minutes apart and are scheduled around the grooming drop-offs and pick-ups. There is typically only one owner present at a time (see Project Narrative in Attachment B). This decreases the likely-hood of the day's clients all arriving at once and

Planning Commission
 File No.: USE2016 0020
 July 15, 2016
 Page 6 of 12

possibly creating a traffic back-up. As a condition of approval, staff is recommending that the number of dogs day boarded be limited to five, not including those owned by the applicant. This will help to decrease noise and traffic impacts to the neighborhood. Assuming a maximum of five dogs per day; this will generate up to 10 vehicle trips per day.

It is unlikely that 20 additional daily trips will have a negative impact on the neighborhood.

Parking and Circulation – *CBJ 49.40.210 Table of Minimum Parking Standards* does not list parking requirements for pet grooming or boarding. *CBJ 49.40.200 (3) Uses not specified* states: In the case of uses not listed, the requirements for off-street parking shall be based on the requirements for the most comparable use specified. The pet grooming business most closely resembles a bank or office. They are similar in that clients (pet owners) are usually only in the business for a short amount of time. Banks and offices require 1 parking space per 300 square feet of gross floor area. The pet grooming takes place in the garage which is 576 square feet. The dog boarding business most closely resembles an in-home child care. The parking requirement for in-home child care is two spaces for the dwelling unit and one parking space for each on-shift employee. Doggie Do's is run by the applicants and has no employees; when calculating parking requirements, the number of spaces required is rounded to the nearest whole number, per CBJ 49.40.210. Zero is not a whole number and therefore the parking requirement for boarding is one space.

Use Description	Spaces Required
Single-family dwelling	2
Pet Grooming (576 sq. ft. garage)	2 (1/300 sq. ft.)
Dog Boarding	1
Total spaces required	5 of which 1 must be ADA accessible

Back-out parking is only allowed for single-family residences. Since this residence is also operating as a business, clients will be required to make a three-point turn on the site before exiting onto Dudley Street. CBJ 49.40.210 requires parking spaces be 8.5 ft. by 17 ft. and parking aisles for 90 degree angled parking spaces must be 24 feet wide. The driveway will need to be widened to 58 feet in order to provide enough room for vehicles to turn around. In addition, a "No Back Out Parking" sign must be posted near the driveway. The applicant has agreed to make the needed driveway improvements. Staff recommends as a condition of approval, that these parking requirements be met when the applicant applies for the Utility Permit for the water meter installation (See Agency Comments above).

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File No.: USE2016 0020
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Photo of subject lot taken on July 12, 2016. This photo illustrates a widened driveway that is able to accommodate 5 parking space and a 24 foot wide parking aisle for turn around.

Noise – The applicant stated in the project narrative that Doggie Do’s does not board dogs who bark incessantly. At the time this report was written, staff had received public comment from a neighbor about excessive barking. All pet grooming takes place within the building, so it is unlikely that this activity is impacting noise levels. The barking becomes a problem when boarded dogs are let out into the backyard. Staff recommends as a condition of approval that the number of dogs boarded during the day be limited to five, not including those owned by the applicant, and that dogs boarded overnight be limited to five, including those owned by the applicant. Limiting the number of dogs boarded overnight will keep the use from being considered a kennel; a use that is defined as six or more dogs, which is not allowed in the zoning district.

Exterior Lighting – The home does not have any exterior lighting beyond that which is typical for a single family home. There are no exterior lights or signs associated with the in home business. No new lighting is proposed.

Planning Commission
File No.: USE2016 0020
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Signs – At this time the applicant does not plan to install signage on the site. In the future, should the applicant wish to install a sign, all applicable requirements in *CBJ 49.45 Signs* must be met.

Lot and Vegetative Coverage – The maximum lot coverage in a D5 neighborhood is 50 percent and the minimum vegetative coverage requirement is 20 percent. Both of these requirements are currently being met and the applicant has no plans to remove vegetation or add additional structures to the lot.

Public Health or Safety – Staff received a public comment from a neighbor whose backyard abuts the subject lot. The complaint was about the smell of dog excrement coming from the subject lot. As mentioned above, staff recommends, as a condition of approval, that the applicant keep the yard free of animal waste. The waste will be stored in a plastic or metal container with a lid and will be properly disposed of regularly. In addition to addressing concerns about odor this will also decrease the leaching of nitrates which may have a negative impact on surrounding natural water quality.

Staff notes that excessive refuse on private property is considered a nuisance and is in violation of CBJ Title 36 Health and Sanitation.

CBJ 36.20.010 Nuisances declared.

Any person who does any act, or causes or creates anything within the City and Borough which substantially and unreasonably interferes with the use or enjoyment of real property is guilty of maintaining a nuisance which shall be punished as a misdemeanor. Whenever a nuisance is deemed to exist it shall be abated by the chief of police or some other designated office of the City and Borough at the expense of the person maintaining the nuisance.

Property Value or Neighborhood Harmony – The identified impacts to the neighborhood are noise and odor. The impacts are felt when the dogs are barking outside and the yard is not properly maintained. With appropriate conditions these impacts can be mitigated. With the conditions, and the applicant's commitment to adhering to the conditions, there is no evidence that approving this Conditional Use Permit would negatively affect property values or neighborhood harmony. Staff is recommending, as an advisory condition, that the applicant exercise great consideration for adjacent property owners and be mindful of the impact of barking dogs and odors.

Conformity with Adopted Plans – The 2013 Comprehensive Plan land use designation of the subject lot is Urban Low Density Residential (ULDR). These lands are categorized by urban or suburban residential lands with detached single family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundation at

Planning Commission
 File No.: USE2016 0020
 July 15, 2016
 Page 9 of 12

densities of one to six units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses, CBJ 49.25.300.

The subject lot is located in Subarea 4: East Mendenhall Valley & Airport as designated in the 2013 Comprehensive Plan Land Use Maps, with a community form listed as suburban/urban. The Plan lists guidelines and considerations for each Subarea. Guideline and Consideration # 2 for Subarea 4 calls for increasing community commercial development in close proximity to existing commercial development. Although Title 49 does not have a definition for “community commercial development”, it is commonly thought by other communities to be an integrated shopping area in close proximity to residential neighborhoods. The proposed business’ current location inside a single-family home does not meet the intent of Guideline and Consideration #2.

Chapter 5 of the 2013 Comprehensive Plan details the policies and guidelines associated with CBJ’s goals for economic development. Policy 5.18 specifically deals with home-based businesses.

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

Standard Operating Procedures – 5.18 SOP6 Encourage home-based businesses, especially during the start-up phase.

Chapter 10 of the 2013 Comprehensive Plan details the policies and guidelines regarding land use in the Borough. Policy 10.10 specifically deals with neighborhood commercial uses.

POLICY 10.10 TO ENCOURAGE SMALL-SCALE NEIGHBORHOOD CONVENIENCE COMMERCIAL USES IN APPROPRIATE AREAS IN NEW NEIGHBORHOODS AND WITH APPROPRIATE OPERATING MEASURES WITHIN EXISTING NEIGHBORHOODS

Development Guideline – 10.10 DG1 Maintain provisions in the Land Use Code for neighborhood commercial developments such as convenience grocery stores, including standards and limitations governing permitted uses, hours of operation and that mitigate potential adverse impacts such as traffic, safety, noise, litter, glare and loss of privacy to adjacent residential uses.

Planning Commission
File No.: USE2016 0020
July 15, 2016
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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. Prior to submitting a Conditional Use Permit application, the applicant had the required pre-application conference. All applicable regulations were discussed with the applicant at this time. Staff finds the application contains the information necessary to conduct full review of the proposed operations and is considered a complete application. CDD followed the review procedures as laid out in CBJ 49.15.330 (d). 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 12.250 for day animal services, grooming, walking, day care for the D5 zoning district.

Planning Commission
 File No.: USE2016 0020
 July 15, 2016
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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 July 15, 2016 and July 25, 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 for two weeks, visible from the public right of way.

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

No. Based on the above analysis there is no evidence that suggests that the continuation of a pet grooming and daytime dog boarding business, with the appropriate conditions, will materially endanger the public health, safety or welfare. Properly containing and disposing of animal waste and maintaining a backyard that is free of animal waste should eliminate any public health or safety issues.

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

No. The conditions recommended by staff to address noise and odor would adequately mitigate any negative impacts to adjacent property owners and neighborhood harmony.

6. *Will the proposed development be in general conformity with the land use plan and other officially adopted plans?*

Yes. Based on the above analysis, the continuation of the in-home pet grooming and boarding business in a D5 neighborhood is in general conformity with the land use plan and the 2013 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?*

Not applicable.

Planning Commission
 File No.: USE2016 0020
 July 15, 2016
 Page 12 of 12

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and **approve** the requested Conditional Use permit. The permit would allow a pet grooming and daytime boarding business to continue to operate out of a single family home in a D5 zoning district.

The approval is subject to the following conditions:

1. The days and hours of operation for both pet grooming and day boarding, as stated in this application, shall not increase or expand without Planning Commission approval.
2. There shall be no more than five dogs boarded overnight, including those owned by the applicant.
3. There shall be no more than five dogs boarded during the day, not including those owned by the applicant.
4. The applicant must keep the yard free of animal waste. The waste will be stored in a plastic or metal container with a lid and will be properly disposed of regularly.
5. Within 30 days of an approved Conditional Use Permit, the applicant must obtain a CBJ Utility Permit and have the required water meter installed.
6. The applicant must meet the parking requirements when he applies for the Utility Permit for the water meter installation. The parking requirements include the following:
 - Five parking spaces, one of which is ADA accessible.
 - Each parking space must be 8.5 ft. by 17ft.
 - The parking aisle must be 24 feet wide.
 - A "No Back Out Parking" sign must be posted near the driveway.

Advisory Condition:

1. The applicant should exercise great consideration for adjacent property owners and be mindful of barking dogs and odors.
2. The applicant should allow no more than five dogs in the yard at one time.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 6/1/16
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description <u>Grooming and other Pet Services - No Change to Structure or Property required.</u>		
	PROPERTY LOCATION		
	Street Address <u>8757 Dudley St.</u>	City/Zip <u>Juneau 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Lot B Subdivision of Lot 1 Block C Field Acres Subdivision</u>		
	Assessor's Parcel Number(s) <u>5-B21-0-158-003-0</u>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <u>Benjamin Lee Nestler</u>	Contact Person: <u>586-2204</u>	Work Phone: <u>586-2204</u>
	Mailing Address <u>8757 Dudley St. Juneau AK 99801</u>	Home Phone: <u>500-2396</u>	Fax Number:
	E-mail Address <u>Joker12123@hotmail.com</u>	Other Contact Phone Number(s):	
	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		<u>[Signature]</u> Landowner/Lessee Signature	<u>March 21, 2016</u> Date
X		<u>[Signature]</u> Landowner/Lessee Signature	<u> </u> 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 <u>SAME</u>		Contact Person:	Work Phone:
Mailing Address		Home Phone:	Fax Number:
E-mail Address	Other Contact Phone Number(s):		
X	<u>[Signature]</u> Applicant's Signature	<u>March 21, 2016</u> Date of Application	

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)		<u>6/1/16</u>	<u>use 16-020</u>
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	Comments:				
	***Public Notice Sign Form filled out and in the file.				
					Permit Intake Initials <u>JKL</u>

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
		49-16-070	6/1/16
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED			
☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)			
☒ Use Listed in §49.25.300 (USE) (Table of Permissible Uses)			
Please list the Table of Permissible Uses Category: 49.25.300 12.250			
***An Accessory Apartment Application will also be required.			
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.			
Animal Services: Non-Veterinary			
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES - Case #			
CURRENT USE OF LAND OR BUILDING(S): See floor plan and site plan			
PROPOSED USE OF LAND OR BUILDING(S): See floor plan and site plan, no change to current use as noted in project narrative.			
UTILITIES PROPOSED: WATER: ☐ Public ☐ On Site SEWER: ☐ Public ☐ On Site			
SITE AND BUILDING SPECIFICS:			
Total Area of Lot 15,020 square feet Total Area of Existing Structure(s) 1576 square feet			
Total Area of Proposed Structure(s) NO CHANGE square feet			
EXTERNAL LIGHTING: NO CHANGE			
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 ☐ Existing and proposed parking areas (including dimensions) and proposed traffic circulation			
☐ Floor Plan of proposed buildings ☐ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)			
☐ Elevation view of existing and proposed buildings			
☐ Proposed Vegetative Cover			
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.		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	0102 6/1/16
If you need any assistance filling out this form, please contact the Permit Center at 586-0770.			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Edward Quinto

PAC 15-040

From: B N <joker12123@hotmail.com>
Sent: Tuesday, December 22, 2015 3:21 PM
To: Edward Quinto; B N
Subject: Doggie Do's Pet Services

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Eddie,

Ben Nestler here contacting you with requested information about my Sole Proprietorship: Doggie Do's.

FLOOR PLAN: HOME: No change to floorplan or layout of home. Top floor: 3 bedrooms, one bathroom. Cats have access. Main living area contains kitchen and living/dining room, dogs have access, downstairs family room: Dogs and cats have access. Garage: dogs and cats have access.

YARD: We did cut some trees down in the yard for safety reasons and sunlight that had to do with personal choice and not anything to do with the business. The yard is fully fenced, and wooded with a 5 foot metal fence. The yard is well drained and cared for and we actively clean up dog poop as needed. The animals are never off property. Only dogs have access.

DRIVE WAY: Our drive way is big enough to accommodate 3 rows of 3 cars parked side by side. This is never the case however because we schedule every client by appointment. We rarely have human clients interact with each other and it happens when one is really late and another is really early. So with this in mind, parking is not an issue. We own 2 vehicles ourselves, but that is only because my brother just moved out of town and gave me his car. We are actively trying to sell it as we have no need for multiple vehicles. We ask all clients to use leashes or travel carriers.

USE: BOARDING: We typically board 0 to 7 dogs at any given time in our home. Animals have access to downstairs, main living area, garage, and back yard. We use a baby gate to separate upstairs from main living area, and another baby gate to separate the downstairs from main living area. Dogs sleep on dog beds or blankets in the main living area, and cats sleep where they want to. We have 4 large travel kennels in the garage area that we fold up or set up as needed for short term containment of animals, and one 4X4X4 foot "dog run" for containment if necessary. Doggie Do's is a full time job, and my wife April is a stay at home mother, so the dogs are rarely not directly supervised and cared for. We have security cameras in the home that allow us to monitor and even talk to the animals if needed when we run errands. We derive 25% or less of our income from boarding. We do not board dogs that cannot be trained not to bark as a courtesy to our neighbors. We schedule boarding by appointment and clients typically spend 10 to 15 minutes in our home or less when dropping off or picking up an animal. Animals are confined to the property. We do not "walk" dogs.

GROOMING: Our grooming tub is a standard bath tub mounted in a stable, ergonomic platform. We use the washer hookup and have had it maintained by the Plumbing and Heating Company of Juneau. The water supply for the tub is kept separated from the main water supply to prevent any kind of contamination. We use a sump pump to remove grooming water down the washer drain. We derive approximately 75% of our

income from grooming services. The tub and stand are mobile for the future possibility of expanding the business to offer mobile grooming. A typical groom takes at least 1 hour and at most 3 hours. We can do at maximum 5 grooms a day Monday through Saturday. In reality, our average is 10 grooms a week but we would love to be at the maximum of 30 a week. We schedule grooming by appointment and clients typically spend 10 to 15 minutes or less in our home when dropping off or picking up an animal.

SUMMARY OF USE: I claim a 25% use of home when calculating allowable deductions in Federal Income Taxes each year. This is based on about 40 hours per week of work. $(7 \text{ days} \times 24 \text{ hours}) / 40 = 4.2$. In reality, I usually put in about 60 hours of work related to the business each week. Some days I work more than 8 hours, some days less. We take Sundays off for Family day.

NARRATIVE: In March of 2007, I obtained a Pet Services "Non-Veterinary" Business License from the State of Alaska Department of Commerce, Community, and Economic Development and have renewed that license every year including 2016. I obtained an EIN number from the United States Government in July of 2007. I have paid annual Federal taxes on the business since inception (2007), and I have paid quarterly to the City and Borough of Juneau, Alaska the required Sales Tax since 2nd quarter of 2007. I added a Homeowner Business Policy with State Farm when I purchased my home in 2010. We provide excellent service and care to many beloved pets of Juneau. I have numerous awards and certifications in regards to pet services. Giving back to the community is very important to me. We have donated to Auke Bay Preschool, Juneau Disc Golf Association, Gastineau Humane Society, Juneau Ski Team, Grateful Dogs of Juneau, and Southeast Food Bank to name a few.

Thank you for your time,
Sincerely,

Ben Nestler, Owner: DOGGIE DO"S



Sketch by Apex Medina™

Comments: Interior sketch, porch and deck are not drawn to scale.

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	480.0	480.0
GLA2	Second Floor	520.0	520.0
BSMT	Basement	480.0	480.0
GAR	Garage	576.0	576.0

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
20.0	x	24.0	480.0
Second Floor			
20.0	x	26.0	520.0

Attachment C – Floor Plan

Net LIVABLE Area (rounded) 1000 2 Items (rounded) 1000



December 7, 2015

Parcel No.: 5-B21-0-158-003-0

Certified Return Receipt Number

7010 2780 0000 7478 0456

Benjamin Nestler
8757 Dudley Street
Juneau, AK 99801

RE: Doggie Do's Pet Grooming/Sitting

Dear Mr. Nestler:

It has come to the attention of the Community Development Department that the above referenced lot on Dudley Street is being used for the business of pet grooming and pet sitting. Please be advised that CBJ 49.25.300, Table of Permissible Uses 12.250 requires that "Day Animal Services, grooming, walking, day care" require an approved Conditional Use Permit.

For your convenience please find enclosed the Conditional Use Permit Application and Development Permit Application (this form must accompany any Permit Application). I will be happy to assist you and answer any questions you have regarding the conditional use permitting process.

Sincerely,

Beth McKibben, AICP
Planning Manager
Community Development Department
(907) 586-0465
E-mail: Beth.McKibben@juneau.org

Cc: Rob Steedle, Interim Community Development Director

Attachments: Conditional Use Permit application
Development Permit Application

Project Name:

Case Number: PAC2015 0040

Project Description: Conditional Use Permit Pet Grooming and Boarding

Applicant: Doggie Do's

Property Owner: Ben Nestler

Property Address: 8757 Dudley Street

Parcel Code Number: 5-B21-0-158-003-0

Site Size: 15,020 square feet

Zoning: D5

Existing Land Use: Single family residence/Home Occupation

Conference Date:

Report Issued:

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
Allison Eddins	CBJ Planner	Allison.eddins@juneau.org
Jill MacLean	CBJ Planner	Jill.maclean@juneau.org
Eddie Quinto	CBJ Permit Specialist	Edward.quinto@juneau.org
Ben Nestler	Business/Property Owner	Joker12123@hotmail.com
April Nestler	Business/Property Owner	Joker12123@hotmail.com

Neighborhood Association/Contact:

Attachment E – Pre Application Conference Notes

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 – The subject lot is zoned D5. CBJ 49.25.300 Table of Permissible Uses 12.250 lists “day animal services, grooming, walking, day care” as an allowed use requiring a conditional use permit in a D5 neighborhood. 12.200 lists “kennels” as a use not allowed in a D5 neighborhood. CBJ 49.80.120 defines kennel as “a building in which **six or more** dogs more than four months of age are kept”. If Doggie Do’s limits the number of dogs boarded to five or less at any one time, CBJ would not consider the use to be a kennel and can continue to operate without needing a land use permit.
2. Setbacks – For a single family detached home the front and rear yard setbacks are 20 feet. Side yard setbacks are 5 feet. This is just an FYI; there does not appear to be any setbacks issues at this time.
3. Height – Maximum allowed height for primary structures on a lot in a D5 neighborhood is 35 feet. The maximum allowed height for accessory structures is 25 feet. This is just an FYI; there does not appear to be any height issues at this time.
4. Parking – A single family dwelling unit requires a minimum of two off street parking spaces. CBJ 49.80.120 defines home occupation as “any activity carried out for gain by a resident, conducted as an accessory use in the resident’s dwelling unit, and meeting the following criteria: ...(3) the home occupation generates no traffic and requires no parking in excess of that normally to be found in the neighborhood...”

When you apply for the conditional use permit please provide a site plan that shows how many off street parking spaces you can provide. Also, if there are any structures outside of the main residence that are used solely for the business (i.e. a shed for storing Doggie Do’s supplies) please show that on the site plan.

5. Landscaping – There does not appear to be any landscaping issues at this time.
6. Building – CBJ 49.80.120 defines home occupation as “any activity carried out for gain by a resident, conducted as an accessory use in the resident’s dwelling unit, and meeting the following criteria:(1) the use of the dwelling unit for the home occupation is clearly incidental and subordinate to its use for residential purposes by its occupants, involves no employees, and takes up no more than 25% of the net floor area or 500 square feet, whichever is less, in the dwelling”; (2) the home occupation results in no change to the outside appearance of the building and no other visible non-illuminated evidence of the conduct of such home occupation other than one non-projecting façade-mounted sign one square foot or less in area”.

When you apply for the conditional use permit please provide a floor plan that shows how much of your home is dedicated to the business. You explained during the pre-application conference, that each dog being boarded has its own bed and some dogs may sleep in the living room while other may sleep in a bedroom. You do not need to indicate on the floor plan where each dog sleeps. Do include the in-take area and where food, water and other accessories are stored.

7. Fire District – There does not appear to be any fire issues at this time. As part of the conditional use permit review process, CBJ agencies like the Fire Department will be asked to review the application and provide any comments or concerns they may have.
8. Lighting – Any exterior lighting should be kept to a minimum and should not cause any disturbance to neighbors.
9. Habitat Issues – No habitat issues are present at this time.

Attachment E – Pre Application Conference Notes

10. Lot Coverage – There does not appear to be any lot coverage issues at this time.
11. Traffic – As part of the conditional use permit review process, traffic impacts to the neighborhood will be analyzed. Please indicate on your site plan how traffic will enter and exit the property.
12. Engineering – As part of the conditional use permit process, General Engineering will be asked to review the application and provide and comments or concerns they may have.
13. Noise – Please discuss in the project narrative how noise is kept to a minimum. For example, you mentioned the dogs are not left out at night, you only accept dogs that are trained not to bark, you bring the dogs in when the neighbor's dog starts barking, etc.
14. Drainage – As part of the conditional use permit process, General Engineering will be asked to review the application and provide and comments or concerns they may have
15. Utilities – As part of the conditional use permit process, General Engineering will be asked to review the application and provide and comments or concerns they may have
16. Wetlands – There does not appear to be any wetlands issues at this time.
17. Hazard/Avalanche/Hillside Endorsement – There does not appear to be any hazard/avalanche/hillside issues at this time.
18. Flood – There does not appear to be any flood issues at this time.
19. Other Agency Reviews – General Engineering, Fire, Streets, Public Works, and Building will be asked to review the application during the conditional use permit process.

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.

1. A copy of this pre-application conference report.
2. A project narrative that addresses all the issues listed above.
3. A site plan that indicates where the house and other structures sit on the lot (i.e. sheds, detached garage, etc.), where the off street parking occurs, how customer enter and exit the property and any exterior lighting.
4. A floor plan that indicates shows where the dog grooming takes place, where client in-take occurs and where the business supplies and dog food and accessories are stored.
5. Advisory Submittal – letters of support from neighbors, clients, etc.

Exceptions to submittal requirements:

Attachment E – Pre Application Conference Notes

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. (Add notes as necessary)

Fee estimates

The conditional use permit application is \$350.00. A public notice sign fee and deposit are \$150.00, with \$100.00 refunded to the applicant when the sign is returned.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org.

Submit your completed application

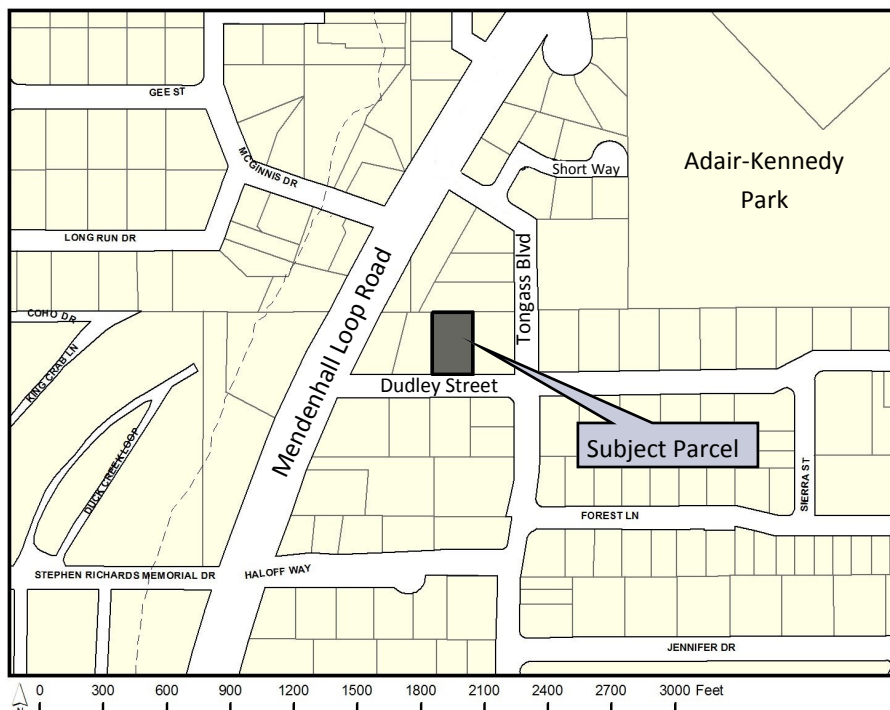
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-3365
Web: www.Juneau.org



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Conditional Use permit for pet grooming and boarding.

File No:	USE2016 0020	Applicant:	Benjamin L. Nestler
To:	Adjacent Property Owners	Property PCN:	5B2101580030
Hearing Date:	July 26, 2016	Owner:	Benjamin L. Nestler
Hearing Time:	7:00 PM	Lot Size:	15,020 Square Feet
Place:	Assembly Chambers	Zoned:	D5
	Municipal Building	Site Address:	8757 Dudley Street
	155 South Seward Street	Accessed Via:	Dudley Street
	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 Allison Eddins at allison.eddins@juneau.org or 586-0758



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>

Attachment F – Public Notice

Date notice was printed: June 24, 2016

From: [Linda C Cameron](#)
To: [Allison Eddins](#)
Subject: Conditional use permit USE2016 0020
Date: Thursday, July 07, 2016 5:40:02 PM

To the Planning Commission.

I, my wife and Brittany Burkhouse, whose property abuts Mr. Nestler's, are against a conditional use permit for his property for several reasons.

It does not comply with being zoned D-5. It also decreases the value of our properties due to the extra traffic, the noise of the barking dogs all day long and especially the idiot from the dogs excrement in Mr. Nestler's backyard.

Thank you for your consideration of this matter.

William & Linda Cameron

To: Juneau Planning Commission

C/O: Allison.eddins@juneau.org

July 12, 2016

Regarding the conditional use permit application #0020 by Benjamin L. Nestler at 8757 Dudley Street, I am the neighbor directly across the street (8756 Dudley). Just want to let you know that dogs in his backyard have never been noisy or troublesome, and traffic never a problem, in fact hardly noticeable.

Sincerely,

Roger W. Porto

Roger W. Porto, Trustee for the FRL Trust

From: [Lehea Benner](#)
To: [Allison Eddins](#)
Subject: Doggie Do's
Date: Tuesday, July 12, 2016 12:37:24 PM

Good afternoon Ms Eddins,

I am writing you in support of the permit requested by Benjamin and April Nestler for their business, Doggie Do's.

I live down the street from their home and am fully supportive of their business. Ben has been a great asset to us, and having him so close by, with all of his previous experience with animals my family and I recommend that the permit for Doggie Do's be approved by CBJ.

The location is perfect for valley pet owners and I would not take my pets to anyone else. I have personal experience in working with Ben, as one of my pets has had a complicated medical history and during the time that Ben was employed with a local veterinary hospital, I had nothing but great experiences and would often call on him for advice and assistance.

I also have experience working with Ben and April outside of the veterinary hospital, they are both very kind, caring and have a genuine love for animals and their well being.

Please consider my above experiences while considering their permit request. Living on the same street as Ben and April Nestler, I have no objections to their permit being approved. In fact, I would love to see it approved and their business grow.

Thank you sincerely for taking time to read this email, it is greatly appreciated.

Lehea Benner

Jamerry Independent consultant

<https://leheabenner.jamerry.com>

From: [Bruce Bowler](#)
To: [Allison Eddins](#)
Subject: Doggie Do's
Date: Tuesday, July 12, 2016 11:30:35 AM

Please support this local business – they add a lot to the neighborhood; they are good neighbors; and they pay their own way helping our city's economy! Doggie Do's are a solid part of Juneau. Please help them to succeed.

Respectfully,

**L. Bruce Bowler
Judy Bowler
SEADOGS Search and Rescue Team
8668 Dudley Street**

From: [Cheryl Jebe](#)
To: [Allison Eddins](#)
Cc: joker12123@hotmail.com
Subject: Ben Nestler Permit Application
Date: Wednesday, July 13, 2016 12:47:58 PM

Allison,

This is to offer support for Ben and April Nestler's permit application for their business, Doggy Do's.

Our dog Moxie, a lab mix, stayed with Ben and April in February while we were on vacation out of state. Moxie received excellent care. I have known the Nestler family for many years. Ben is very conscientious and I highly recommend him as a pet care specialist.

Cheryl Jebe
6520 N Douglas Hwy
Juneau, AM
723-1176

From: [Eric Peter](#)
To: [Allison Eddins](#)
Subject: Letter of support of permit for Doggie Do's, Ben and April Nestler
Date: Monday, July 11, 2016 7:42:40 PM

Dear Ms. Eddins,

This letter is in support of a limited use permit for Ben and April Nestler and their business Doggie Do's. We are clients of Doggie Do's. It is advantageous and preferable to us that Doggie Do's remain in its current location on Dudley Street. I support the concept of motivated individuals being able to operate a business out of their homes, especially a business as family-friendly as dog grooming and boarding. The Nestlers have demonstrated professionalism and integrity in taking care of our dog. Their current location is integral to the survival of their business and our continuing ability to use their service.

If you need to contact me I can be reached by cell phone at 907-723-3562.

Sincerely,

Eric Peter
9437 Patricia Place
Juneau, AK 99801

From: [Gen Nestler](#)
To: [Allison Eddins](#)
Subject: Doggie dos
Date: Tuesday, July 12, 2016 12:48:31 PM

We are in support of doggie dos business where located. Gen and Ken Nestler

Sent via the Samsung Galaxy S® 4 mini™, an AT&T 4G LTE smartphone

Joyce Skaflestad
P.O. Box 765
Hoonah, Alaska 99829

July 12, 2016

Mr. Ben Nestler
DOGGIE DO'S
8757 Dudley Street
Juneau, AK 99801

To the Juneau Assembly or to whom it may concern:

This is a letter of support for my dog's Groomer: Ben and the business known as Doggie Do's. We first met Ben through the Southeast Alaska Animal Medical Center and both my husband Windy and I were impressed with his passion for providing the best services to both clients and their pets. It wasn't difficult to make him our go-to-guy when we needed our dog's grooming done.

I live in Hoonah, an island inaccessible by plane at certain times due to weather. It was on one of our out of town commutes many years ago that we became aware of Ben's pet boarding service. My husband and I got stuck in Juneau due to weather and we needed to board our dog since the hotel we were staying at would only take service animals. We didn't know what we were going to do but my husband had Ben's business card and it listed •Boarding! We called him and even without having a reservation he willingly accommodated us.

I should mention that our initial contact with Ben was through his dog grooming service: Doggie Do's. We have always had Shih Tzu's or a Lhasa Apso mix which is a small dog breed that has hair and not fur. Again, since we live out of town, we call Ben and tell him which airline and flight the dog will be on and he gets right over to the Juneau Airport and picks them up. Our airline folks know Ben so he must get a lot of out of town business. Ben is a licensed dog groomer and his care of our dog includes: bathing, toenail and ear check and the hair cut. He also picks up our dog from the airline as mentioned and brings him back. He is very gentle with our dogs and they aren't afraid when we tell them "It's time to go see Ben." (As compared to when we take them to the Vet's office.)

To the best of my knowledge there isn't another provider in Juneau that offers the service that Ben Nestler offers at Doggie Do's. Please realize that he is a valuable asset to Juneau and other communities in southeast Alaska. I appreciate him.

Sincerely,

A handwritten signature in blue ink that reads "Joyce Skaflestad". The signature is written in a cursive, flowing style.

From: [Lucy Tate](#)
To: [Allison Eddins](#)
Subject: Doggy does
Date: Tuesday, July 12, 2016 10:55:26 AM

Hi

I would just like to tell you what a great place Doggy does is. On two occasions my parents had medical emergencies. Ben was able to pick up my boys from my camper and take them home with him. Both my boy(dogs) would only allow people they were comfortable with in. They love Ben. I was able to call early in the morning both times and not have to worry about them when I was already worried about my folks. I don't know of another pet sitting business that will come out at all hours and pick up my boys. He will. I know he has dropped them off to me at midnight and picked them up at 5 AM. Outside of regular business hours he picks them up from me to keep traffic noise down.

Thank you for keeping this business open. I don't know what I would of done with out it.

Lucy Tate
Haines Ak
908-314-0009

From: [Mary Belcourt](#)
To: [Allison Eddins](#)
Subject: Doggie Do's
Date: Wednesday, July 13, 2016 5:08:49 AM

Ms. Eddins,

I have been a loyal customer of Ben Nestler for a few years now. I appreciate his work ethic and customer service regarding his grooming business for my pet. Juneau has a lot of pet owners who need grooming services for their animals and a lot of the businesses are always booked up solid. Mr. Nestler always finds time for my dog to get groomed, even on short notice.

Please allow Mr. Nestler to continue his business as Doggie Do's.

Sincerely,

Mary Belcourt
500-2363

From: [Vicki Peres](#)
To: [Allison Eddins](#)
Subject: Doggie Doo"s
Date: Wednesday, July 13, 2016 2:46:33 PM

This email is in support of the business "Doggie Doo's" operated by Ben and April. It is hard to find a place in Juneau that does dog grooming. Recently the groomer at Gastineau Humane Society has moved away and I am not sure they have found someone to replace her. I have taken my little dog, Jackie to Ben and he does great work. Please grant this business the permits needed to continue serving the community of Juneau.

Thank you,

Vicki Peres
4445 Mountainside Drive
Juneau, AK 99801
907 780 2327

From: [Tari Stage-Harvey](#)
To: [Allison Eddins](#)
Subject: Doggie Do's
Date: Wednesday, July 13, 2016 2:52:09 PM

Dear Ms. Eddins,

I am writing in support of Doggie Do's receiving a city permit. I have taken my dog to get groomed at Doggie Do's for a year now. They are professional and courteous. They do a great job tending my dog and have fair prices.

I am also writing as their pastor. Ben and April have overcome lots of obstacles to be productive and healthy citizens. They show great responsibility in their business and take great pride in their work. This has been very healing for both of them.

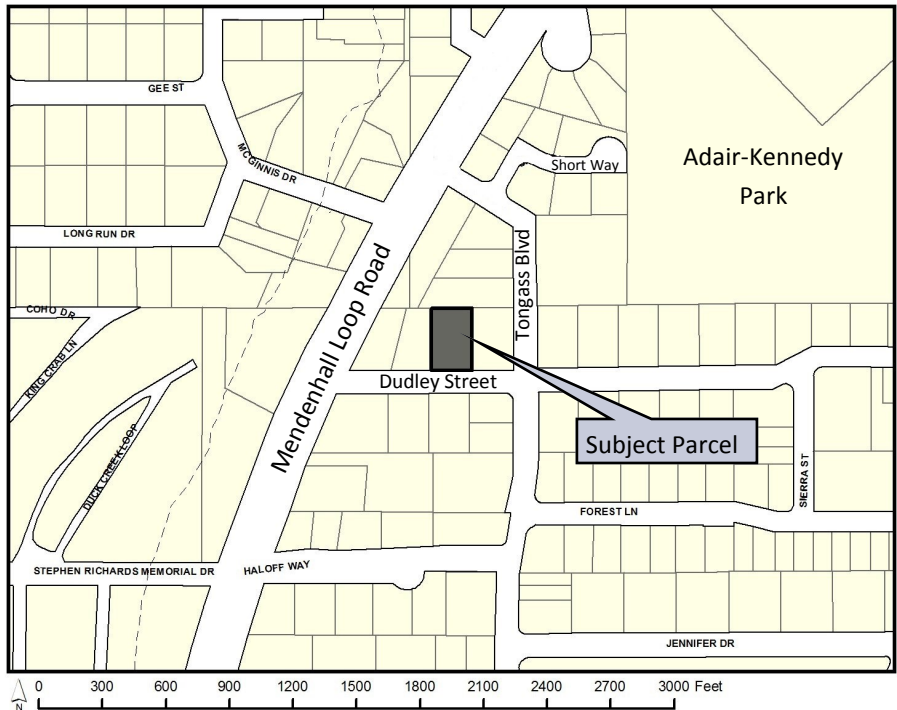
Thank you for your consideration.

Peace

Pastor Tari Stage-Harvey
Shepherd of the Valley



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Conditional Use permit for pet grooming and boarding.

File No:	USE2016 0020	Applicant:	Benjamin L. Nestler
To:	Adjacent Property Owners	Property PCN:	5B2101580030
Hearing Date:	July 26, 2016	Owner:	Benjamin L. Nestler
Hearing Time:	7:00 PM	Lot Size:	15,020 Square Feet
Place:	Assembly Chambers	Zoned:	D5
	Municipal Building	Site Address:	8757 Dudley Street
	155 South Seward Street	Accessed Via:	Dudley Street
	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 Allison Eddins at allison.eddins@juneau.org or 586-0758



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>



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: July 28, 2016

File No.: USE2016 0020

Applicant Benjamin Lee Nestler
 Addresss 8757 Dudley Street
 City, State, Zip Juneau, AK 99801

Application For: A Conditional Use permit for pet grooming and boarding

Legal Description: Field Acres BL C Lot 1 LT B

Property Address: 8757 Dudley Street

Parcel Code No.: 5-B21-0-158-003-0

Hearing Date: July 26, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 20, 2016, and approved the pet grooming and dog day boarding to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. There shall be no more than five dogs boarded during the day (daycare), not including those owned by the applicant.
2. The applicant shall keep the yard free of animal waste. The waste will be stored in a plastic or metal container with a lid and will be properly disposed of regularly.
3. Within 30 days of an approved Conditional Use Permit, the applicant must obtain a CBJ Utility Permit and have the required water meter installed.
4. Within 30 days of an approved Conditional Use Permit, the applicant must meet the parking requirements, which include:
 - a. 4 parking spaces; 2 for the dwelling unit, one of which can be a garage space; and 2 for the business, 1 of which is ADA accessible.
 - b. Each parking space must be 8.5 ft. by 17 ft.
 - c. The parking aisle must be 24 ft. wide.
 - d. A "No Back Out Parking" sign must be posted near the driveway in a visible location.
5. There shall be no more than 1 boarded dog in the yard at one time before 8 A.M and after 8 P.M.
6. There shall be no more than 5 dogs in the yard at one time between 8 A.M. and 8 P.M.
7. There shall be supervision of any dogs in the back yard, at all times.
8. The fence surrounding the yard will be maintained to be fully functional at all times.

Benjamin Lee Nestler
 File No.: USE2016 0020
 July 28, 2016
 Page 2 of 2

Advisory Conditions:

1. The applicant should exercise great consideration for adjacent property owners and be mindful of barking dogs and odors.
2. There shall be no more than five dogs boarded overnight, including those owned by the applicant.
3. The applicant should prioritize improvement of the back yard fence to be a sight-obscuring fence at least 6 feet tall. Note: Fences over six feet tall require a building permit prior to construction.

Attachments: July 20, 2106, memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2016 0020.

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).

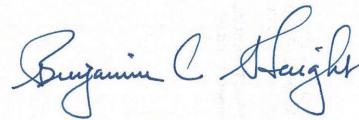
Effective Date: The permit is effective upon approval by the Commission, July 26, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or January 26, 2018, 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:



Beth McKibben, AICP, Planning Manager
 Community Development Department



Benjamin Haight, Chair
 Planning Commission



August 1, 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.



Community Development

City & Borough of Juneau • Community Development

155 S. Seward Street • Juneau, AK 99801

August 17, 2016

Benjamin L. Nestler
8757 Dudley Street
Juneau, AK 99801

RE: Revised Notice of Decision for USE2016 0020

Dear Mr. Nestler,

I am writing in regards to the Notice of Decision you received for the Conditional Use Permit for Doggie Do's, USE2016 0020. The Notice of Decision included the following condition:

1. There shall be no more than five dogs boarded during the day (daycare), not including those owned by the applicant.

This condition was recommended by Staff but was removed by the Planning Commission during the hearing on July 26, 2016. The Planning Commission felt that limiting the number of dogs allowed to be boarded during the day would limit the future growth of Doggie Do's.

Due to an oversight, this condition was included in the Notice of Decision. This was an error on our part. The condition has since been removed, and a revised Notice of Decision has been issued. Please find the revised Notice of Decision attached to this letter.

The Community Development Department apologies for the oversight and thanks you for your patience.

Sincerely,

Allison Eddins, Planner
Community Development Department



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

*****REVISED*****

Date: August 16, 2016

File No.: USE2016 0020

Applicant Benjamin Lee Nestler
 Address 8757 Dudley Street
 City, State, Zip Juneau, AK 99801

Application For: A Conditional Use permit for pet grooming and boarding
 Legal Description: Field Acres BL C Lot 1 LT B
 Property Address: 8757 Dudley Street
 Parcel Code No.: 5-B21-0-158-003-0
 Hearing Date: July 26, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 20, 2016, and approved the pet grooming and dog day boarding to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The applicant shall keep the yard free of animal waste. The waste will be stored in a plastic or metal container with a lid and will be properly disposed of regularly.
2. Within 30 days of an approved Conditional Use Permit, the applicant must obtain a CBJ Utility Permit and have the required water meter installed.
3. Within 30 days of an approved Conditional Use Permit, the applicant must meet the parking requirements, which include:
 - a. 4 parking spaces; 2 for the dwelling unit, one of which can be a garage space; and 2 for the business, 1 of which is ADA accessible.
 - b. Each parking space must be 8.5 ft. by 17 ft.
 - c. The parking aisle must be 24 ft. wide.
 - d. A "No Back Out Parking" sign must be posted near the driveway in a visible location.
4. There shall be no more than 1 boarded dog in the yard at one time before 8 A.M and after 8 P.M.
5. There shall be no more than 5 dogs in the yard at one time between 8 A.M. and 8 P.M.
6. There shall be supervision of any dogs in the back yard, at all times.
7. The fence surrounding the yard will be maintained to be fully functional at all times.

Benjamin Lee Nestler
File No.: USE2016 0020
August 16, 2016
Page 2 of 2

Advisory Conditions:

1. The applicant should exercise great consideration for adjacent property owners and be mindful of barking dogs and odors.
2. There shall be no more than five dogs boarded overnight, including those owned by the applicant.
3. The applicant should prioritize improvement of the back yard fence to be a sight-obscuring fence at least 6 feet tall. Note: Fences over six feet tall require a building permit prior to construction.

Attachments: July 20, 2106, memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2016 0020.

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).

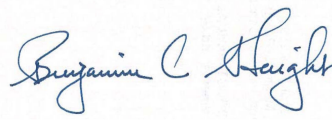
Effective Date: The permit is effective upon approval by the Commission, July 26, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or January 26, 2018, 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:



Beth McKibben, AICP, Planning Manager
Community Development Department



Benjamin Haight, Chair
Planning Commission



Filed With City Clerk

8/22/2016

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.



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: July 14, 2016

TO: Planning Commission

FROM: Jill Maclean, Senior Planner
Community Development Department

FILE NO.: USE2016 0023

PROPOSAL: A Conditional Use Permit for Senior Housing

GENERAL INFORMATION

Applicant: GMD Development LLC

Property Owner: William Bauer Living Trust

Property Address: 3039 Clinton Drive

Legal Description: Vintage II Block C Lot 26A

Parcel Code Number: 5-B16-0-144-026-1

Site Size: 43,560 Square Feet

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

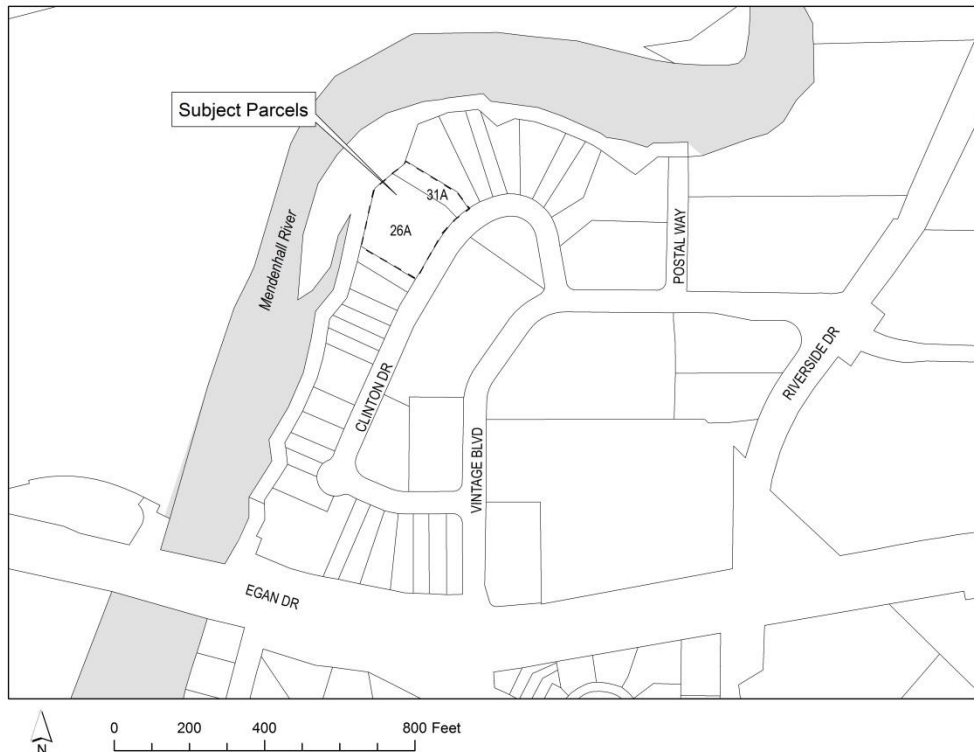
Existing Land Use: Vacant

Surrounding Land Use: North - Mendenhall River/Vacant (D1)
South - Vacant (LC)

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East – Vacant (approved CUP for Assisted Living) & True
 North Federal Credit Union (MU)
 West - Vacant/Commercial Buildings (MU & LC)

Vicinity Map



ATTACHMENTS

Attachment A – Application
 Attachment B – Vintage Final Plat 4-29-16

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of a 49-unit senior housing apartment complex located at 3039 Clinton Drive. 41 Units will be income and rent restricted affordable housing, and 8 units will be market rate apartments. All units will be located in one building, on one acre of land. Upon completion, the property will restrict by deed 41 units as affordable for a minimum of 30 years.

BACKGROUND

The project, Trillium Landing Apartments, consists of Lot 26A, a subdivision of Lots 26 through 31 Block C Vintage II Subdivision. The Vintage Subdivision was originally a homestead of U.S. Survey 1193 that was left mostly undeveloped. In 1984, the land was sold to Mr. William Bauer

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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/consolidation for Lots 26A and Lot 31A of Vintage II Subdivision (see Attachment B) was recently approved.

In January 2016, a zoning change from Light Commercial to Mixed Use (MU) was proposed. 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 became effective June 23, 2016.

The proposed use, senior housing/multi-family housing, the structure, and the site design/layout conform to the MU zoning requirements.

ANALYSIS

Project Site -

The proposed site is located at 3039 Clinton Drive, off of Vintage Boulevard. As mentioned above, the site is zoned MU. City water and sewer are available. The site is 1 acre. The site is located adjacent to the Mendenhall River, an anadromous fish stream, with a 50-foot streamside setback. The proposed structure is located outside the 50-foot streamside setback, and parking is not allowed in the setback area.

Project Design -

The proposed Trillium Landing Apartments is a 45,758 sq. ft. building consisting of one 4-story structure containing 49 rental units. The units consist of 5 studio apartments, 35 1-bedroom apartments, and 9 2-bedroom apartments. The ground floor consists of 8 apartments, the leasing/management office, a storage area, a laundry facility, the lobby, a gym, and a community room. Each apartment is equipped with its own kitchen and bathroom. The developers will improve the pathway along the Mendenhall River, including access to the path that meets ADA accessible standards. The path will connect with the neighboring assisted living facility (Riverview Senior Community). As a condition of approval, dedicated access satisfying CBJ49.35.620 is required and will be provided via the path that runs along the Mendenhall River. The applicant proposed street trees to line Clinton Drive, in addition to landscaping throughout the parking area as detailed on the site plan. However, the CBJ Streets Division will not allow street trees within the right-of-way.

Traffic -

The proposed 49 unit senior housing complex is classified as "Senior Adult Housing—Attached" Land Use in the ITE Trip Generation Manual (9th Edition 2012). The Manual establishes the standards for traffic impact analysis for development projects. Senior Adult Housing consists of attached independent living developments that generally lack centralized/shared dining and on-site medical facilities. Residents live independently and may or may not be retired.

CBJ 49.40.300 states that a traffic impact analysis is not required when a development is

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projected to generate less than 250 average trips in a day. For a project of this size, the estimated number of trips during the weekday is approximately 3.44 per unit, totaling 169 trips per weekday; Saturday trips averaged 2.61 per dwelling unit, totaling 128 trips; Sunday trips averaged 2.84 per dwelling, totaling 140 trips. Therefore, a traffic impact analysis is NOT required for this project.

It is interesting that the ITE Trip Generation Manual notes the peak hour for this land use typically does not coincide with the peak hour of the adjacent street traffic. The AM peak hour typically ranged from 10 AM to noon and the PM peak hour from 1PM to 6PM. Given the existing access in and around Vintage Park, which was designed as a business park, the traffic generated by this project is expected to have minimal impacts on the surrounding area.

Parking and Circulation -

Under the newly adopted parking requirements, in CBJ 49.40.210 (a) Table of Minimum Parking Standards, senior housing must provide 0.6 spaces per unit, plus 1 guest space per 10 units, plus 1 space per employee. Trillium Landing, at 49 units, is required to provide 35 spaces for the number of units and guest parking and an additional 2 spaces for employees, totaling 37 parking spaces. Included in the 37 spaces are 2 ADA spaces.

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 that 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 a minimum of 5% of vegetated cover. The project includes a walking path along the Mendenhall River; pathways connecting the site internally and to adjacent properties and sidewalks; a concrete patio area; a fence along the rear patio areas; street trees along Clinton Drive; plantings along the front foundation walls; and ornamental trees and shrubs 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.

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File No.: USE 2016 0023
June 10, 2016
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Noise -

The surrounding area is a mix of vacant, retail, and commercial uses. There may be a minimal increase in traffic noise generated on neighboring streets during commute times. 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. The structure meets all zoning requirements for height and setbacks and will meet all applicable building code requirements for fire safety. No concerns were raised regarding public health and safety during the agency and public review period. Issues related to construction and building will be addressed during the review of the plans, prior to issuance of a Building Permit.

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 is moderate flood hazard area located between the limits of the base flood area and the 0.2-percent-annual-chance (or 500-year) flood area. 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 a partially affordable senior apartment complex. 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 a Traditional Town Center by the Comprehensive 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. This project was designed in partnership with the proposed assisted living facility on the adjacent property. The common architectural style and materials, shared access to parking areas and walking paths, and general overall design lends to the harmony of the sites, creating a cohesive neighborhood feel.

Planning Commission
 File No.: USE 2016 0023
 June 10, 2016
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Conformity with Adopted Plans -
2013 Comprehensive Plan

As stated above, the Comprehensive 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, and a bus stop.

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.

The project is depicted on Land Use Map G and located within Subarea 4 East Mendenhall Valley. The Community Form is categorized as Suburban/Urban. The Plan identifies guidelines and considerations for each subarea. For this location, the Plan identifies the need for the maintenance of existing neighborhoods while encouraging in-fill development of low-to-moderate income affordable housing and the expansion of the MU district incorporating high density residential use.

Given these policies, procedures, and guidelines, the Trillium Landing Apartments is found to conform to the Comprehensive Plan.

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

Planning Commission
File No.: USE 2016 0023
June 10, 2016
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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 Trillium Landing Apartments project is found to conform to the JEDP.

Area-Wide Transportation Plan

The Area-Wide Transportation Plan (AWTP) addresses land use revisions and enhancements that developers should incorporate into projects. These enhancements include sidewalks and creating pathways that eliminate vehicular conflict points, and that encourage infill development and redevelopment. Trillium Landing Apartments is working with the neighboring property, which is proposing an assisted living facility, to ensure that parking and access needs are met while eliminating excess asphalt or vehicular conflicts and providing pedestrian connectivity among the surrounding properties.

Given these enhancements, the Trillium Landing Apartments project 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.

Title 49

CBJ 49.25.300 Table of Permissible Uses (TPU) Section 1.300 allows for multifamily housing,

Planning Commission
File No.: USE 2016 0023
June 10, 2016
Page 8 of 10

which includes this development for senior multi-family housing, with a Conditional Use permit in the MU zoning district.

The project is consistent with the TPU.

AGENCY & PUBLIC COMMENTS

The application was provided to applicable CBJ departments and state and federal agencies. As of the date of this staff report, no public comments have been received by staff.

CBJ Community Development - Building Division

Building Division has no issues with the project.

CBJ General Engineering

General Engineering has no issues with the project. Details of construction and permits will be resolved during the building permit process.

CBJ Streets Division

All parking lot light poles and landscaping must be limited to their property and not located within the right-of-way.

Capital City Fire and Rescue

Capital City Fire and Rescue has no concerns with the project.

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 into 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.

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.

Planning Commission
 File No.: USE 2016 0023
 June 10, 2016
 Page 9 of 10

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 49.15.330.

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 1.300 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 July 15, 2016 and July 25, 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 senior housing complex in the Mixed Use zoning district will materially endanger public health or safety.

5. Will the proposed development substantially decrease the value of or be out of harmony

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June 10, 2016
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with property in the neighboring area?

No. Based on the preceding analysis, the proposed senior housing complex, with appropriate conditions, 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, the proposed senior housing complex 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 50 foot 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 a 49-unit senior housing complex. The approval is subject to the following conditions:

1. Dedicate access satisfying CBJ49.35.620 to the path that runs the extent of the property along the Mendenhall River.
2. Submit a lighting plan, prior to issuance of a Building Permit, 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).
3. Installation of parking lot light poles must be limited to the property and not located within the right-of-way.
4. Installation of landscaping must be limited to their property and not located within the right-of-way.
5. Restore and vegetate the river bank, if needed.
6. Apply the CBJ Manual of Stormwater Best Management Practices to reduce or eliminate the need for direct discharge of runoff into the river and to attenuate stormwater on site.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 6/17/15
Project Name (City Staff to Assessor Name)		

Project Description Conditional use permit for 49 senior apartments		
PROPERTY LOCATION		
Street Address 3039 Clinton Drive		City/Zip Juneau / 99801
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Vintage II, Block C, Lot 26A		
Assessor's Parcel Number(s) tbd		
LANDOWNER/ LESSEE		
Property Owner's Name William Bauer Living Trust & William J. Bauer		Contact Person: Budd Simpson
Mailing Address 1 Sealaska Plaza, Juneau, AK 99801		Work Phone: (907) 586-1400
E-mail Address bsimpson@stsl.com		Home Phone: Fax Number:
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 <u>William J. Bauer, Trustee for</u> <u>William J. Bauer Living Trust</u> Landowner/Lessee Signature		Date June 14, 2016
X <u>Budd Simpson, Attorney-in-Fact</u> 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 GMD Development LLC		Contact Person: Emily Breidenbach
Mailing Address 520 Pike Street, Suite 1010 Seattle, WA 98101		Work Phone: (206) 745-3698
E-mail Address emily@gmddev.net		Home Phone: n/a
Other Contact Phone Number(s): cell (206) 399-7526		
X <u>[Signature]</u> Applicant's Signature		Date of Application 6-16-16

OFFICE USE ONLY BELOW THIS LINE				
✓	Permit Type	MISSION	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)			6016-23
	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
	JM

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

TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

CONDITIONAL USE PERMIT INFORMATION*For:***Trillium Landing Apartments***A senior housing development located at 3039 Clinton Drive in Juneau***Description of the activity which requires a conditional use permit:**

Proposed development of 49 senior housing apartments. 41 units will be income and rent restricted affordable housing, and 8 units will be market rate apartments. All apartments will be located in a single building on 1 acres. Upon completion of the proposed development, the property will be deed restricted as affordable housing (for the 41 units) for a minimum of 30 years. The residential units will include a mix of studio, one and two bedroom units.

The development site has been re-platted and the lot lines consolidated into one lot. The development site is zone mixed use.

The Conditional Use Permit would allow for uses 1.3 (Multifamily Dwellings) from the Permissible Uses table in CBJ Code 49.25.300 across the total development site.

Site Lighting:

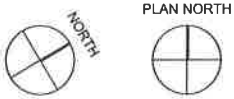
All site lighting will be designed and installed per CBJ code. The parking lot lighting will be stanchion lighting with cut-off fixtures to reduce light pollution. A combination of bollard lighting and building mounted fixtures will supplement the parking lot lighting. Energy conserving LED lighting will be used when feasible.

Unit Mix:

The proposed development is a mixed-income building, with community space and a leasing office. Residential units will be found on each of the four levels of the building.

	Ground Floor	2 nd Floor	3 rd Floor	4 th Floor
Residential – STUDIO	0	0	1	1
Residential – 1 BDRM	7	10	8	8
Residential – 2 BDRM	1	4	4	4

RECEIVED**JUN 16 2016****PERMIT CENTER/CDD**



ZONING

49.25.300 TABLE OF PERMISSIBLE USES
MU 1.300 Multifamily Dwellings, allowed with note 3

Note 3: Conditional use permit requires planning commission approval.

49.25.400 TABLE OF DIMENSIONAL STANDARDS
Height: Unlimited

Maximum lot coverage permissible/ conditional use:
MU None

Front Setback
MU 0

Side Setback
MU 0

Rear Setback
MU 0

49.25.500 DENSITY
MU Unlimited

49.40.210 PARKING
0.6 SPACES PER UNIT
10 | VISITOR PARKING SPACE | 10 UNITS
1 PARKING SPACE PER EMPLOYEE
37 SPACES

49.50.300 VEGETATION
MINIMUM COVERAGE 5% OF LOT IN MU

49.70.1055 WETLANDS
NONE PER CBJ MAPS

NorthWind Architects LLC
126 Seward St
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IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

BUILDING SIZE BY FLOOR

FLOOR	SIZE (S.F.)
FIRST	12,057
SECOND	11,937
THIRD	11,295
FOURTH	10,469
TOTAL	45,758

APARTMENT TYPE KEY

UNIT TYPE	QTY	SIZE (S.F.)
1 BR	1	800
1 BR	4	826
2 BR	1	1,145
1 BR	1	840
1 BR STANDARD	25	616
1 BR ACCESSIBLE	3	616
1 BR CORNER	1	624
STUDIO	3	460
STUDIO CORNER	2	476
2 BR CORNER	6	797
2 BR CORNER ALT	2	750
TOTAL	49	

RECEIVED

JUN 14 2016

PERMIT CENTER/CDD

TRILLIUM LANDING

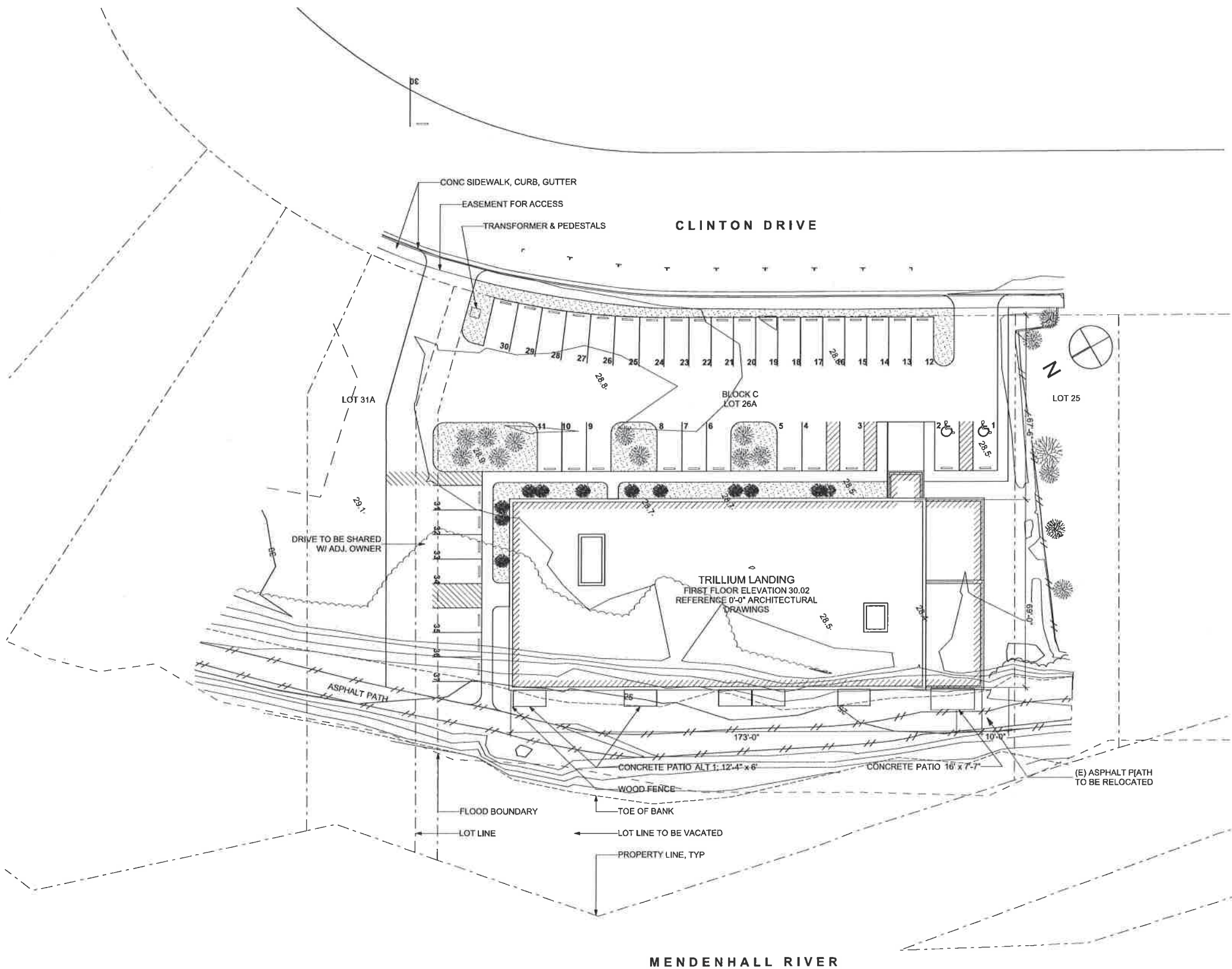
NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
ARCHITECTURAL
SITE PLAN

CHECKED XX
DRAWN XX

issue mark date description

SHEET #
G0.3
PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016



1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'

Attachment A

This drawing is full size when 22" x 34" or is reduced to half size when 11" x 17"

FLOOR PLAN GENERAL NOTES

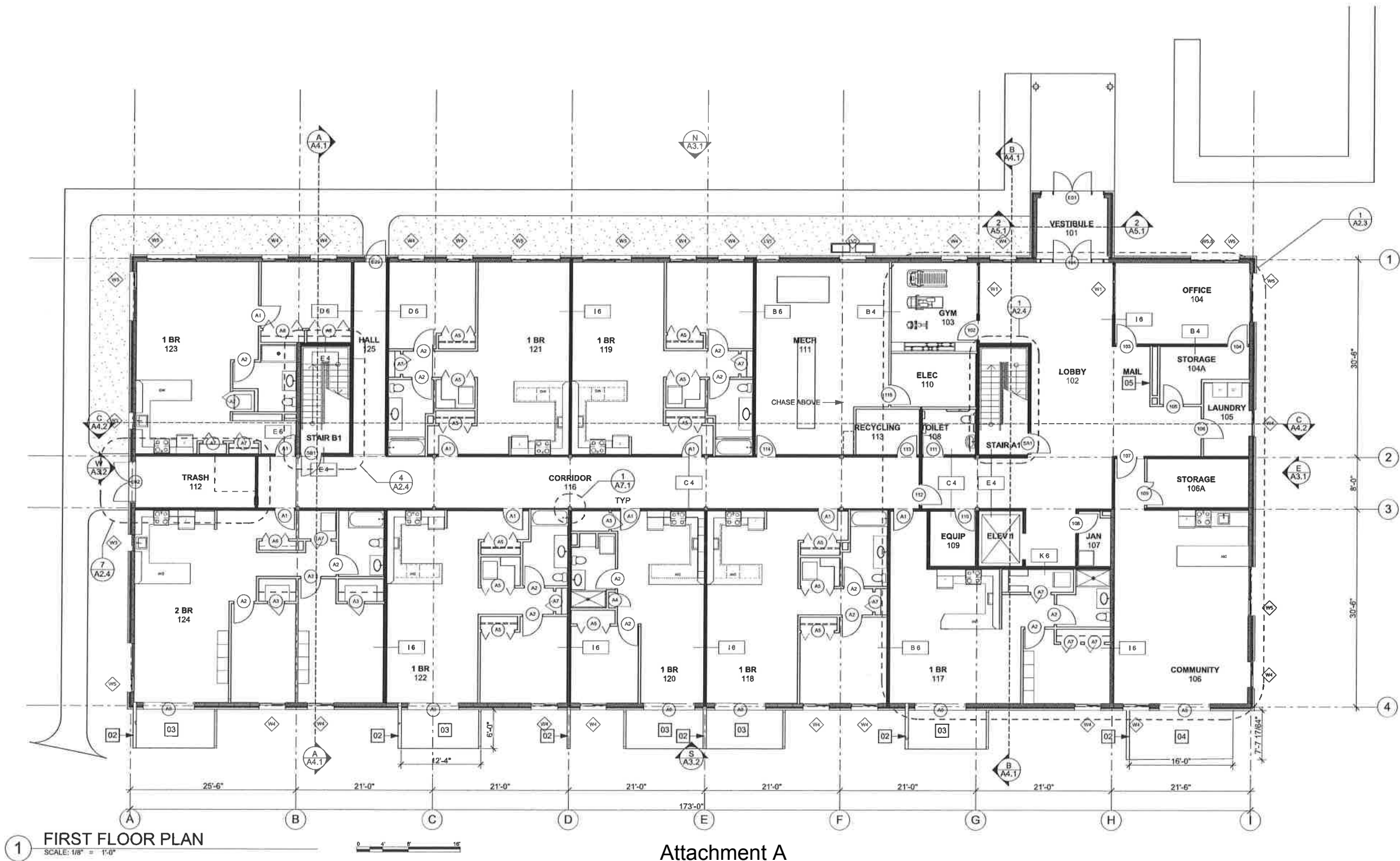
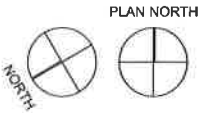
- 1. PLAN DIMENSIONS ARE TO FACE OF ROUGH FRAMING, CENTERLINE OF COLUMN OR FACE OF CONCRETE, UNO.
- 2. SEE SHEET A2.1 FOR TYPICAL APARTMENT ENLARGED FLOOR PLANS, AND A2.2.

FLOOR PLAN LEGEND

- WALL
- WALL (INSULATED)
- ITEM/ELEMENT OVERHEAD
- WALL TYPE FLAG
- # SIGNIFIER STUD SIZE
- LETTER SIGNIFIES WALL TYPE

FLOOR PLAN KEY NOTES

- 01 4' X 5' STORAGE CAGE
- 02 WOOD FENCE SEE -/- ALT. 1
- 03 CONC PATIO ALT. 1
- 04 CONC PATIO BASE BID
- 05 MAIL BOXES
- 06 FIRE EXTINGUISHER AND CABINET
- 07 FIRE EXTINGUISHER, NO CABINET



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Juneau, AK 99801
Ph #907.586.6150
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TRILLIUM LANDING

NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
FIRST FLOOR PLAN

CHECKED XX
DRAWN XX
ISSUE mark date description

SHEET #
A1.0
PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016

FLOOR PLAN GENERAL NOTES

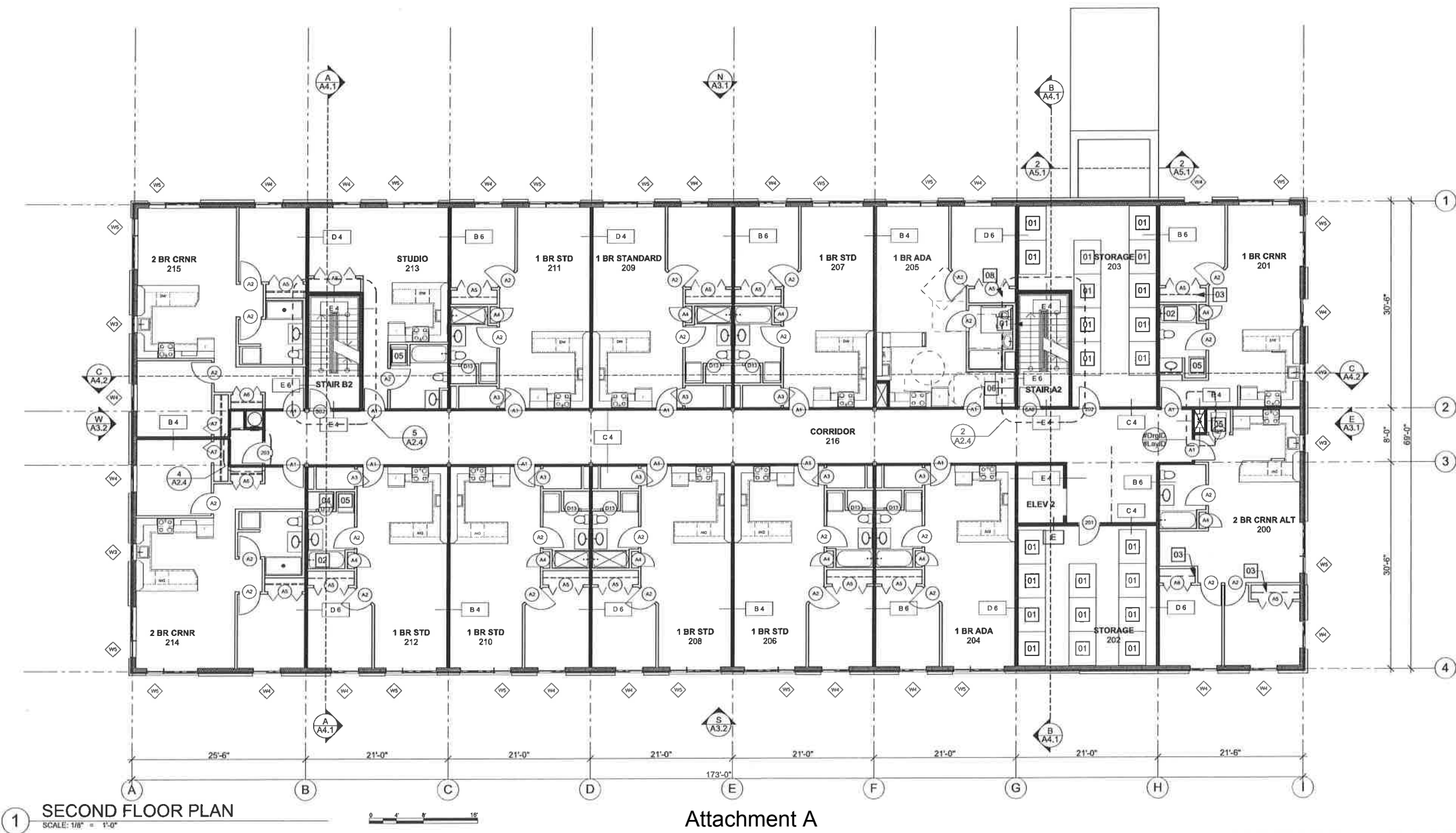
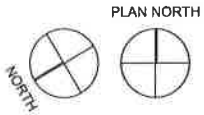
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FLOOR PLAN LEGEND

- WALL
- WALL (INSULATED)
- ITEM/ELEMENT OVERHEAD
- WALL TYPE FLAG
- # SIGNIFIER STUD SIZE
- LETTER SIGNIFIES WALL TYPE

FLOOR PLAN KEY NOTES

- 01 4' X 5' STORAGE CAGE
- 02 WOOD FENCE SEE -/- ALT. 1
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- 04 CONC PATIO BASE BID
- 05 MAIL BOXES
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- 07 FIRE EXTINGUISHER, NO CABINET



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TRILLIUM LANDING

NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
SECOND FLOOR PLAN

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DRAWN	XX
issue mark date description	

SHEET #
A1.1
PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016

FLOOR PLAN GENERAL NOTES

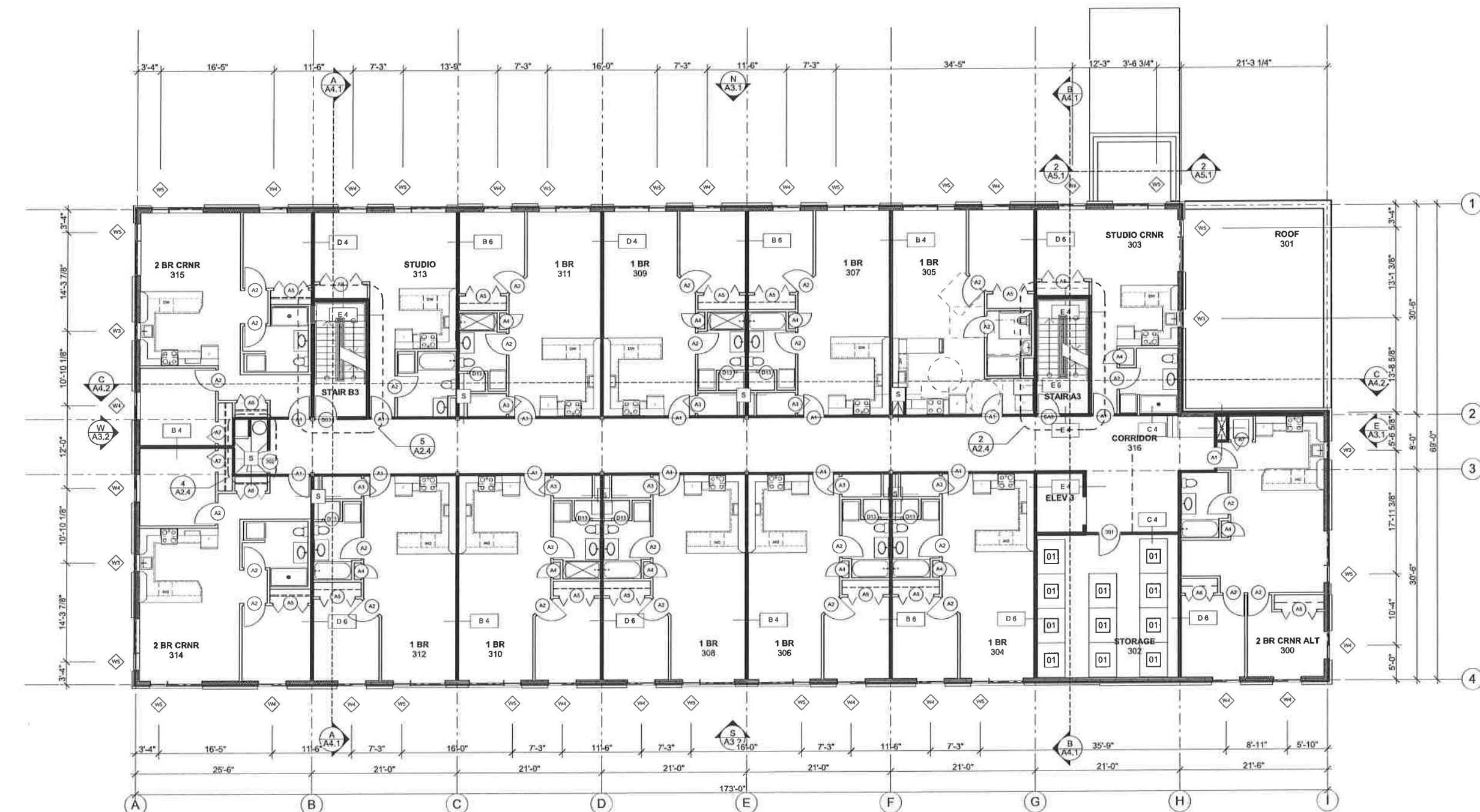
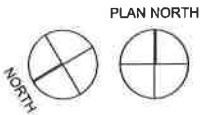
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- 2. SEE SHEET A2.1 FOR TYPICAL APARTMENT ENLARGED FLOOR PLANS, AND A2.2.

FLOOR PLAN LEGEND

- WALL
- WALL (INSULATED)
- ITEM ELEMENT OVERHEAD

FLOOR PLAN KEY NOTES

- 01 4' X 5' STORAGE CAGE
- 02 WOOD FENCE SEE - ALT. 1
- 03 CONC PATIO ALT. 1



1 THIRD FLOOR PLAN

SCALE: 1/8" = 1'-0"



Attachment A



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IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

TRILLIUM LANDING

NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
THIRD FLOOR PLAN

CHECKED	XX
DRAWN	XX
issue mark date description	

SHEET #
A1.2
PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016

This drawing is full size when 22" x 34" or is reduced to half size when 11" x 17"

FLOOR PLAN GENERAL NOTES

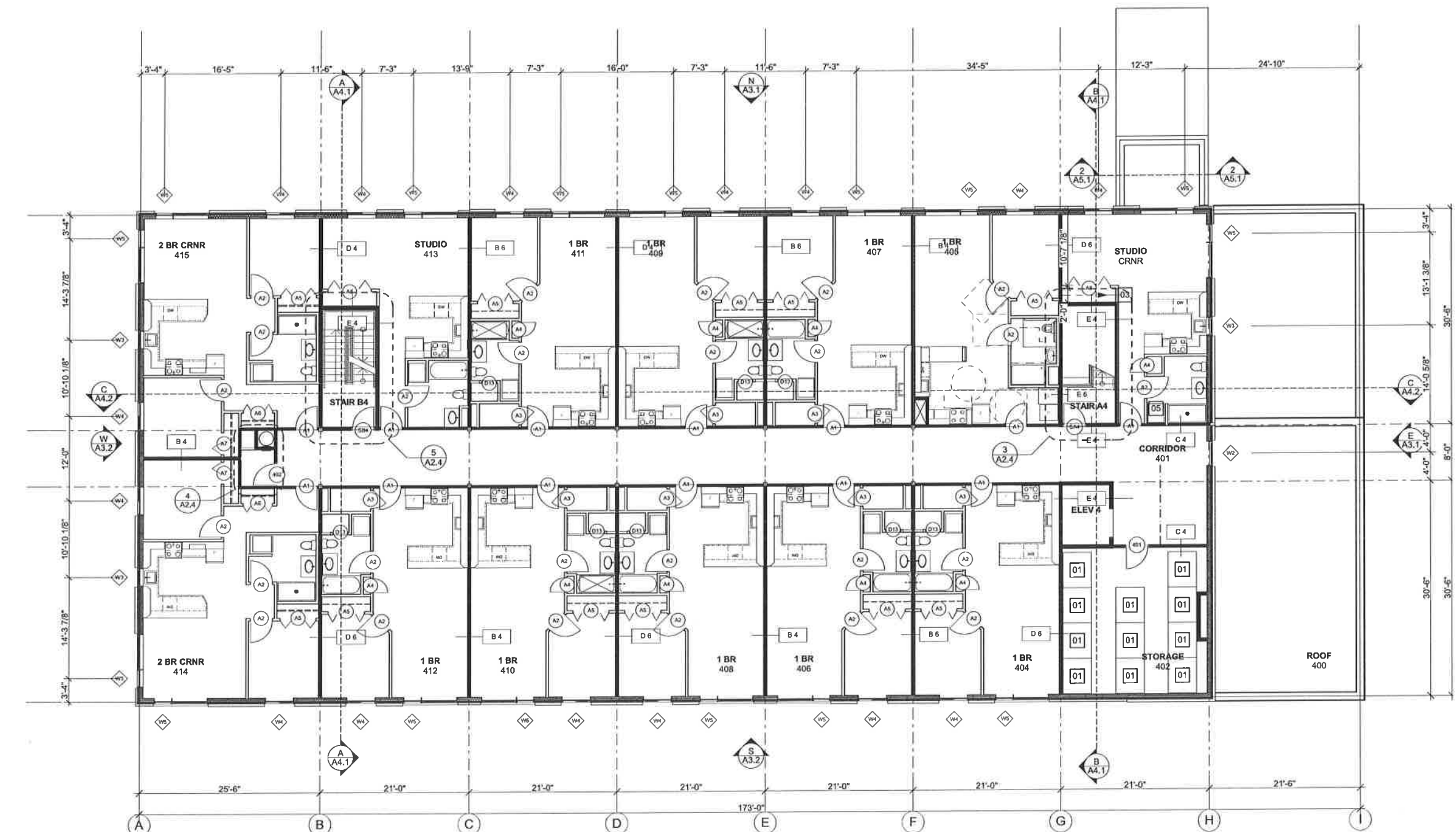
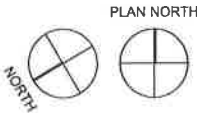
- 1. PLAN DIMENSIONS ARE TO FACE OF ROUGH FRAMING, CENTERLINE OF COLUMN OR FACE OF CONCRETE, UNO.
- 2. SEE SHEET A2.1 FOR TYPICAL APARTMENT ENLARGED FLOOR PLANS, AND A2.2.

FLOOR PLAN LEGEND

- WALL
- WALL (INSULATED)
- ITEM/ELEMENT OVERHEAD

FLOOR PLAN KEY NOTES

- 01 4' X 5' STORAGE CAGE
- 02 WOOD FENCE SEE -/- ALT. 1
- 03 CONC PATIO ALT. 1



1 FOURTH FLOOR PLAN



Attachment A

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TRILLIUM LANDING

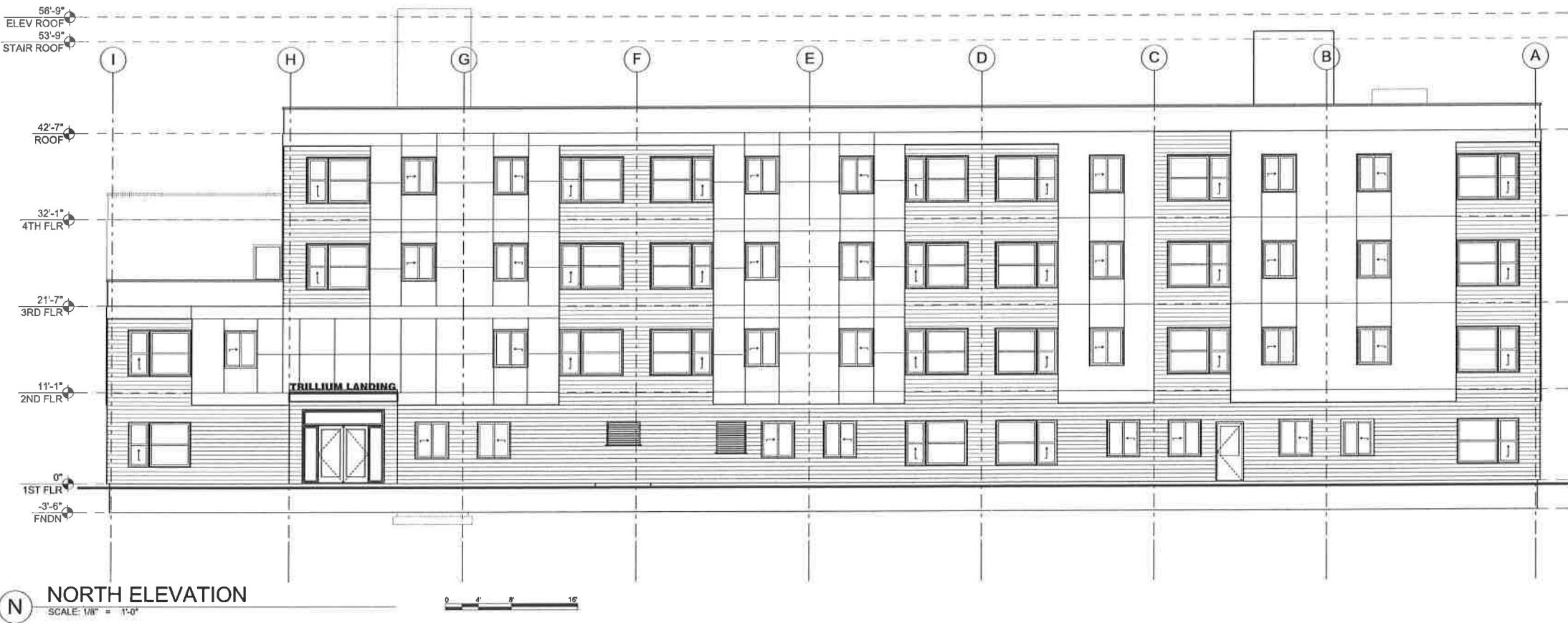
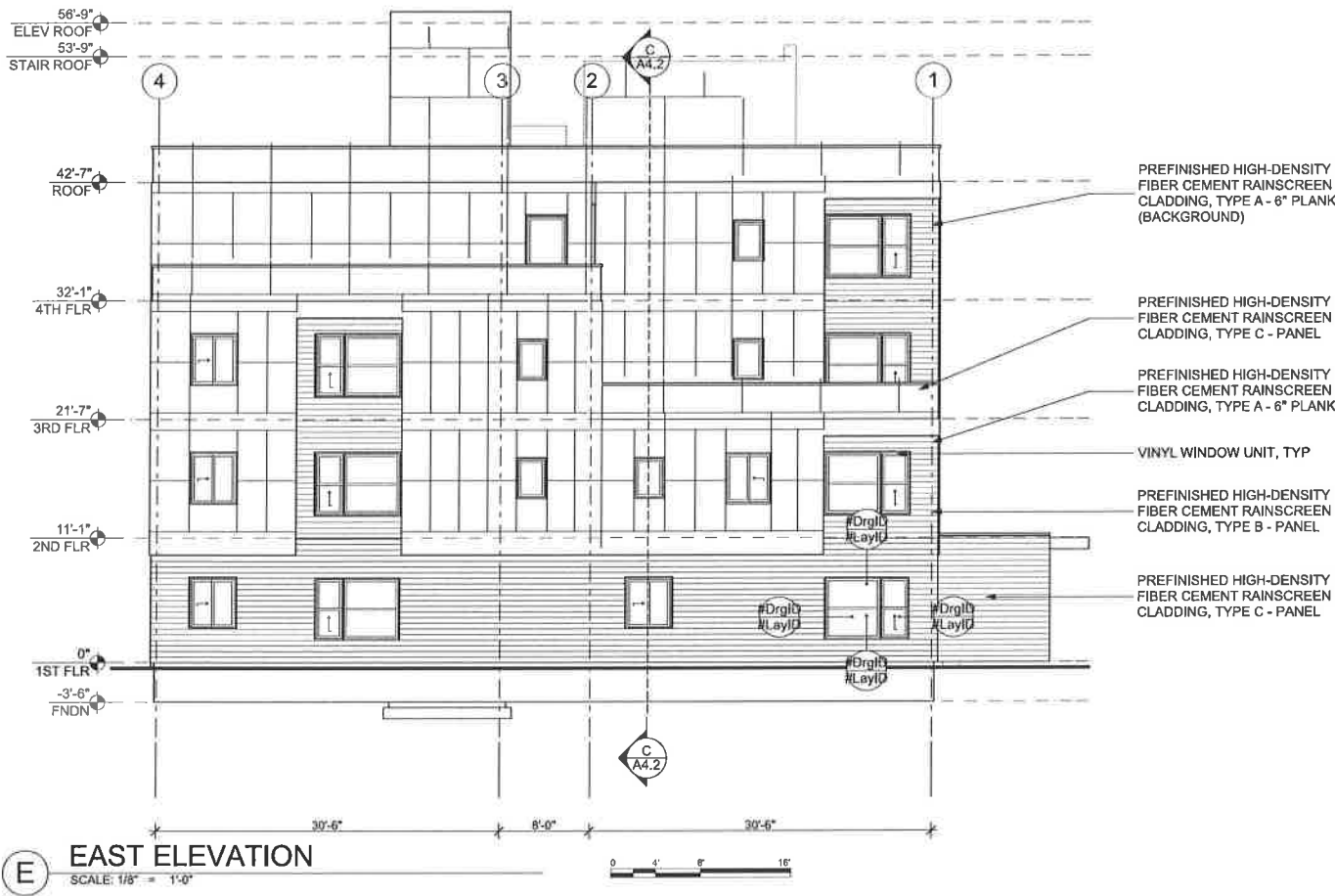
NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
FOURTH FLOOR PLAN

CHECKED	XX		
DRAWN	XX		
issue	mark	date	description

SHEET #
A1.3
PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016

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BUILDING ELEVATION KEY NOTES

- 01
- 02
- 03
- 04

BUILDING ELEVATION GENERAL NOTES

- CAREFULLY COORDINATE SCOPE OF WORK WITH FLOOR AND FINISH SCHEDULES AND/OR GENERAL/KEY NOTES.
- COORDINATE W/FINISH AND OPENING SCHEDULES.

BUILDING ELEVATION LEGEND

W

N

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TRILLIUM LANDING

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3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:

BUILDING ELEVATIONS

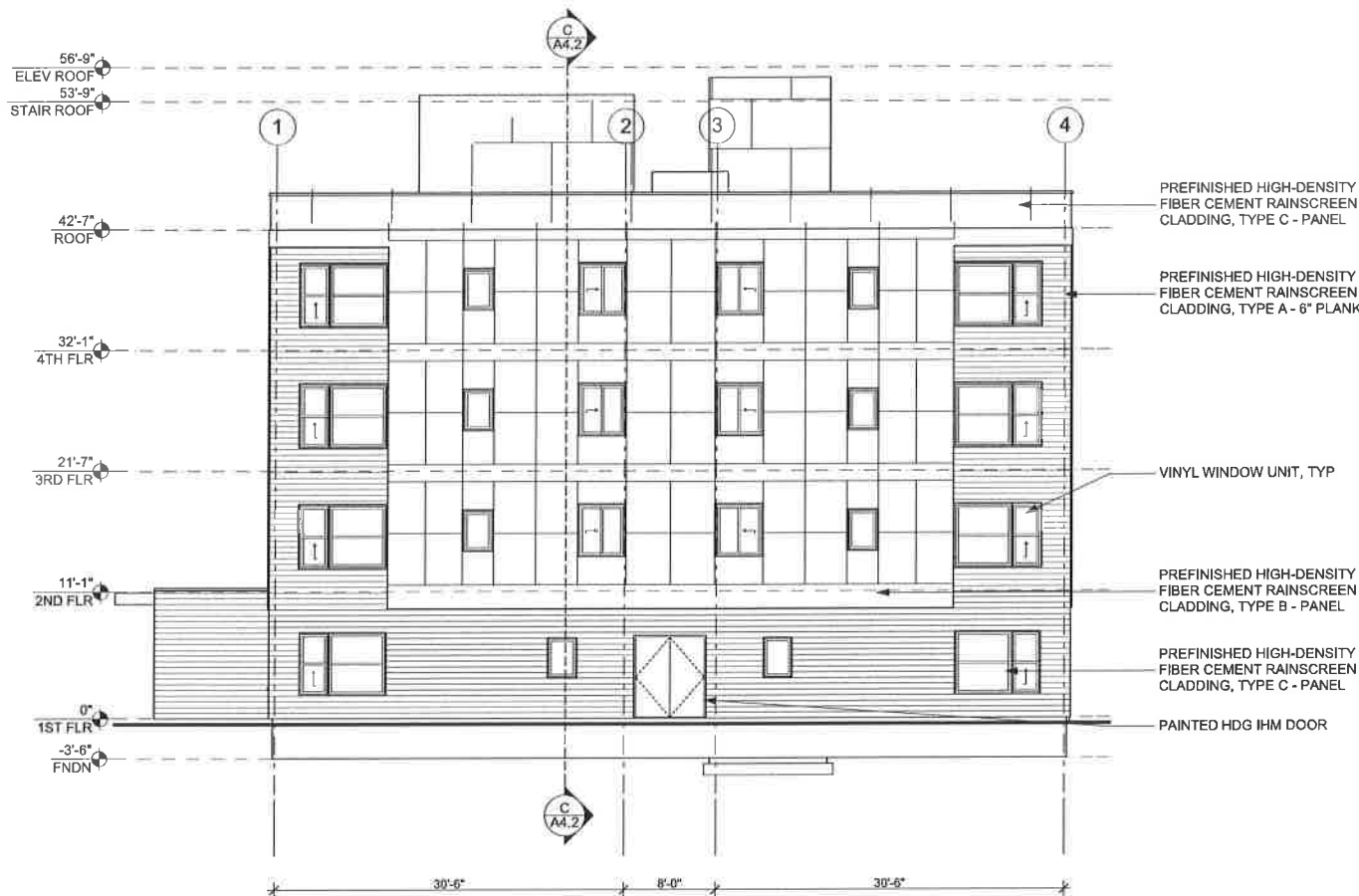
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issue mark date description

SHEET #

A3.1

PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016



W WEST ELEVATION
SCALE: 1/8" = 1'-0"



S SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING ELEVATION KEY NOTES

- 01
- 02
- 03
- 04

BUILDING ELEVATION GENERAL NOTES

- CAREFULLY COORDINATE SCOPE OF WORK WITH FLOOR AND FINISH SCHEDULES AND/OR GENERAL/KEY NOTES.
- COORDINATE W/FINISH AND OPENING SCHEDULES.

BUILDING ELEVATION LEGEND



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TRILLIUM LANDING

NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:

BUILDING ELEVATIONS

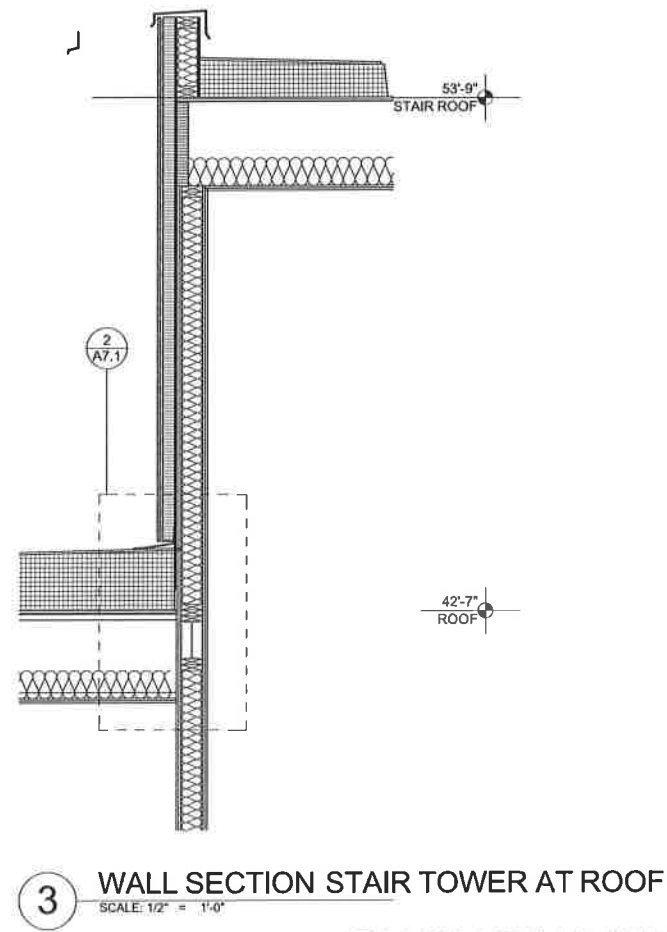
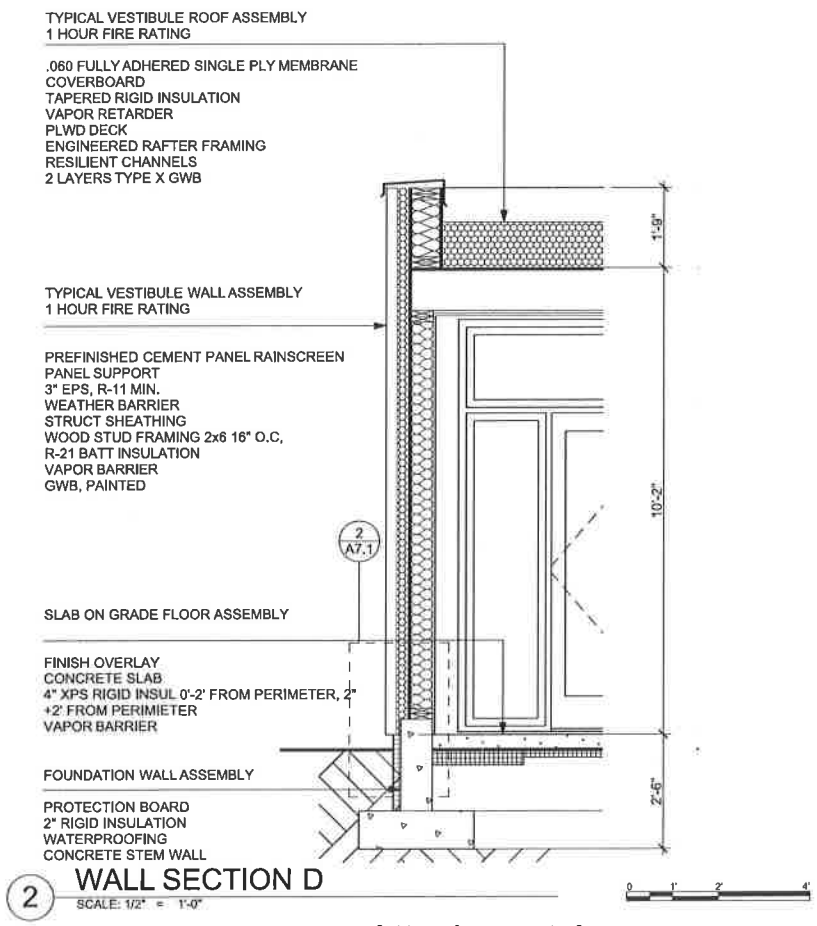
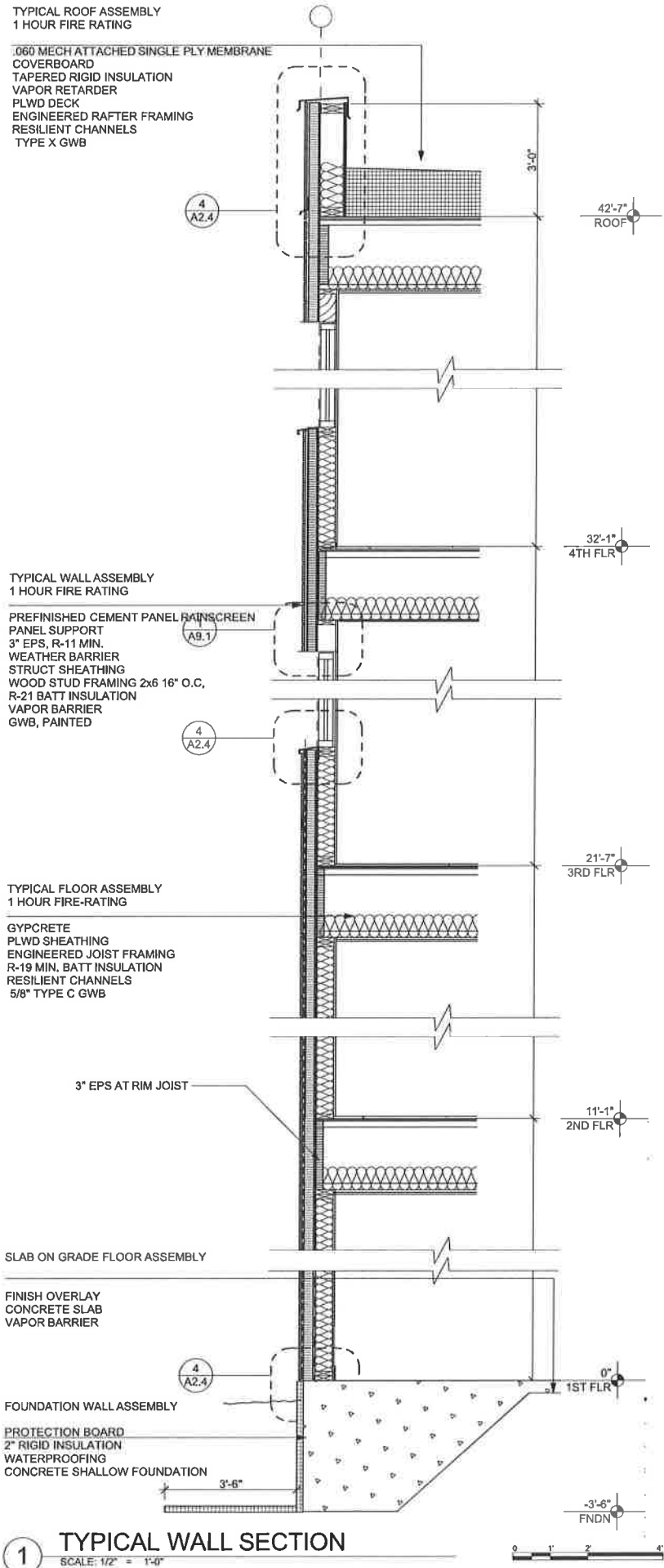
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issue mark date description

SHEET #

A3.2

PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016



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TRILLIUM LANDING

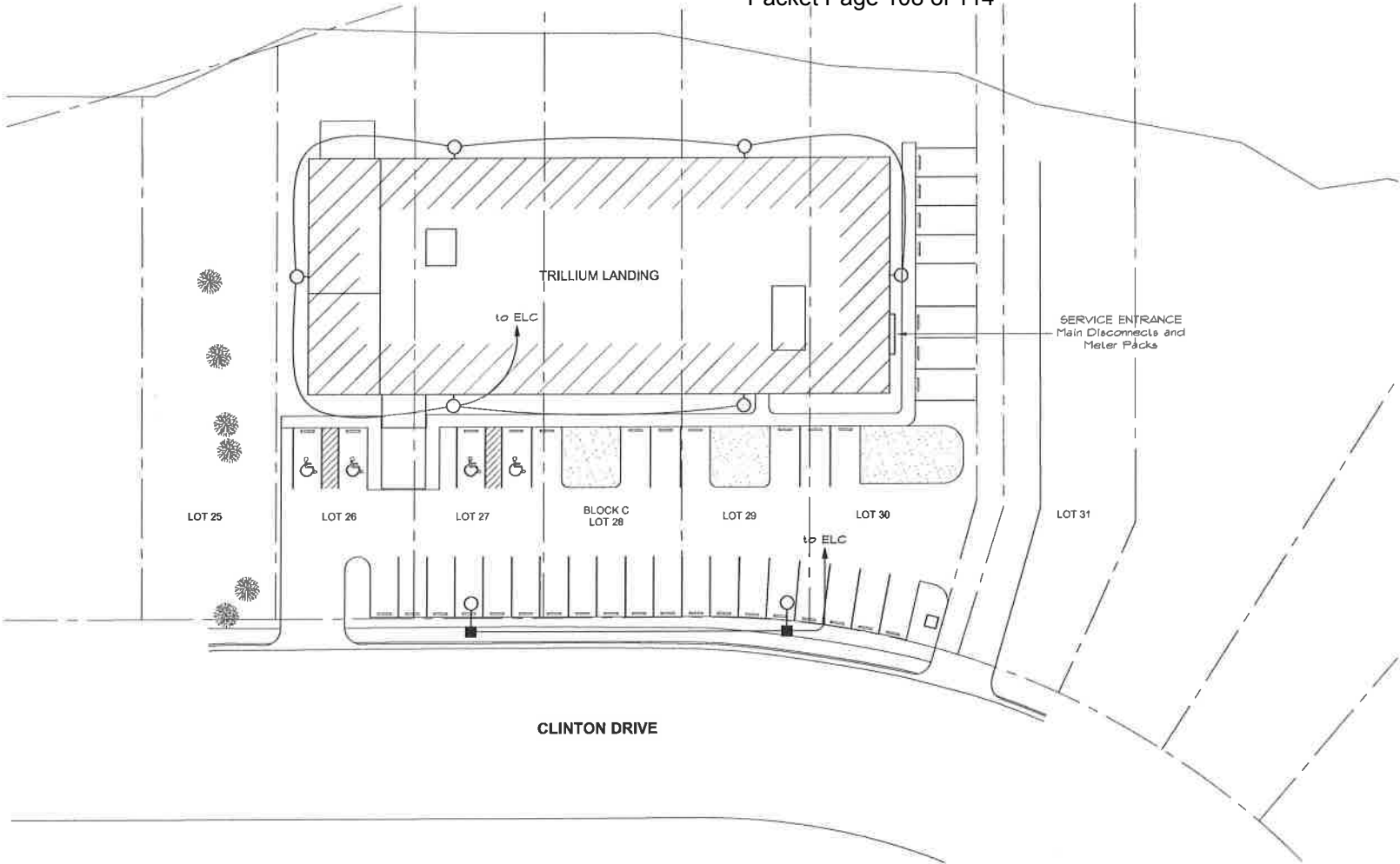
NWA-1550
3039 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
WALL SECTIONS

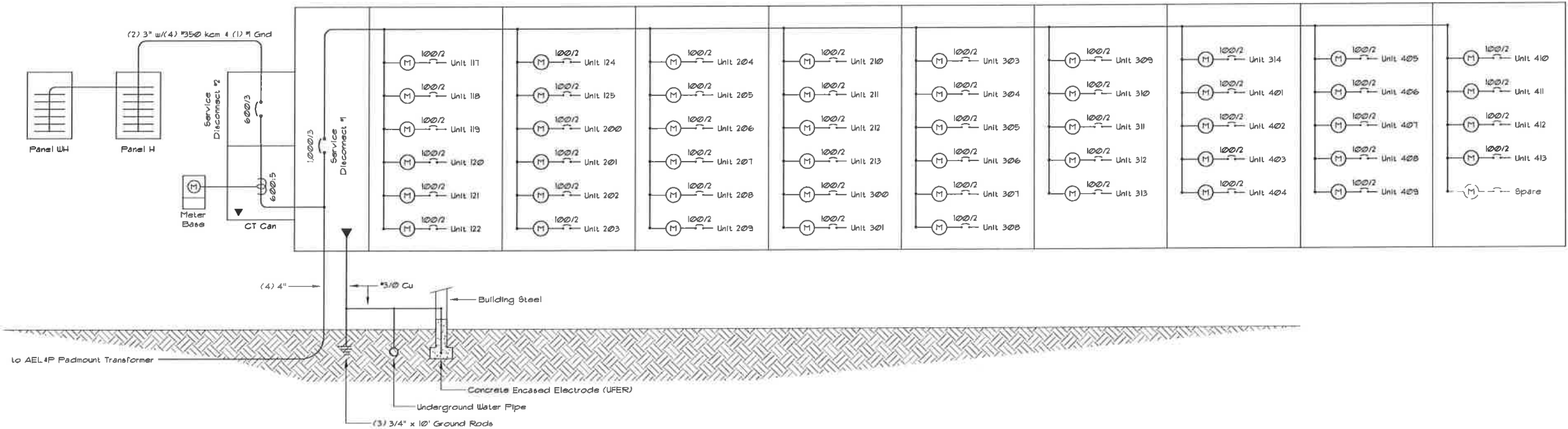
CHECKED XX
DRAWN XX

issue mark date description

SHEET #
A5.1
PLOT DATE 6/14/2016
ISSUE DATE 06/11/2016



SITE PLAN



SINGLE LINE DIAGRAM

NO SCALE



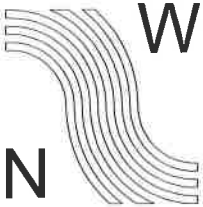
5362 Commercial Boulevard
Juneau, Alaska 99801
Phone: 780-3690 Fax: 780-3692
email: anchoralaska.com



10761 Horizon Drive
Juneau, Alaska 99801-7626
Phone: 463-6721 Cell: 723-8884
e-mail: pgorman@gcinet

PRELIMINARY
REVIEW SET
NOT FOR
CONSTRUCTION

May 31, 2016



NorthWind
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Juneau, AK 99801
Ph #907.586.6150
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ALL LABELED SCALES.

TRILLIUM LANDING

NWA-1550
3041 CLINTON DRIVE
JUNEAU, ALASKA

SHEET TITLE:
SITE PLAN, SINGLE
LINE DIAGRAM

CHECKED PG
DRAWN NWA/PG

SHEET #

E1.1

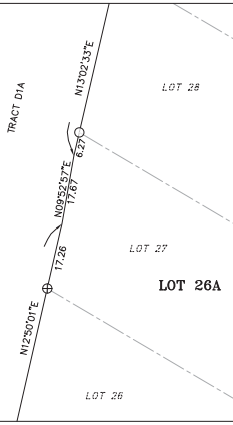
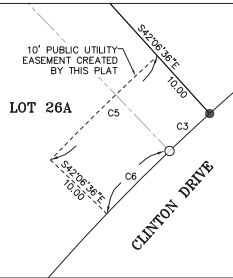
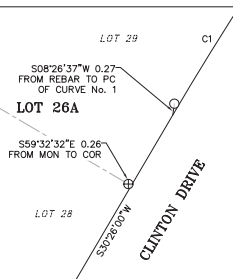
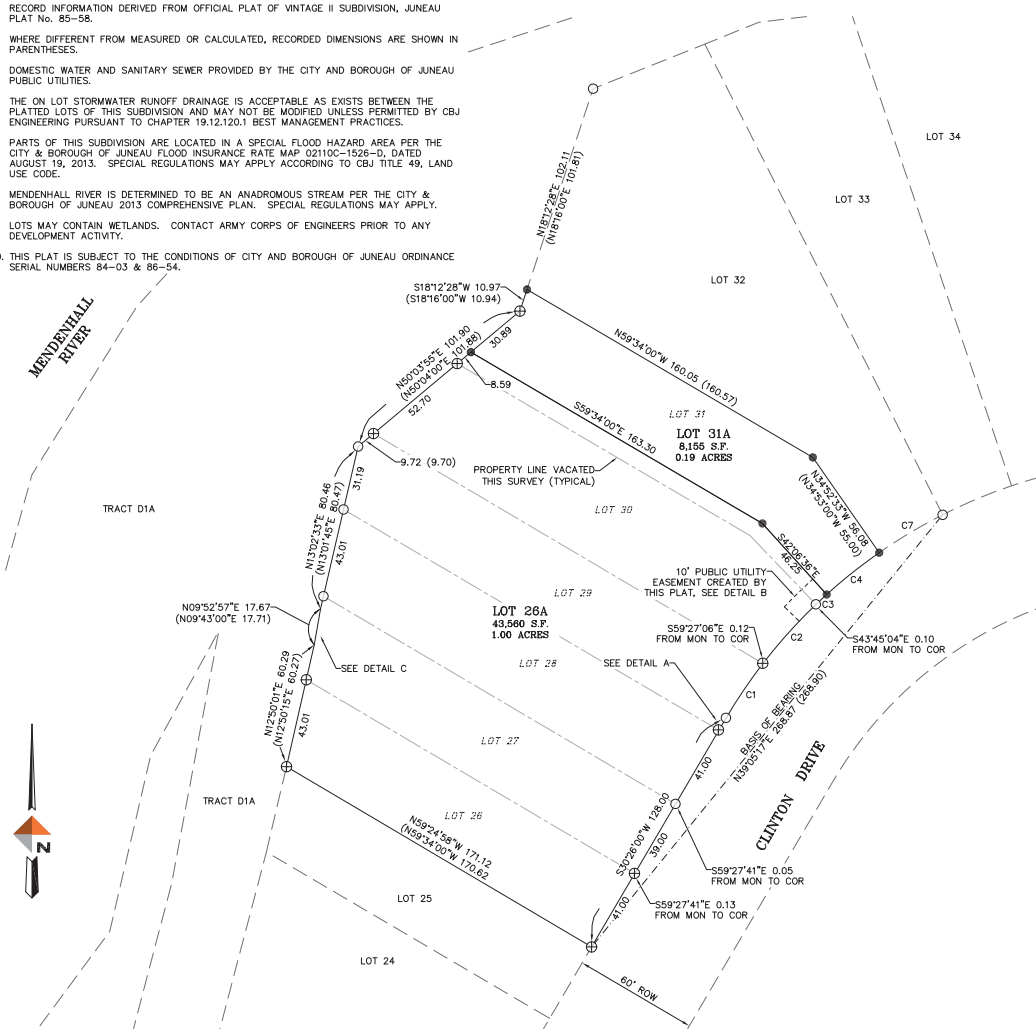
PLOT DATE 05/31/2016
ISSUE DATE xx/xx/2016

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.

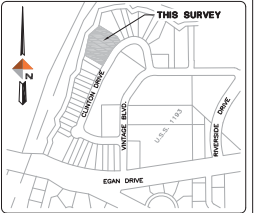
BASIS OF BEARING

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.



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



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

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7	08°01'47"	255.00	35.74	N59°08'21"E 35.71



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.

ATTEST:

DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

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



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: 1"= 30'
DATE: APRIL 2016
PROJECT NO: J70825
FILE NO:
SHEET NO: 1

Packet Page 109 of 114



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: July 19, 2016

TO: Planning Commission

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

FILE NO.: USE2016 0023

PROPOSAL: A Conditional Use Permit for Senior Housing

REVISION:

It was mistakenly noted that the applicant/developer owns property up to the Mendenhall River, therefore triggering CBJ 49.35.620 Stream and bodies of water. However, the applicant/developer does not in fact own the property adjacent to the river Tract D1A (see attached plat); it is owned by William J. Bauer. Through the Vintage Subdivision, access to the river is provided via the existing path.

Please note that the applicant/developer does agree to improve the path if needed during construction, with approval of the owner, and to provide access from their property to the path for their clients.

Therefore, Condition #1 is inappropriate and should be removed from the decision (see below):

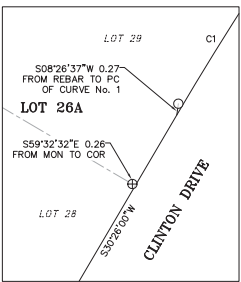
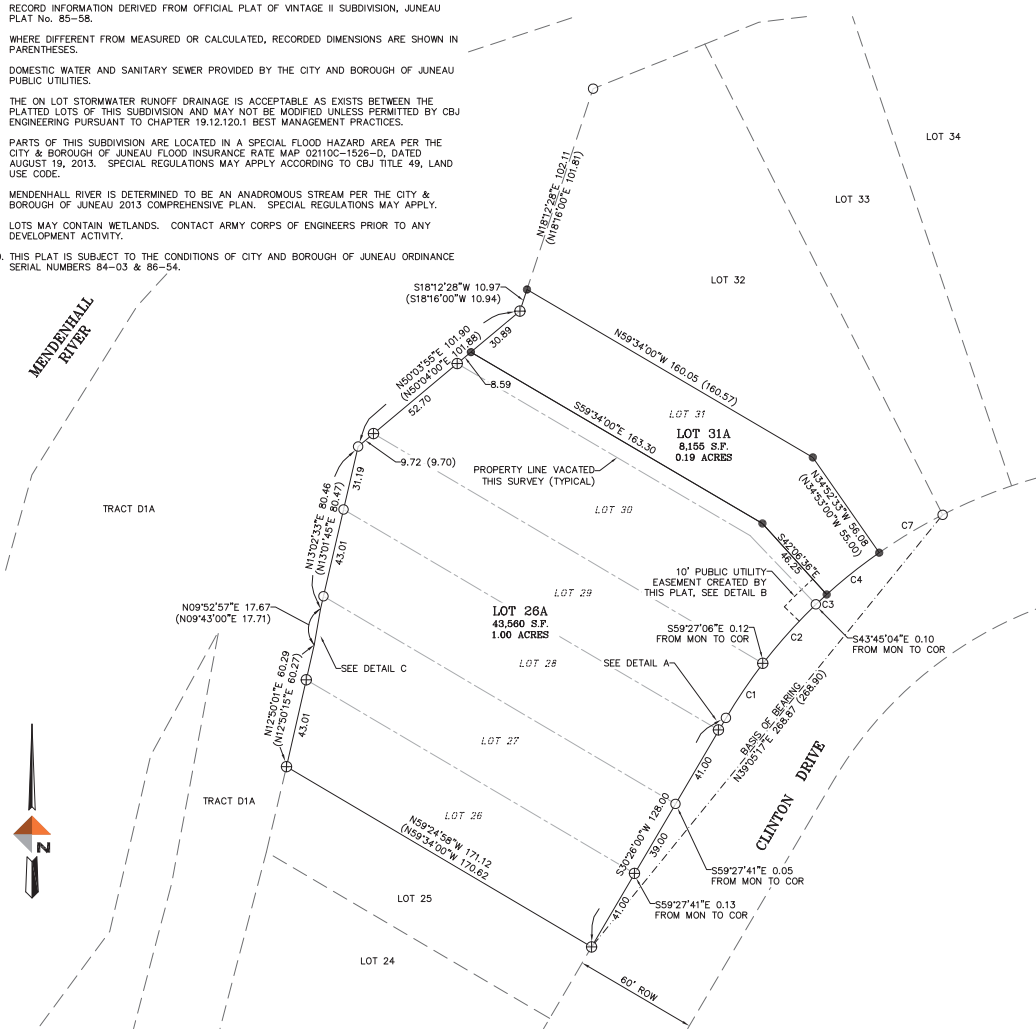
- ~~1. Dedicate access satisfying CBJ 49.35.620 to the path that runs the extent of the property along the Mendenhall River.~~
2. Submit a lighting plan, prior to issuance of a Building Permit, illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall 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).
3. Installation of parking lot light poles must be limited to the property and not located within the right-of-way.
4. Installation of landscaping must be limited to their property and not located within the right-of-way.
5. Restore and vegetate the river bank, if needed.
6. Apply the CBJ Manual of Stormwater Best Management Practices to reduce or eliminate the need for direct discharge of runoff into the river and to attenuate stormwater on site.

NOTES

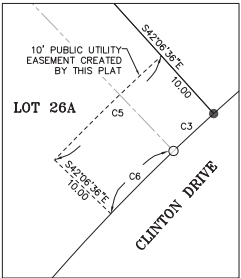
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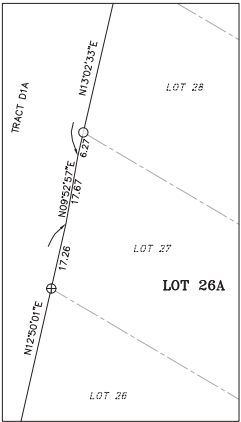
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DETAIL A
N.T.S.



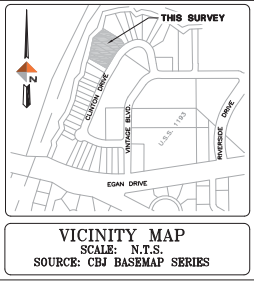
DETAIL B
N.T.S.



DETAIL C
N.T.S.

LEGEND

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DATE: _____, 2016

OWNER
WILLIAM JAMES BAUER, WILLIAM BAUER LIVING TRUST

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA
FIRST JUDICIAL DISTRICT } ss.

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DATED THIS _____ DAY OF _____, 2016.

ATTEST:
CLERK
CITY AND BOROUGH OF JUNEAU

DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

TYPICAL MONUMENT DETAIL
N.T.S.

5/8"x36" REBAR WITH
YELLOW PLASTIC CAP

SURVEYOR'S CERTIFICATE

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DATED: APRIL 2016



PLAT OF
LOT 26A & 31A
A SUBDIVISION OF
LOTS 26 THRU 31, BLOCK C
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CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT
STATE OFFICE OF THE RECORDER AT JUNEAU

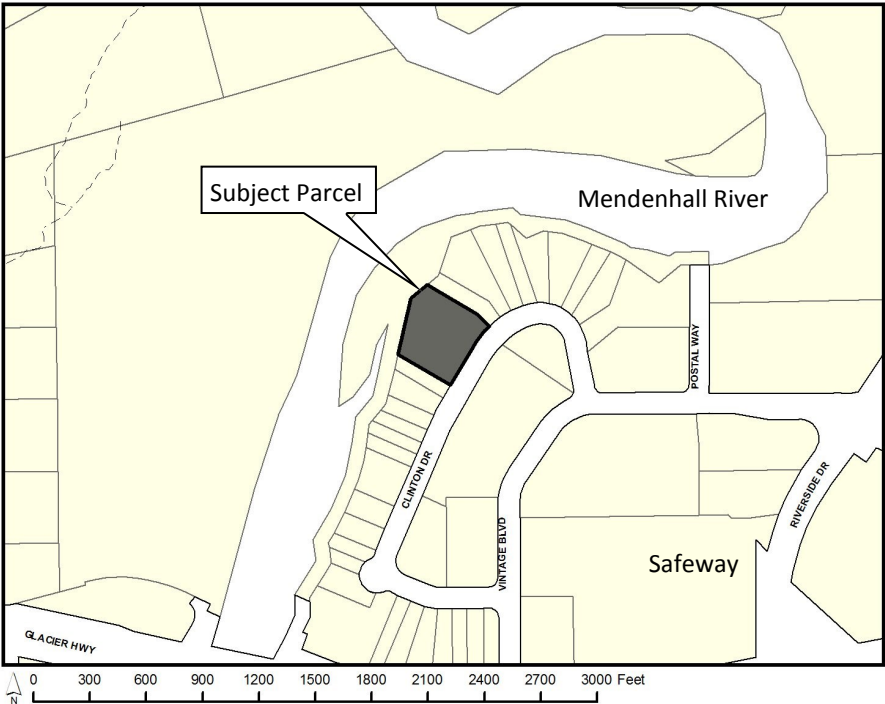
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JUNEAU ALASKA 99801 907-780-3533

OWNER
WILLIAM BAUER LIVING TRUST
PO BOX 034139
JUNEAU, ALASKA 99803

SCALE: 1"= 30'
DATE: APRIL 2016
PROJECT NO: J70825
FILE NO:
SHEET NO: 1 of 114



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Conditional Use permit for senior housing.

File No:	USE2016 0023	Applicant:	GMD Development
To:	Adjacent Property Owners	Property PCN:	5-B16-0-114-026-1
Hearing Date:	July 26, 2016	Owner:	William Bauer Living Trust
Hearing Time:	7:00 PM	Lot Size:	43,560 sq ft
Place:	Assembly Chambers	Zoned:	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.

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>



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: July 27, 2016
File No.: USE2016 0023

GMD Development LLC
Attn: Emily Breidenbach
520 Pike Street
Suite 1010
Seattle, WA 98101

Application For: A Conditional Use permit for senior housing.

Legal Description: Vintage II Block C Lot 26A

Property Address: 3039 Clinton Drive

Parcel Code No.: 5-B16-0-144-026-1

Hearing Date: July 26, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 14, 2016, and approved the 49-unit senior housing development to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Submit a lighting plan, prior to issuance of a Building Permit, 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. Installation of parking lot light poles must be limited to the property and not located within the right-of-way.
3. Installation of landscaping must be limited to the property and not located within the right-of-way.
4. Restore and vegetate the river bank, if needed.
5. Apply the CBJ Manual of Stormwater Best Management Practices to reduce or eliminate the need for direct discharge of runoff into the river and to attenuate stormwater on site.

Attachments: July 14, 2016, memorandum from Jill Maclean, Senior Planner, Community Development, to the CBJ Planning Commission regarding USE2016 0023.

GMD Development LLC
 File No.: USE2016 0023
 July 27, 2016
 Page 2 of 2

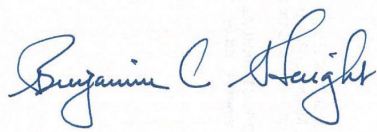
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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).

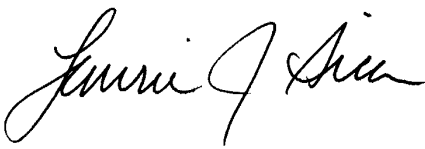
Effective Date: The permit is effective upon approval by the Commission, July 26, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or January 26, 2018, 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

August 1, 2016

 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.