

Agenda

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

June 28, 2016
Assembly Chambers
7:00 PM

- I. ROLL CALL
- II. APPROVAL OF MINUTES
 - A. May 24, 2016 Regular Planning Commission Meeting
- III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- IV. PLANNING COMMISSION LIAISON REPORT
- V. RECONSIDERATION OF THE FOLLOWING ITEMS
- VI. CONSENT AGENDA
 - A. USE2016 0014: Conditional Use Permit for encroachment into side yard setback for shed adjacent to public open space.
 - B. USE2016 0017: Conditional Use Permit for a standard marijuana cultivation facility in an Industrial zone.
- VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS
- VIII. UNFINISHED BUSINESS
- IX. REGULAR AGENDA
 - A. USE2016 0015: Conditional Use Permit for an Assisted Living Facility
 - B. USE2016 0018: Conditional Use Permit for a multifamily condominium development.
- X. BOARD OF ADJUSTMENT
- XI. OTHER BUSINESS
- XII. DIRECTOR'S REPORT
 - A. Lemon Creek Steering Committee Appointment
- XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES
- XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS
- XV. ADJOURNMENT

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
May 24, 2016

I. ROLL CALL

Ben Haight, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:00 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; Teri Camery, Senior Planner; Laura Boyce, Senior Planner; Chrissy Steadman, Planner II,

Assembly members: Debbie White

New Commission Member: Municipal Attorney Amy Mead swore in new Commission member Kirsten Shelton-Walker.

II. APPROVAL OF MINUTES

A. April 26, 2016 Regular Planning Commission Meeting

MOTION: *by Mr. Peters, to approve the minutes of the April 26, 2016 meeting with any minor corrections by staff or Commission members.*

The motion was approved with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Mill Rate & Rezone

Assembly Liaison to the Planning Commission Debbie White reported that last night the Assembly approved the rezone in the Vintage Park area, and in other action it set the mill rate at 10.66.

Budgets Adopted/Land Management Plan

It also passed budgets for the City and Borough and School Board and also adopted the Land Management Plan. Builders and developers expressed concern about unfair competition and the City flooding the market. Ms. White reported that many of the concerns focused on the cost of lots in the Pederson Hill land disposal. She said that the Reninger Subdivision is for affordable housing and that land in the Pederson Hill area will result in different types of development.

Appeal

Ms. White reported that OLMO LLC is appealing the Planning Commission decision.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA

USE2016 0013 was removed from the Consent Agenda and placed under the Regular Agenda, and combined with the report with USE2016 0012.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS

USE2016 0003:	A Conditional Use Permit for an asphalt plant at the Alaska Marine Lines Yard.
Applicant:	Knik Construction Co., LLC.
Location:	0 Jacobsen Drive

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of an asphalt plant and related stockpiling at the Alaska Marine Lines yard. 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 and located to minimize offsite glare.*
- 2) Prior to the issuance of a building permit, the applicant shall provide the final Stormwater Pollution Prevention Plan, in conformance with ADEC requirements, to ensure protection of adjacent waters.*

Ms. Camery told the Commission there are three new letters in opposition to the project, and that she had nothing new to add regarding this Conditional Use Permit.

MOTION: *by Mr. Peters, to move USE2016 0003 and adopt the staff analysis, findings and recommendations to approve this Conditional Use Permit.*

Mr. Dye made a friendly amendment to the motion of Mr. Peters to limit the permit to a two year period, since this is how long the operation would be in effect.

Mr. Peters accepted the friendly amendment.

Roll Call Vote:

Yeas: Dye, Peters, Haight

Nays: Greene, Frisby, Bell, Voelckers, Shelton-Walker, LeVine

The motion failed.

MOTION: *by Mr. LeVine, to deny USE2016 0003 and amend finding 5 to conclude that the asphalt plant as proposed is not in harmony with the property in the neighboring area due to the increased truck traffic that would occur in the downtown area.*

Roll Call Vote:

Yeas: Voelckers, Greene, Shelton-Walker, Frisby, Bell, LeVine

Nays: Peters, Dye, Haight

The motion passed.

IX. REGULAR AGENDA

USE2016 0013: Conditional Use permit for marijuana cultivation in the Industrial zone
 Applicant: Top Hat Concentrates, LLC.
 Location: 2315 Industrial Boulevard

RECOMMENDATION:

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana cultivation facility in the Industrial zone.

The approval is subject to the following conditions:

1. Parking spaces shall meet CBJ 49.40.210(b) (1); 8 spaces including 1 ADA signed space shall be marked and maintained. A parking and circulation plan shall be submitted with the building permit application.
2. The applicant shall pass all CBJ Fire Marshall inspections.
3. No offsite glare shall be produced by exterior doorway lights.
4. Security cameras shall have an unobstructed view of each doorway to the processing building and cultivation building.
5. Security cameras shall have an unobstructed view of the regular activity without sight blockage from lighting hoods, fixtures, or other equipment in the processing building and cultivation building.
6. Security cameras shall have a battery back-up system installed that operates for a minimum of 24 hours; all batteries must be replaced annually.
7. Prior to the issuance of a Certificate of Occupancy, all security devices shall be inspected to ensure they are fully operational and the required signage is displayed.

USE2016 0012	Conditional Use permit for marijuana product manufacturing facility in the Industrial zone.
Applicant:	Top Hat Concentrates, LLC
Location:	2315 Industrial Boulevard

RECOMMENDATION:

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana cultivation facility in the Industrial zone.

The approval is subject to the following conditions:

1. Parking spaces shall meet CBJ 49.40.210(b) (1); 8 spaces including 1 ADA signed space shall be marked and maintained. A parking and circulation plan shall be submitted with the building permit application.
2. The applicant shall pass all CBJ Fire Marshall inspections.
3. No offsite glare shall be produced by exterior doorway lights.
4. Security cameras shall have an unobstructed view of each doorway to the processing building and cultivation building.
5. Security cameras shall have an unobstructed view of the regular activity without sight blockage from lighting hoods, fixtures, or other equipment in the processing building and cultivation building.
6. Security cameras shall have a battery back-up system installed that operates for a minimum of 24 hours; all batteries must be replaced annually.
7. Prior to the issuance of a Certificate of Occupancy, all security devices shall be inspected to ensure they are fully operational and the required signage is displayed.

Ms. Steadman told the Commission the property is located at 2315 Industrial Boulevard in the industrial district. The applicants are Top Hat Concentrates LLC and Top Hat LLC, said Ms. Steadman. The site size is over 15,000 square feet, she said. There are two structures, said Ms. Steadman. The southern structure has seafood processing on the first floor which is a use outright in the industrial zone. There is a caretaker unit on the second floor.

The northern building is about 4,700 square feet, said Ms. Steadman, which is where the marijuana cultivation and manufacturing would occur. The site has legally nonconforming setbacks since it was constructed under a different zoning code which did not require rear or side yard setbacks. The applicants do not plan on changing the structure on the outside at all, said Ms. Steadman.

There are eight parking spaces required for the two uses on the site, said Ms. Steadman. Parking can be provided in front of both of the buildings, she said. There is also one loading area which is required which can also be provided in front of the building, she said. There will be no windows in the proposed facility, said Ms. Steadman.

Cultivation will take place on the ground floor of the northern building, said Ms. Steadman. The second floor of the facility will contain both a secure office and also the mother room (marijuana clones are taken from the mother plant) for the facility. It will also contain a drying room and a packaging area. There will be three to five full-time employees, said Ms. Steadman. Deliveries to and from the property will also take place, she said.

They do not expect noise to be an issue, said Ms. Steadman, since the entire process will take place indoors. The lighting for the building meets both State and City requirements with a surveillance system which also meets state requirements, said Ms. Steadman. There will be 10 surveillance cameras for the 700 square foot second floor activities for the project, said Ms. Steadman. There will be one 360 view camera, five motion activated lights and three door sensors, said Ms. Steadman.

On the first floor there will be 20 surveillance cameras, one 360 view camera, five motion detection lights and four door sensors, said Ms. Steadman. The applicant plans on using CO2 for the extraction process which is a non-toxic way of extracting the oils from the cannabis, she said. The applicant plans on using ladybugs for their pest control, she added. There are no toxic chemicals proposed for this use, said Ms. Steadman.

The use has been found to be in harmony with the neighborhood, said Ms. Steadman, and is not anticipated to negatively affect property values in the area. This is in general conformance with the Comprehensive Plan, said Ms. Steadman. The use must also conform to the newly adopted marijuana ordinance, said Ms. Steadman, such as a security plan and a waste disposal plan. There is adequate security, and the applicants does not plan on significant waste to dispose. For the little waste they do have they plan on grinding it up per state requirements

and disposing of it in the landfill, said Ms. Steadman.

The applicant will be using Carbon Dioxide both in the growing and in the extraction process, said Ms. Steadman. They will be inspected by the Fire Department for all of those uses, she said.

Commission Comments and Questions

Mr. LeVine asked if there is a reason that the applicant needed to submit two separate CUP (Conditional Use Permit) applications.

Ms. Steadman replied that they are listed separately in the Table of Permissible Uses so they are listed as two separate uses which required two different reviews.

Mr. Voelckers noted that previous applications of this type had conditions attached for odor control including items such as annual inspections and charcoal filters. He said he wanted to make sure that due diligence has been performed and that the staff is assured that odor will not be a problem.

These items are now covered within the special use ordinance, said Ms. Steadman. Since that ordinance has passed, they no longer need to replicate that language within the Conditional Use Permit, said Ms. Steadman.

Applicant

Applicant John Nemeth said he had nothing further to add to the presentation of Ms. Steadman unless the Commission had any questions.

There were no questions at that time.

Public Comment

Resident Jim Sidney said he owns approximately 20 acres within 500 feet of the proposed cultivation and extraction facility. He said he has 12 grandchildren that live in that area and that the bus stops right in front of this property. He said he feels the bus stop needs to be moved and that nearby apartments could be affected. He said he feels it is inappropriate to have a marijuana facility right next to the bus stop. Mr. Sidney also expressed concern that children or workers may come into contact with marijuana odors and become affected by it. Mr. Sidney added that the parking plan was not a good one because it required cars to back out into the road.

Mr. Dennis Watson told the Commission that he had submitted a letter on this CUP and in another role he was also the chair of the Southeast Alaska Food Bank which will be located around the corner from the facility. Mr. Watson, former Planning Commission member and a member of the Marijuana committee, said they have no concerns about this business, and that

the public often walks by that building as well. Mr. Watson said he feels this application fits about as close to what he has ever seen to what the Marijuana Committee had conceived. Mr. Watson said he also owns property down the street from this business. Mr. Watson said he did not see why parking would be a problem, and that back out parking is used by numerous businesses within the area.

Applicant

Mr. Nemeth said they have excellent equipment and that there should be very little to no aroma that should ever leave the facility. He added that marijuana odor does not transmit THC into the bodies of anyone who breathed it. There also will be no signage on the facility, said Mr. Nemeth. Regarding traffic he said there will be trucks coming and going for the fish processing facility which has been going on without complaint for some time, and that the main vehicle used to transport marijuana would be his Mini Cooper. They plan on producing anywhere from 25 to 35 pounds a month, said Mr. Nemeth, which translates to about five to 10 pounds a week leaving the facility in his Mini Cooper, he said.

MOTION: *by Mr. Peters, to approve USE2016 0012 and to accept the staff's findings, analysis and recommendations.*

The motion passed with no objection.

MOTION: *by Mr. Peters, to approve USE2016 0013 and to accept staff's findings, analysis and recommendations.*

The motion passed with no objection.

AME2016 0005 Rezoning of USS 2136 Lot 2 from D-1 (T) D-3 to D-3(T)D-5 and D-1 (T) D-10 to D-10.

Applicant:

Intrepid, LLC

Location:

Glacier Highway between Sherwood Lane and Engineer's Cutoff Road

RECOMMENDATION:

Because of the two zone districts on the site, there are two actions needed by the Planning Commission and thus, two different recommendations by staff, included below.

Northern 3.2 acres of the Subject Parcel:

Staff recommends that the Planning Commission adopt the Director's analysis and findings and approve a zone change from D-1(T) D-10 to D-10 for the 3.2 acres of the northern portion of USS 20136 Lot 2.

Southern 19.6 acres of the Subject Parcel:

Staff recommends that the Planning Commission concur with the Director's analysis and findings and recommend approval to the Assembly for a rezone of the 19.6 acres of the southern portion of USS 2136 Lot 2 from D-1(T) D-3 to D-3(T) D-5 subject to the following condition:

1. Prior to a transitional zone change to D-5, Single-family Residential, Pederson Street shall be improved to the standards required for streets as required by CBJ 49.35 Public Improvements, unless access meeting appropriate safety requirements equivalent or superior to that which would be provided by Pederson Street, as determined by the directors of the Community Development and Engineering and Public Works Departments, and the Planning Commission, has been provided from an alternative location.

Ms. Boyce told the Commission they have received a number of letters regarding the proposal which she has included as an item in their blue folders. These letters were received after the packet was distributed, she said. Several letters included concerns about the public notice requirement, said Ms. Boyce. The sign was posted on the property that goes along Glacier Highway, said Ms. Boyce. None of the property actually touches Engineers Cutoff, she said. Notices were also mailed to all neighbors who resided within 500 feet of the property, she said.

This is a request to change the zone designation on approximately 22 acres, said Ms. Boyce. There are two zone designations on the property, she said. The northern portion of the property is currently zoned D-1 transitioning to D-10, said Ms. Boyce. That is roughly 3.2 acres of the site, she said. The lower portion of the property is zoned D-1 transitioning to D-3. That is roughly 19.6 acres, said Ms. Boyce.

Ms. Boyce said that Murray Walsh would be speaking on behalf of the applicant about this proposal this evening. The different zones on the property also each carry different Comprehensive Land Use Plan land use designations, said Ms. Boyce. The designations are for Urban Low Density Residential (ULDR) and Medium Density Residential (MDR), she said.

Water and sewer are available to the site along Glacier Highway and Sherwood Lane. Water is available along Engineers Cutoff, said Ms. Boyce. The property can currently be accessed via Glacier Highway and Pederson Street, she said.

Because there are two zoning districts on this property there are two sections of code which guide the decisions, so two actions will be required of the Commission, she explained. CBJ 49.70 deals with transition zone upgrades, and CBJ 49.75 deals with rezonings. While the Commission can approve a transition zone upgrade, its decision on the portion of the lot to be rezoned will then go to the Assembly for final approval, explained Ms. Boyce.

The purpose of a transition zone is for lands within the Urban Service Area Boundary that are set aside for higher density development after public sewer and water have been provided, said Ms. Boyce, and after the Planning Commission makes a finding that the services are adequate.

A rezone can only be approved on a finding that the proposed zoning district and its uses are in substantial conformance with the Land Use Maps of the Comprehensive Plan, explained Ms. Boyce. If the Commission approves the rezone request it then proceeds to the Assembly, and if the Commission denies the request it ends there, unless the applicant appeals that decision to the Assembly, said Ms. Boyce. If the Assembly approves a rezone, it is then incorporated by ordinance and the zoning map is altered to reflect that change, she said.

Urban low density residential (ULDR) is the Comprehensive Plan land use designation for the southern portion of the property, which is the majority of the parcel, said Ms. Boyce. That designation allows between one and six dwelling units per acre, she said. The northern portion of the property is zoned Medium Density Residential (MDR), said Ms. Boyce. From six to 20 dwelling units per acre are allowed within that designation, she said.

As a result of the neighborhood meeting held in March, said Ms. Boyce, the original plan to rezone the entire property to D-10 was changed by the applicant to retain the D-10 zone request for the northern portion of the parcel and a D-5 zone for the lower portion of the parcel.

The upper parcel is currently zoned D-1, said Ms. Boyce. That is primarily for single family and duplex development, she said. Certain D-1 zoned lands may exist within the Urban Service Area boundary in transition areas if public sewer or water are absent but planned for, read Ms. Boyce. The D-1 classification will be changed to a higher density when services are provided, said Ms. Boyce. The lower portion of the property is currently zoned D-3, said Ms. Boyce. This is land for which a lower density is deemed appropriate or in the case of transition zones where the zoning will be changed to a higher density when sewer and water are provided, said Ms. Boyce.

The applicant is requesting D-5 zoning for the lower portion of the property, said Ms. Boyce. They are single family districts located within the Urban Service Area boundary and are served or can be served by water and sewer, said Ms. Boyce. The D-10 and D-15 zoned districts are multi-family zoned districts, said Ms. Boyce. The D-10 zone is for 10 units per acre and the D-15 zone is for 15 units per acre, she said.

The Comprehensive Plan states that the Assembly and the Commission are to aim to promote the highest and best use of land under consideration and all new rezoning designations are required to be substantially consistent with the Comprehensive Plan and associated land use maps, said Ms. Boyce.

The highest and best use may result in increased density of the parcel or in some cases the highest and best use of the land may be preservation in an undisturbed state for purposes of habitat preservation, flood control or to provide a buffer between development and areas subject to natural hazards, said Ms. Boyce.

After sewer service was extended along Glacier Highway other properties in the area have been rezoned from D-1 to D-10, said Ms. Boyce. This property was not included in the overall request made at the time because of the two different zoning districts on the property, she said.

The staff finds that:

1. The request meets the submittal requirements and the rezoning initiation, zone change restrictions, and procedural requirements of the CBJ Land Use Code.
2. This proposal substantially conforms to the Land Use Maps of the Comprehensive Plan.
3. Transition zoning of D-3 (T) D-5 in the lower 19.6 acres would ensure that access to the subject site is addressed including safety concerns additional traffic on adjacent residential streets. While sewer and water are both available to serve the site, adequate road infrastructure is not currently in place to serve increased densities.

The 3.2 acres on the northern portion of the property for densities from five to 20 units per acre would be for zones D-5 through D-18, said Ms. Boyce, which would be in substantial conformance. Those would be zones the Commission could consider if it wanted alternatives to the staff recommendation, said Ms. Boyce.

Commission Comments and Questions

Mr. LeVine asked why the staff recommends that the lower parcel be rezoned to D-3 transitioning to D-5 instead of D-1 transitioning to D-5.

Ms. Boyce replied that with the finding of the northern portion of the site to D-10 it seemed that transitioning the entire property makes sense.

Mr. LeVine asked if the same access questions would exist for a D-3 zone and a D-5 zone designation.

Ms. Boyce replied that there are currently access issues for the property. Any development that would occur on the property would require upgrades to Pederson Street if that was the access they chose.

Mr. LeVine asked if there is any reason the Commission should stray from the parcel boundaries which did not match up with the land use line on the map.

Ms. McKibben clarified that there is no parcel line, there is only one parcel. She added that the Commission could adjust the line for the D-10 proposed property but that the Commission would need to make findings as to how it substantially conforms to the maps of the Comprehensive Land Use Plan. That would need to go to the Assembly to be approved, she said, because it deviates from the transition zone.

Mr. Voelckers asked about the logistics of connecting with sewer on the southern portion of the property. He asked if the applicant would be compelled at a certain density, to make connection with that sewer.

Ms. Boyce responded that the property would be required to tie into the water and sewer lines on Glacier Highway because those are already sized for the development that is anticipated.

Mr. Voelckers asked if they need a condition to stipulate that since it is already locked in by other language.

Mr. Haight said the staff has recommended a condition for the southern portion of the property to improve the streets to the standards. No matter what the land is zoned, whether D-1 or D-10, it is still required to improve the streets, he said. He asked if this requirement is for the rezone or if it is a requirement for the subdivision development.

Ms. Boyce said she has recommended that condition for the rezone. In order for the applicant to realize the higher density for the D-5 zone district it would have to make those street improvements, she said, before that transition to the higher density could occur. This is because the site is not currently served by access which can serve the proposed density at this time, she said.

Mr. Dye clarified that even a D-3 zone would trigger the necessity for road improvements.

Ms. Boyce said that the access is part of development and that it would be reviewed.

Mr. Voelckers said it was the opinion of Mr. King in the CBJ Engineering Department that the property had a second access. He asked if this was a requirement or if it was simply the opinion of the staff member.

According to the fire code when a development is over a certain number of units, said Ms. Boyce, the property is required to have a second access. If all of the buildings are sprinklered than a second access is not required, she said. She said the applicant plans on installing sprinklers in all of the units.

Mr. Greene asked if there was a requirement for a traffic study.

Ms. Boyce responded that at the time of development they would look at the potential average daily trips from the proposed project. If the project would generate 500 average daily trips or more a Traffic Impact Analysis would be needed, she said. If the threshold is between 250 to 500 average daily trips it is up to the Director's discretion, she said.

Applicant

Murray Walsh said he is representing Intrepid LLC, a development company based in Anchorage which specializes in a special federal tax supported form of housing where the occupants are not necessarily low income, they may be what is termed "workforce income". The idea is to construct housing in the midrange, he said. They are planning a series of developments, he said. They will construct something like 25 to 30 units per year in various places around the site, said Mr. Walsh.

While the site is large there are a lot of wetlands, said Mr. Walsh, creating a limited number of building sites on the property. The biggest issue associated with the rezone is access, he said. It would be cheaper for them to construct access across several locations to Sherwood Lane rather than Pederson Street which is not developed, he said. It would cost the developers less money and create a better layout and better entrance to the property, he said.

They made it clear at the public meeting held that they planned on using Sherwood Lane, said Mr. Walsh. He said he may even be able to take care of that before the rezone reached the Assembly for approval. Mr. Walsh said there are features in the Comprehensive Plan which encourage affordable housing. They are trying to provide some of that housing, he said.

Commission Comments and Questions

Mr. Voelckers asked for clarification of the townhouse-cluster plans for the property.

Mr. Walsh said the Planned Unit Development (PUD) feature in the code allows multi-family construction as long as it is part of the master plan that provides benefits and public amenities to the residents and often the public. He said it would take five or six years before the property was built out. There are several salmon-bearing creeks on the property from which they need to stay 50 feet from either side, said Mr. Walsh. That dramatically reduces the land available for development, he said.

Mr. LeVine asked Mr. Walsh if he wants D-3 zoning. He asked if the rezone from D-3 to D-5 did anything more for the applicant than a rezone from D-1 in transition to D-5.

Mr. Walsh said they would like the D-5 zone even though it meant having to go before the Assembly to complete the rezone.

Public Comment

Juneau resident Dr. Eric Olson said he is one of the four owners of the property on which Family

Practice Clinic is situated. Their main concern is that the clinic not experience negative impacts as a result of development. Their concerns are that their property not be decreased in value. He said he was relieved when at the public meeting they were told the project planned on using Sherwood Lane for access. They would appreciate a buffer between their property and the development. They are not opposed to the development, he said.

Engineers Cutoff resident Luke Dihle said he was very happy that the developers had said that they were not using Pederson Street for access to the development.

Engineers Cutoff resident Lynette Dihle also spoke against using Pederson Street as access to the development. Safety would be a big issue if Pederson Street was used for access, she said.

Neighborhood resident Jim Sidney said he felt Pederson Street should be built to City standards as the main entrance to the development. He noted that sewer and water were not provided to that property because the owners did not want to pay the assessment. He asked if those who paid for the assessment would get some kind of refund with the new development.

Mr. Sidney asked why the staff had not made any recommendations for this property that contained over 12 acres of fish habitat. Mr. Sidney said he felt this was spot rezoning. He said he did not see where the 50 foot setbacks from each side of the streams resulted in less property upon which to build.

Engineers Cutoff resident Mr. Saviers said he was submitting three letters on behalf of his neighbors against the proposed development. He said he lives close to the entrance of Engineers Cutoff Road and that the development would contribute to traffic problems.

Engineers Cutoff resident David Ritter said that his biggest concern was that within a D-5 development that units could be clustered for example to two, 30 unit structures located behind his home. He said that he did not feel that townhouses and apartment buildings belonged up against land zoned for one dwelling per acre. Only a small sewer line meets the property in question, he said. No sewer service touches the lower 19 acres, he said.

Mr. Walsh said it sounded like one individual wanted them to use Pederson Street, and the rest did not. There are a few solutions regarding sewer access, he said, one of which involved Sherwood Lane. They would like to use the Sherwood Lane access because it would enable them to use gravity for the sewer line installation. Mr. Walsh said he had no idea about sewer assessment refunds. He said obviously any construction they did on the property would involve sewer assessments. Mr. Walsh said the 220 unit count would only be possible if the entire property was zoned D-10, and they are not requesting that now. He said it would be more like 140 to 150 total units. He said they plan on having a very large buffer between the houses on Engineers Cutoff which adjoined their property.

Commission Comments and Questions

Mr. Voelckers asked if the most southern parcel could simply be rezoned from D-1 transitioning to D-5, or if there were some sort of mechanism which required the D-3 to D-5 transition zoning.

Ms. Boyce answered that the transition to the D-3 and the D-10 made sense to the staff. Adding the new district of D-3 transitioning to D-5 left the door open for the higher density as requested by the applicant if access is handled for the proposed development, she said.

Mr. Voelckers asked what purpose the D-3 transition zone served.

Mr. Frisby said it appears to be a procedural process to go from D-1 to D-3 to D-5 zoning. All of that is predicated upon infrastructure development, he said.

Ms. Boyce said there are two portions of the code which has guided the staff. One portion is regarding zone upgrade which is the D-1 transitioning to D-5. If the Commission decides that the proper amenities are in place it could transition that property to D-10 without it having to go to the Assembly, said Ms. Boyce. If the Commission actually wants to do a rezone that would need to go to the Assembly for final approval, she said.

Mr. Voelckers said he is inclined to make an amendment that the access is via Sherwood Lane. He asked if there is any reason why the staff was persisting in keeping the Pederson Lane option open when the applicant had stated they preferred access to be via Sherwood Lane.

Ms. Boyce replied that on a rezone the staff is very limited on what it can place conditions upon. If it is conditioned too much it can be contract zoning which is illegal, she said. She added if the Commission wanted to state that access was to be via Sherwood Lane that could be a condition.

Mr. LeVine said the condition as it is drafted requires the road to actually be improved before the zoning change can take place. He asked if this is what was intended or if it was an assurance that it will be improved prior to construction of any new homes. He asked if it was really intended that a road is required to be built before the rezone is granted.

It is the same language that was used for another similar property on Mendenhall Loop Road, said Ms. Boyce.

MOTION: *by Mr. Frisby, to adopt the staff's findings, analysis, and recommendations on the northern 3.2 acres of the subject parcel.*

The motion passed with no objection.

MOTION: by Mr. Voelckers, to adopt staff's findings, analysis and recommendations on the southern 19.6 acres of the subject parcel.

The motion passed with no objection.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS

AME2015 0014	Draft Juneau Wetlands Management Plan Update.
Applicant:	City and Borough of Juneau
Location:	Borough-wide

This is the final draft under the grant and contract for the Juneau Wetlands Management Plan, said Ms. Camery. This draft reflects the changes suggested by the Commission and other entities when the preliminary draft was presented last fall, she said. CDD will continue revising the plan internally and bring another draft back to the Commission in approximately three months for additional review, moving toward final approval, said Ms. Camery. Volume One includes in part:

- ❖ An executive summary
- ❖ An explanation of the purpose of the study
- ❖ Explanation of the research methods used for the study
- ❖ An explanation of the project area
- ❖ A detailed explanation of implementation options and how the wetland assessments may be used in their current form
- ❖ Policies and implementation actions for future development of the plan
- ❖ An appendix with extensive background information

Ms. Camery noted that the new implementation chapter includes goals and objectives which address the intention to develop wetland categories, which was a key request from the Planning Commission and Wetlands Review Board. One of the challenges of formulating this document was to meet the needs of all of the different audiences that use the document, said Ms. Camery. She said that while the Planning Commission and Assembly would prefer a brief document, the resource agencies that use the document require rigorous scientific documentation of the wetland assessment method. She told the Commission the wetlands information in the case that they just reviewed came from this document, which demonstrates how useful it is. She said that she has heard concern that the wetland information in the plan may impede development, and she wanted to emphasize that the Corps of Engineers requires this information already. Having the information in advance for 360 wetland areas has already saved the city tens of thousands of dollars on the Reninger subdivision alone, and also saved thousands of dollars for the private developer in the previous case tonight. She said that Dr.

Adamus of Adamus Resource Assessment would discuss the wetland science of the plan tonight, while Francis Naglich of Ecological Land Services would address policy. Both are sub-consultants to Bosworth Botanical Consulting. She acknowledged Koren Bosworth of Bosworth Botanical Consulting in the audience, project manager for the project, whom she has worked with for the last four years, and thanked her for the high quality work on the plan.

Dr. Paul Adamus, Adamus Resource Assessment Inc. (ARA)

The focus of the study was on City-owned land, said Dr. Adamus. They did not have the time and resources to cover all of the City land, he said. Under this grant they were to find the boundaries of the wetlands and look at which of the wetlands are more important. For the boundary determinations they used color (ortho) photos and LIDAR topography obtained in 2013 through the same federal grant, which indicates the very fine elevational scale of the topography of the land, said Dr. Adamus. They found it very helpful, in a preliminary way, to identify the location of the wetlands, he said.

Once those were identified, said Dr. Adamus, it required actual on-the-ground surveys using standard techniques that the Corps of Engineers has sanctioned. Using those techniques he actually drew the boundaries of the wetlands, said Dr. Adamus. They covered a large area under difficult conditions, he said. They indicated the different types of wetlands located at different locations, he said.

They also needed to lay the foundation to determine hierarchy of the wetlands in terms of importance, said Dr. Adamus. This information can give advance information to developers and the public as to where they might run into the most resistance from the Corps of Engineers or other agencies, said Dr. Adamus.

They used the only technique that is customized for Southeast Alaska which is WESPAK – (Wetland Ecosystem Services Protocol). Everyone who used this had been trained in that method which is a systematic, standardized protocol, said Dr. Adamus.

The result was a series of scores for the wetlands totaling over 300 which are in Volume Two of the Plan, said Dr. Adamus. The scores can be used in the future to establish categories for wetlands which would reflect their relevant significance, he said. To establish importance of wetlands they considered such things as salmon streams, the ability of some wetlands to purify runoff from developments before it gets into the salmon stream, and the ability to provide nutrients to salmon streams and other sorts of habitat in ecological values, said Dr. Adamus.

No single wetland is good for everything, said Dr. Adamus. Some wetlands are good for purifying water, and other wetlands are good for supporting streamflow, he said. During drier periods, the wetlands can serve as a sponge that gradually releases water, he said, and helps sustain habitat in the streams.

By providing these accurate wetland maps and site specific ratings of the different wetland functions this project reduces the cost and time delays for developers. But it especially increases the certainty in the permitting process, said Dr. Adamus. Hopefully in the future this will result in fair and more consistent series of planning decisions. It will minimize environmental damages from wetland losses and it will provide the foundation over the next three months or so as it is finalized, he said.

Francis Naglich, Ecological Land Services

Mr. Naglich is a wetland consultant based in Washington State, who also works within Alaska and Oregon. They were part of the team which did a lot of work in the field, but Mr. Naglich said he is also involved working with developers and communities and how they deal with wetlands regarding fills, impacts, and mitigation.

The Federal Clean Water Act requires avoidance of the wetlands if possible, said Mr. Naglich. That is a challenge for Alaska and especially Juneau with over 60% of its land as wetlands, he said. The plan is being used right now by the City and private developers, said Mr. Naglich. It is not a delineation, he said. It is one of the best wetland inventories the Commission will find in the United States, he said. Mapping efforts in other areas have been very poor, he said, because they were done by aerial photographs and with someone looking at the map in an office who very rarely went out to the field to verify the map. The boundaries in this plan, said Mr. Naglich, have literally been walked and mapped. The quality of the work is amazing, he said, which should be very helpful for the City as it moves forward with the planning and development of its land.

The planning staff will be using the maps for short and long-term planning to identify the best areas for development to avoid wetlands, and when a decision has to be made regarding some impact the wetlands with the least impact on the area could be identified, said Mr. Naglich. This will also serve as the database for future studies including the work for a wetland categorization system, he said.

Mr. Naglich said he wanted to give a brief reminder that when there is a requirement to mitigate under the Corps of Engineer rules they typically want you to restore the wetlands and that is a challenge for Southeast Alaska, he said. The 2008 federal rule requires that applicants who fill wetlands look at mitigation banking if banks are available in the area, said Mr. Naglich.

Commission Comments and Questions

Mr. Voelckers asked what kind of timeline the Plan could cover.

Dr. Adamus said he attempted to address this question in Volume One. There are a lot of factors to consider such as climate change, wind storms and beaver activity, he said. He said his best estimate is probably in the range of 10 to 20 years.

XII. DIRECTOR'S REPORT

Historic Preservation Plan

Mr. Steedle reported that they have just started work on the Historic Preservation Plan update. The plan was last updated in 1997, he said. It was never adopted by the Assembly, said Mr. Steedle. As a result, this community has never articulated its goals for historical and cultural preservation, he said. They have a grant from the State Historical Preservation office and they have hired a contractor. Next Tuesday (May 31, 2016), said Mr. Steedle, there will be a preliminary meeting in the Senate Building at 6:30.

COW Shared Access June 28

Mr. Steedle said he spoke before the meeting with the Chair, and there will be another Committee of the Whole meeting on June 28, (2016) to cover the topic of shared access.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Lemon Creek Steering Committee

Mr. Voelckers said he attended the first official meeting of the Lemon Creek Steering Committee planning session. It was a well-run session, he said, with an enthusiastic and committed committee, he said. The staff presented a timeline and there seems to be a lot of positive energy for this endeavor, said Mr. Voelckers. He said they aspire to have the plan completed sometime next spring.

Lands Committee

Mr. Greene reported that the committee discussed the Reninger Subdivision. It approved several parcels to be sold to the Alaska Housing Finance Corporation, he said. They are also looking at a public/private enterprise to develop several hundred workforce-price units, he said. UAS partnership is also trying to obtain one of their lots to develop, he said.

Chairman Haight said they want to get the Rules Committee going, and that Mr. Voelckers would contact the staff about scheduling.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Chairman Haight said the Commission has the opportunity to bring information about the community which may be germane put on the record. This can be done by asking questions of the relevant participants which could then be placed on the record, he said. When voting on an issue the positions of the Commission to the question which is on the floor are fairly obvious, said chairman Haight. However on a split vote, he said, it is worthwhile to present the

justification for the way they voted, he said, so the Assembly can see how and why the Commission members stand on the issue, said Chairman Haight.

Mr. Steedle said the Assembly has asked to see the minutes for rezones and other activities, which he said he sees as a healthy change.

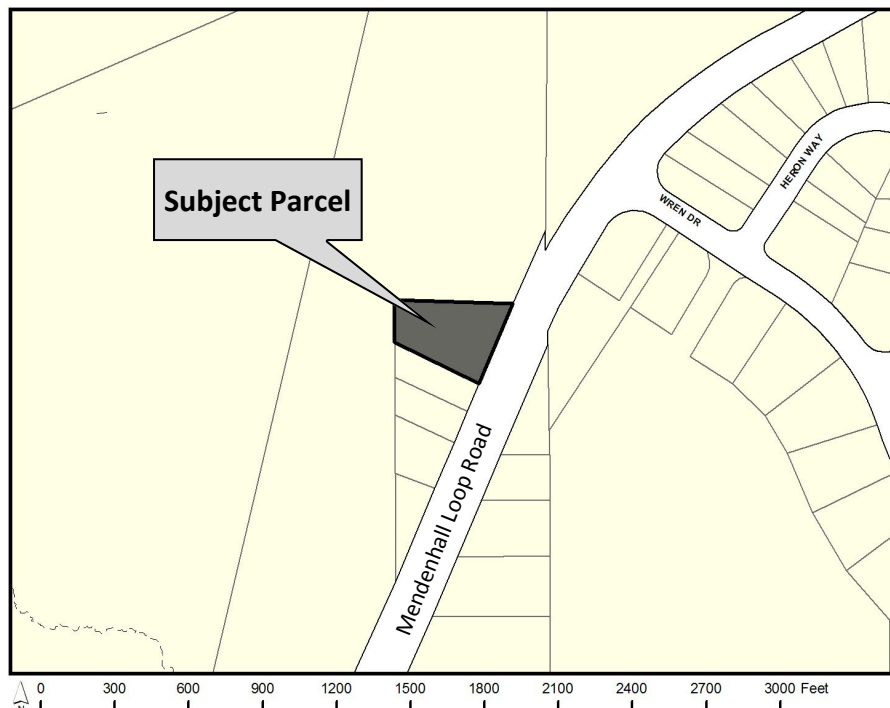
XV. ADJOURNMENT

The meeting was adjourned at 9:21 p.m.

DRAFT



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Conditional Use Permit for encroachment into side yard setback for shed adjacent to public open space.

File No:	USE2016 0014	Applicant:	William Clutton
To:	Adjacent Property Owners	Property PCN:	4-B26-0-103-006-0
Hearing Date:	June 28, 2016	Owner:	William F. Clutton
Hearing Time:	7:00 PM	Size:	30,123 Square Feet
Place:	Assembly Chambers	Zoned:	D3
	Municipal Building	Site Address:	10390 Mendenhall Loop Road
	155 South Seward Street	Accessed Via:	Mendenhall Loop Road
	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 Tim Felstead at tim.felstead@juneau.org or 586-0466



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

Date notice was printed: May 25, 2016



Community Development

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

DATE: June 20, 2016

TO: Planning Commission 

FROM: Tim Felstead, Planner
Community Development Department

FILE NO.: USE2016 0014

PROPOSAL: Conditional Use Permit for encroachment into side yard setback for shed adjacent to public open space.

GENERAL INFORMATION

Applicant: William Clutton

Property Owner: William Clutton

Property Address: 10390 Mendenhall Loop Road

Legal Description: Newlands BL A LT 3

Parcel Code Number: 4-B26-0-103-006-0

Site Size: 30,123 Square Feet (0.6915 Acres)

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

Zoning: D3

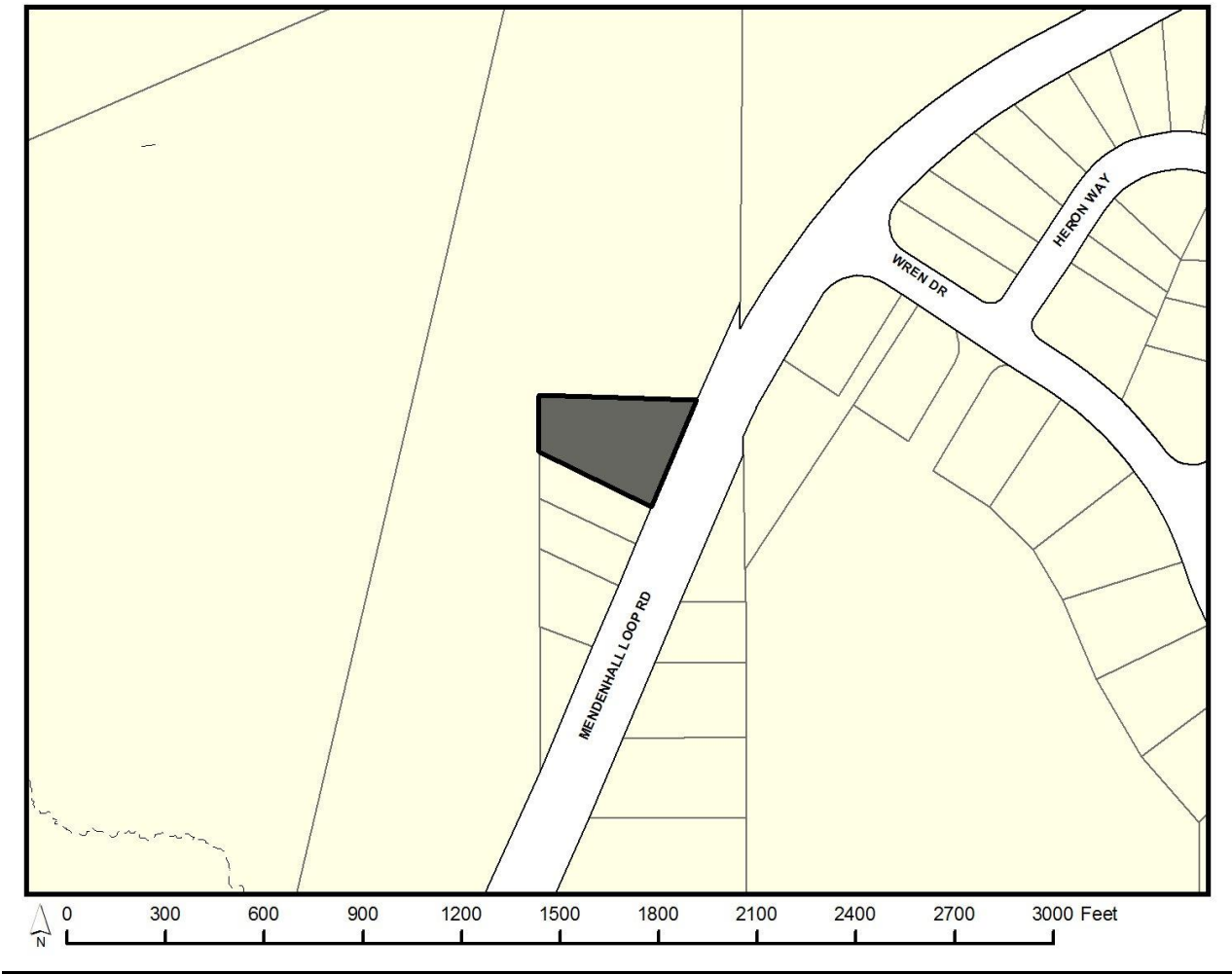
Utilities: Public Water/Public Sewer

Access: Mendenhall Loop Road (Back Loop)

Existing Land Use: Single family residential

Surrounding Land Use:	North	- D1 - Public open space managed by CBJ Parks and Recreation)
	South	- D3 - Single family residential
	East	- D3 – State Right of Way; Mendenhall Loop Road
	West	- D1 - Public open space managed by CBJ Parks and Recreation)

Vicinity Map



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ATTACHMENTS

Attachment A – Application including site plans and narrative
Attachment B – Public Notice
Attachment C – Sketch of proposal showing location of sheds and decking
Attachment D – Contour map based on CBJ LIDAR data showing raised area at front of applicant's lot

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of two new sheds and a deck in the 10-foot side yard setback. The new sheds would replace two unpermitted sheds that were situated on approximately the same location on the subject lot but were recently demolished. There is one additional existing plastic shed on a deck supported by pier blocks that currently crosses the property line and encroaches into the CBJ lot. The applicant has asked for the existing shed to remain until construction of the new sheds is completed, at which time it would be relocated in compliance with required setbacks

CBJ 49.25.430(4)(N) provides for the Conditional Use permit process to be used rather than the Variance process when the setback adjoins publicly owned land dedicated for open space. The new sheds would be 10 feet by 12 feet in size and linked by a deck (see **Attachment C**). The applicant wishes to place the combined structure directly on the side lot line. The proposed orientation of the structure would result in at least one of the sheds, and possibly both, encroaching into the 10-foot side yard setback.

BACKGROUND

The applicant's lot was created in 1981 as part of a subdivision of Lot 1, US Survey 3730. The irregular shape of the lot is due to the angle that Mendenhall Loop Road historically cut through Lot 1, USS 3730. The present house and accessory apartment were constructed in 1984 (Building Permit 16907). The recently demolished sheds mentioned in the application do not appear to have received building permits.

The CBJ open space adjacent to the applicant's property is managed by CBJ Department of Parks and Recreation. It appears the US Bureau of Land Management (BLM) transferred Lot 2, USS 3730 to the State of Alaska circa 1973. In 2003, it was then granted by the State of Alaska Department of Natural Resources to CBJ, along with other parcels of open land throughout the borough.

The CBJ lot is listed in the 2016 CBJ Land Management Plan (LND-0410) and is 21.28 acres in size. The parcel is designated as "Natural Area Park". The lot is covered with dense vegetation and has no trails running through it.

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The 2013 Comprehensive Plan land use maps designate both lots as Urban Low Density Residential (ULDR). The 2013 Comprehensive Plan describes, in part, “Natural Area Park” as

“CBJ owned landsto serve the entire community by providing fish and wildlife habitat, open space/natural areas, access to water, and opportunities for passive and dispersed recreation activities.”

ANALYSIS

CBJ 49.25.430(4)(N) requires that the Conditional Use permit process is used when the affected setback adjoins publicly owned land dedicated for open space.

49.25.430(4)(N) Parcels adjoining publicly owned land. The commission, through the conditional use permit process, may allow structural projections into required side or rear yard setbacks if the affected yard adjoins publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification; provided such projections are minimized and are necessary to prevent substantial hardship to the applicant. The commission may deny such requests if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.

The use of a Conditional Use permit in such a circumstance instead of a Variance was adopted into the CBJ Land Use Code in 1991 by CBJ Ordinance 91-03. This was to recognize that placing a structure in a setback next to publicly owned land would have less impact on provision of light, air and privacy than if it were placed adjacent to private property. The record also indicates it was done so that this type of encroachment would not have to meet the high threshold of approval that a variance must meet in order to be approved. There is, however, similar emphasis on the prevention of substantial hardship as is found in the variance criteria. In addition to the elements normally addressed for a Conditional Use permit, the requirements of 49.25.430(4)(N) are also addressed throughout this report and more specifically below, under ‘Findings’.

Project Site – The subject parcel is an irregularly shaped lot that is wider at the front and narrower at the rear (see annotated as-built survey in **Attachment A**). The lot is bordered by CBJ open space to the North and West. The subject lot is 30,123 square feet in area, nearly 2.5 times the minimum lot size in the D3 zoning district (12,000 square feet).

The lot is also located in a mapped Flood Zone, according to the August 2013 FEMA flood maps, with a Base Flood Elevation (BFE) of 49.1 feet. The flood map indicates that the existing home and proposed site of the new sheds and deck are in the flood zone. However, the existing house and sheds are located on fill. This does not appear to have been accounted for in the

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FEMA flood maps. Based on certified CBJ contour data derived from LIDAR measurements, the grade surrounding the proposed location of the sheds is ~52 feet above Mean Lowest Low Water (MLLW) (see **Attachment D**). The CBJ Land Use code requires that structures located in a mapped flood zone have the lowest floor member of the structure raised above the Base Flood Elevation (BFE). If there is a significant difference between the elevation based on CBJ LIDAR and the BFE, then a Certificate of Elevation is required to verify the structure is sufficiently elevated. The Certificate of Elevation must be produced by a Licensed Surveyor. Based on the CBJ contour data, structures placed within the rear 40% of the lot would require a Certificate of Elevation. The proposed location would not require a Certificate of Elevation.

According to maps in the November 2007 update to the Juneau Wetlands Management Plan, both the subject lot and abutting CBJ lot are identified as Class A or C wetlands. Based on contour data and a site visit by staff, it is estimated that ~50% of the subject lot (to the rear) may be forested wetlands. To confirm the extent of wetlands, a wetlands delineation from the Army Corp of Engineers or private consultant would be necessary.

The lot is zoned D3. The required setbacks are provided in the following table:

	Setback
Front yard	25 feet
Rear yard	25 feet
Side yard	10 feet

The applicant has applied for a building permit for the combined structure (BLD201600257). Inspections by the CBJ Building Division will be required for approval of this building permit. The Building Permit has been approved for Building Review and is awaiting approval for Zoning Review pending the approval of this Conditional Use permit. Should the permit be denied the applicant will have to revise the site plan and show a new location for the proposed structures in conformance with the setbacks.

As mentioned above, the lot is large, and the proposed structures could be accommodated elsewhere on the site, in compliance with the required setbacks. However, some potential locations would require clearing and fill of what is assumed to be wetlands and will require a wetlands delineation and a permit from the US Army Corps of Engineers before fill could be placed. Locating the structures on the lot, outside the wetlands would place the buildings on the applicant's landscaped garden. The applicant wishes to have access to the sheds so items can be easily loaded and unloaded from vehicles. The requested location is currently accessible by the driveway. Locating the sheds elsewhere on the lot will require an extension of the driveway. The cost of grading and filling for a driveway (or even a path) would be more expensive than building the sheds in the proposed location. The applicant has received a quote for a driveway 64 feet long and 10 feet wide of between \$3000 and \$6000 (see

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Attachment E). Constructing the sheds on the existing landscaped area would result in little to no front yard landscaping. Additionally, the applicant reports that an old septic tank is located under the landscaping. To place the sheds in this location would result in the additional cost of removing the septic tank in order to provide a safe and solid foundation.

Project Design – The proposal is for construction of two new sheds. The sheds will be connected by raised decking supported by 6-inch high pier blocks. The sheds and deck will be referred to from here on as ‘the combined structure’. Shed A will be closest to the front lot line and Shed B furthest away (see **Attachment C** and annotated as-built survey in **Attachment A** for proposed layout of combined structure). There is one existing plastic shed on a deck supported by pier blocks that currently crosses the property line and encroaches into the CBJ lot. The applicant has asked for the existing shed to remain until construction of the new sheds is completed, at which time it will be moved elsewhere on the lot, in compliance with the required setbacks.

The proposed location allows for some separation (approximately 10-15 feet) between the combined structure and the house. The building code does not require separation between sheds and dwellings, but the applicant wishes to maintain the separation so as to allow access to the existing oil tank, for fire separation between the sheds and main house, and for access to the rear yard from the driveway. The applicant’s proposal to place the combined structure parallel to the house meets his needs, uses existing fill and minimizes the encroachment into the setback. According to the site plan submitted with the application, the northwest corner of the combined structure will be nearest the property line with a zero setback. Because the structure will parallel the house, the building will angle away from the property line, and potentially, the northeast corner may be at the 10 foot setback.

The CBJ Land Use code allows for a certain amount of encroachment into setbacks for unheated structures including sheds (CBJ 49.25.430 (4)(C)(iii)). This exemption would only have allowed a limited encroachment of 65 square feet for all sheds in the setback, and a maximum shed height of 10 feet. The structures could be a minimum distance of 3 feet from the lot line. The applicant wishes to construct the shed 0 feet from the side lot line, therefore this exemption cannot be applied. In addition, the applicant intends to provide exterior and interior lighting, a power supply and heat to the sheds.

An exemption to the side yard setback is available for the proposed deck (CBJ 49.25.430 (4)(D)). For an uncovered deck no higher than 30 inches above the finished grade, a deck may be 3 feet from the side lot line. The deck is considered to be the open part of the structure that does not provide a foundation for the sheds. Based on the proposed layout, the deck appears to be subject to this exemption but the applicant cannot state this for certain.

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Traffic – The addition of 2 storage sheds to a single family home and accessory apartment are not expected to generate any new traffic. Alaska Department of Transportation and Public Works have no issues with the proposal.

Parking and Circulation – The addition of 2 storage sheds does not require any parking. The required parking of 3 spaces will still be available and vehicles will have sufficient room to maneuver so that backing out on to Mendenhall Loop Road is not necessary.

Noise - There is no evidence of any noise impacts that would be out of keeping with a residential neighborhood if this application is approved.

Public Health or Safety – There is no evidence that there will be any negative impacts to public health and safety. The CBJ Building Division, Capital City Fire and Rescue, CBJ General Engineering, and CBJ Parks and Recreation Department have all responded they have no issues or concerns with the application. CBJ Lands Division has requested that an as-built survey be submitted following construction showing that the combined structure does not encroach onto the CBJ lot.

It is recommended as a condition of approval of the Conditional Use permit that an as-built survey be required to verify the location of the constructed sheds. As part of any building permit inspection process, a Foundation Setback Verification (FSV) form will also need to be completed. Due to the proximity of the combined structure to the lot line, the FSV will require certification by a licensed surveyor. The as-built survey would also be required for approval of the associated building permit.

The existing plastic shed that encroaches onto the CBJ lot should also be relocated so that it meets the required setbacks. The applicant has indicated willingness to comply with these conditions but asks for the existing shed to remain until construction of the new sheds is completed. Sheds do not require a Certificate of Occupancy, but a condition has been added to the pending Building Permit that would require the existing shed to be removed from the CBJ lot prior to any final inspection. If necessary, CBJ could take enforcement action to require removal of the existing shed.

Habitat – The combined structure will be located entirely on the applicant's lot. As mentioned above, there are mapped wetlands on the subject lot, but the area where the applicant would like to locate the sheds is on existing fill. A small amount of fill will be added on top of the existing fill to level the grade.

There will be no negative impacts on any mapped habitat regulated by the CBJ Land Use Code.

Property Value or Neighborhood Harmony – There is no evidence that the proposal will

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negatively impact existing property values or neighborhood harmony. The proposed sheds are intended to match the style and appearance of the existing house and would allow storage of gardening equipment, etc., to be out of sight.

As mentioned above, the CBJ Parks and Recreation Director, representing the adjacent property owner, has no objections to the requested 0 foot setback. The applicant will remove the existing shed that encroaches on CBJ property and an as-built survey will be required to verify the combined structure's location.

Conformity with Adopted Plans – Chapter 9 of the Comprehensive Plan provides guidance on the management of parks, trails, and natural resources.

Policy 9.3 states that public natural areas should be preserved. The applicant's proposal does not diminish the natural nature of the CBJ parcel.

POLICY 9.3. TO PRESERVE AS PUBLIC NATURAL AREAS THOSE PUBLICLY-OWNED LANDS AND SHORELINE AREAS THAT POSSESS IMPORTANT RECREATIONAL, SCENIC, FISH AND WILDLIFE, AND OTHER ENVIRONMENTAL QUALITIES OR ARE SUBJECT TO NATURAL HAZARDS.

Policy 10.6 states that site design for residential developments should provide for light, air, and privacy. Setbacks are a tool within the land use code to provide for this. Given its Natural Area Park status, no future development of the CBJ lot is anticipated. There would be no issues regarding provision of light, air and privacy if the application for a 0 foot setback is approved.

POLICY 10.6. TO REQUIRE NEW RESIDENTIAL DEVELOPMENTS TO MEET MINIMUM CRITERIA FOR OVERALL SITE DESIGN INCLUDING PROVISION OF LIGHT, AIR AND PRIVACY.

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;
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.

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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 likely than not:

1. Materially endanger 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 submitted 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 primary use of the site is a single family home. The permit is for an accessory use to a use listed at CBJ §49.25.300, Section 1.100 and 1.130 for the D3 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the June 3, 2016 and June 13, 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 analysis above, no health or safety concerns have been identified related to a reduced side yard setback.

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

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No. Based on the analysis above, there is no evidence that the development would 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. As discussed above, the proposed development is in general conformity with the land use 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.

8. *Will the proposed development meet the additional criteria of 49.25.430(4)(N) in particular:*

a) *Is the affected yard adjoining publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification?*

Yes. The adjacent CBJ parcel is owned by CBJ, managed by CBJ Department of Parks and Recreation and is designated as a 'Natural Area Park'.

b) *Are the projections minimized?*

Yes. The applicant's proposal places the shed at an angle such that the encroachment is minimized while allowing for separation between the buildings and the shed.

c) *Are the projections necessary to prevent substantial hardship to the applicant?*

Yes. The primary use of the lot is a single family dwelling and the proposed structure is an accessory use. There is nothing that necessitates construction of the proposed structure, although storage of items outside of a shed would be more unsightly than if they were stored inside one. Placing the proposed structure elsewhere on the lot may require a wetland delineation, US Army Corps permit and fill, as well as extending the driveway. Locating the proposed structure on other areas of the site already filled will require the removal of a decommissioned septic tank and additional fill.

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As described above, allowance for encroachments into setbacks adjacent to public open space was deliberately removed from the Variance process and required to follow the Conditional Use permit process instead.

The emphasis of the Conditional Use permit process is to ensure there are no negative impacts resulting from a proposed development. In particular it addresses public health and safety, decreased value of or disharmony with the neighboring property area, and whether the proposal is in conformity with the Comprehensive Plan and other adopted plans.

As discussed above, there are other locations on the lot where the applicant could build, however the applicant has presented a number of reasons why it is more desirable to locate the combined structure in the proposed location. The rear 50% of the lot would be more expensive to use for the development due to the need to remove vegetation, add fill, and obtain a Certificate of Elevation. A wetlands fill permit may also be required for that location. Other locations would require additional construction expense, covering/excavation of a landscaped garden or removal of vegetation. Based on the applicant's proposal, and the likely impacts and costs associated with locating the combined structure elsewhere on the lot, a hardship has been demonstrated.

d) Does the proposal result in excessive restriction of light and air, or other deleterious impacts.

No. There is no proposed development on the adjacent CBJ lot, and it is identified as a CBJ Natural Area Park. No trails go through the site. Locating the combined structure on the rear half of the lot would require fill and removal of the existing natural vegetation that the applicant enjoys and wishes to keep in place. There may also be some fill of wetlands required.

There is no evidence that there will be any restriction of light and air, or other deleterious impacts from the proposal.

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 and sited parallel to the existing dwelling. The permit would allow for a reduction of the side yard setback requirement to publicly owned land for 2

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sheds joined by a shared deck. The side yard is reduced from 10 feet to 0 feet. 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.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 4/29/16
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description PROPOSE TO BUILD TWO 10' X 12' STAMPEE SHEDS WITH A 30' DECK IN BETWEEN. WILL BE BUILT ON CONCRETE PIER BLOCKS AND WILL BE OF TRADITIONAL WOOD FRAME CONSTRUCTION, CEDAR SIDING, AND METAL ROOF. WILL REPLACE EXISTING STRUCTURE.		
	PROPERTY LOCATION		
	Street Address 10390 MENDELL HALL LOOP RD	City/Zip JUNEAU, AK 99801-8743	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) LOT 3 BLOCK A NEWLANDS SUBDIVISION		
	Assessor's Parcel Number(s) 4B2601030060		
	LANDOWNER/LESSEE		
	Property Owner's Name WILLIAM F. CLUTTON (BILL)	Contact Person: BILL CLUTTON	Work Phone: CELL 727-251-9779
	Mailing Address 10390 MENDELL HALL LOOP RD JUNEAU, 99801	Home Phone: 907-364-3499	Fax Number:
	E-mail Address wfcclutton@aol.com	Other Contact Phone Number(s):	
	LANDOWNER/LESSEE CONSENT ****Required for Planning Permits, not needed on Building/Engineering Permits****		
PROJECT / APPLICANT	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		25 APR 2016
		Landowner/Lessee Signature	Date
	X		
		Landowner/Lessee Signature	Date
	NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
	APPLICANT If the same as OWNER, write "SAME" and sign and date at X below		
	Applicant's Name	Contact Person:	Work Phone:
	Mailing Address	Home Phone:	Fax Number:
	E-mail Address	Other Contact Phone Number(s):	
X			
	Applicant's Signature	Date of Application	

OFFICE USE ONLY BELOW THIS LINE

AFF 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)	X	4/29/16	USE2016 0014
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
	Zone Change				

Attachment A - Application including narrative and plans

Comments: 49.25.430 (4XN) - Setback next to Park Land.

Permit Intake Initials

TOP

TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

NARRATIVE FOR ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

FROM: William and Susan Clutton
 10390 Mendenhall Loop Road
 Juneau, AK 99801-8743
 Lot 3, Block A
 Newlands Subdivision
 Zone: D-3

RECEIVED
 APR 29 2016
 PERMIT CENTER/CDD

As the home owners of the residence located at the above address, we are requesting an Allowable/Conditional Use Permit so we can build a much-needed shed and deck system on the north side of our property. We have attached several supporting pages (Items 1-5) to illustrate our property, situation, proposed structure, and the need to request this Allowable/Conditional Use Permit in order to accomplish our goals.

There are currently two sheds, approximately 8' X 10' and 8' X 12', on the site where we want to place our new shed and deck system. These two sheds were already on the property when we purchased the home in 2005, and part of one of the sheds is right up against the property line. Both of these existing sheds were built directly on the ground. As this is a very wet area, both sheds are rotting and leaning over. I checked; but could not find where the previous owners ever requested an Allowance/Conditional Use Permit with the City and Borough of Juneau (CBJ). What we would like to do is to replace these two derelict sheds with two new sheds and a long deck between them. We would essentially be building them on the same location/footprint as the existing sheds; but want to do it properly with this request for an official Allowance/Conditional Use Permit. Our property is zoned as D-3, so we have a 10' setback on the side yard. We are requesting that we be allowed to build right to the property line. The new shed and deck system would be built on concrete pier blocks, so no permanent concrete foundation will be required; yet the structure will be well away from the wet ground. Our goal is to build these sheds to match and coordinate with our existing home in an aesthetically pleasing way that will not pose any sort of visual impairment or fire hazard to any neighboring property or persons.

Item 1 shows where our property is located on Mendenhall Loop Road. The back yard (west side), and the right side yard (north side) of the property is adjacent to a CBJ greenbelt. Our first thought was to try to purchase a small section of the greenbelt to the northwest side of our property. This would have squared the shape of our property, and given us ample room for our project. After speaking with city officials, we learned that we could not buy it, and that no one ever could. The area is a wetlands area that has a small creek running through it, and often floods. The ground has been deemed unsuitable for building, so this will forever remain a greenbelt. Because it is so wet, no one ever hikes back in this area. There are no trails or any reasonable way to venture back into this area. It is against this greenbelt property line that we would like to position our new shed and deck system through this request.

Item 2 shows the "As-Built Survey". This was originally done by J.W. Bean in 1992, and we had him review and remark the property lines on 10 OCT 2014. On the attached copy of the "As-Built Survey" we added some addition items, such as the location of the above-ground home heating fuel tank and the wooded areas, which impact this request. The property line on the

north side does not parallel the residence; but rather angles back toward the right rear (northwest) corner of the building. We would like to position our proposed shed and deck system as far back as we can, while still permitting lawn care equipment, and the like, access around to the back of the house. The overall footprint will be 44' across the front, and 13' deep. We also would like for it to be far enough away from the house that it would not likely pose a fire hazard to the house, should a fire start in the shed. To have this access to the back yard, and the safe distance from the house, we would need to build right up against the property line, at least for the northwest corner of the structure. Placing the new structure on this location also allows us driveway access to the sheds, and would not impede the visual sightline of any neighbors, or pose any fire hazard to the same. It would require almost no alteration to the existing landscape, as the two existing sheds currently reside on this same site. Also, no drainage areas would be altered or affected by this structure being built as proposed. Other site options are poor to nearly impossible. Placing this structure on our other side yard area (south side) would pose a major visual problem for our neighbors, and we would not have the needed/required driveway access to the sheds. Our back yard is simply an extension of the greenbelt wetlands. It would require us to cut down and remove numerous trees, and bring in an incredible amount of fill to make it buildable. Even then we would not have driveway access to the proposed new structure. The best location for our proposed structure is on the north side of our property, between the driveway and the greenbelt property line, where the two derelict sheds currently stand.

Item 3 shows the existing sheds we plan to remove. You can see the driveway in front of them. The house is to the left, and Mendenhall Loop Road is to the right. CBJ land is behind these sheds. Our proposed shed and deck structure would sit where the existing sheds are now, and extend another 11 feet to the left. It is the left rear area where we are requesting to build to the property line. If granted, we would need to remove only one tree, and that is the one you see between the two existing sheds.

Item 4 shows the property line and the left side of the existing left shed. We propose to swing the rectangular footprint toward the house; however the northwest corner, and a relatively small section of the back of the new left shed, would still need to be to the property line and within the setback area in order to provide a safe fire break distance from the house, and access to the back yard and back side of the house.

Item 5 (pages 1-5) shows our proposed shed and deck system. This will be built on concrete pier blocks, so no foundation will need to be dug, or concrete poured anywhere near the property line. It will be a traditional wood frame construction with cedar siding and a metal roof to match the house. The whole idea is to make everything look like it was all designed and built at the same time, so it is both functional and aesthetically pleasing. We want to be good neighbors and improve the look of the area. By getting rid of the old failing structures, and erecting new ones, we hope to accomplish this. Our proposal will not negatively impact our neighbors or the CBJ greenbelt, and will greatly improve the appearance of our property and neighborhood by not only replacing the old buildings, but by being able to house many items inside this structure that are currently left outside by necessity. We do plan to run electrical to the sheds and deck. We will have a licensed electrician replace our current meter box with one that will allow a split-out to a sub-panel in one of the new sheds (the right one). From here we will wire for entrance lighting, outside security lighting, outside and inside outlets, and inside lighting. A two-inch schedule 40

conduit has already been buried at least 24" below grade under the driveway, per code, for this purpose.

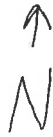
Because of the size of the project, the need to run electrical out to the structure, and the possibility of putting a roof over the deck at some point in the future, we have applied for a Building Permit.

We respectfully ask for your approval of our Allowable/Conditional Use Permit Application and request. Again, it really doesn't change anything that is not already in existence; but we are trying to make it official and legal with the City, since the previous owners did not take this step. It will improve the property value and add to the aesthetic appearance of the property and the neighborhood, all with no change or adverse affects to the surrounding area, drainage patterns, adjacent properties, or visual sightlines.

We thank you for your time and consideration.

Sincerely,

William and Susan Clutton



ITEM 3

W



DRIVEWAY

E

INCIDENTAL LOOP RD

S

THE TWO SHEDS THAT WILL BE REMOVED AND REPLACED BY TWO NEW SHEDS WITH A DECK IN BETWEEN. FROM THE LEFT SIDE OF THE LEFT SHED TO THE RIGHT SIDE OF THE RIGHT SHED IS 33'. THE NEW SHED AND DECK STRUCTURE IS PROPOSED TO BE ON THE SAME SITE, BUT WOULD EXTEND TO THE LEFT (WEST) ANOTHER 11', FOR A TOTAL FRONTAGE LENGTH OF 44'. IT IS AT THAT NW CORNER THAT WE WOULD LIKE TO BUILD TO THE LOT LINE.

THE TREE BETWEEN THE SHEDS WILL BE REMOVED. IT IS WELL INSIDE OUR PROPERTY, AND NOT ON CBJ LAND, OR EVEN THE SETBACK,

RECEIVED

APR 29 2016

PERMIT CENTER/ODD

Attachment A

E

ITEM 4

N



S

DRIVEWAY

HOUSE

LOT LAND ! W OUR LAND

THIS VIEW SHOWS THE LEFT SIDE OF THE LEFT (WESTERN MOST) SHED THAT WILL BE REMOVED. TWO LOT LINE STAKES ARE CIRCLED AND PROJECTED WESTWARD BY THE DASHED LINE. THE PROPOSED REPLACEMENT SHED AND DECK STRUCTURE WOULD EXTEND 11' PAST THE EXISTING SHED. WE ARE REQUESTING A CONDITIONAL USE PERMIT TO ALLOW US TO BUILD TO THE LOT LINE AS SHOWN, THIS WOULD ALLOW PASSAGE BETWEEN THE PROPOSED STRUCTURE AND THE HOUSE, AS WELL AS A SAFE DISTANCE BETWEEN THE TWO IN THE EVENT OF A SHED FIRE.

RECEIVED

APR 29 2016

PERMIT CENTER/CDD

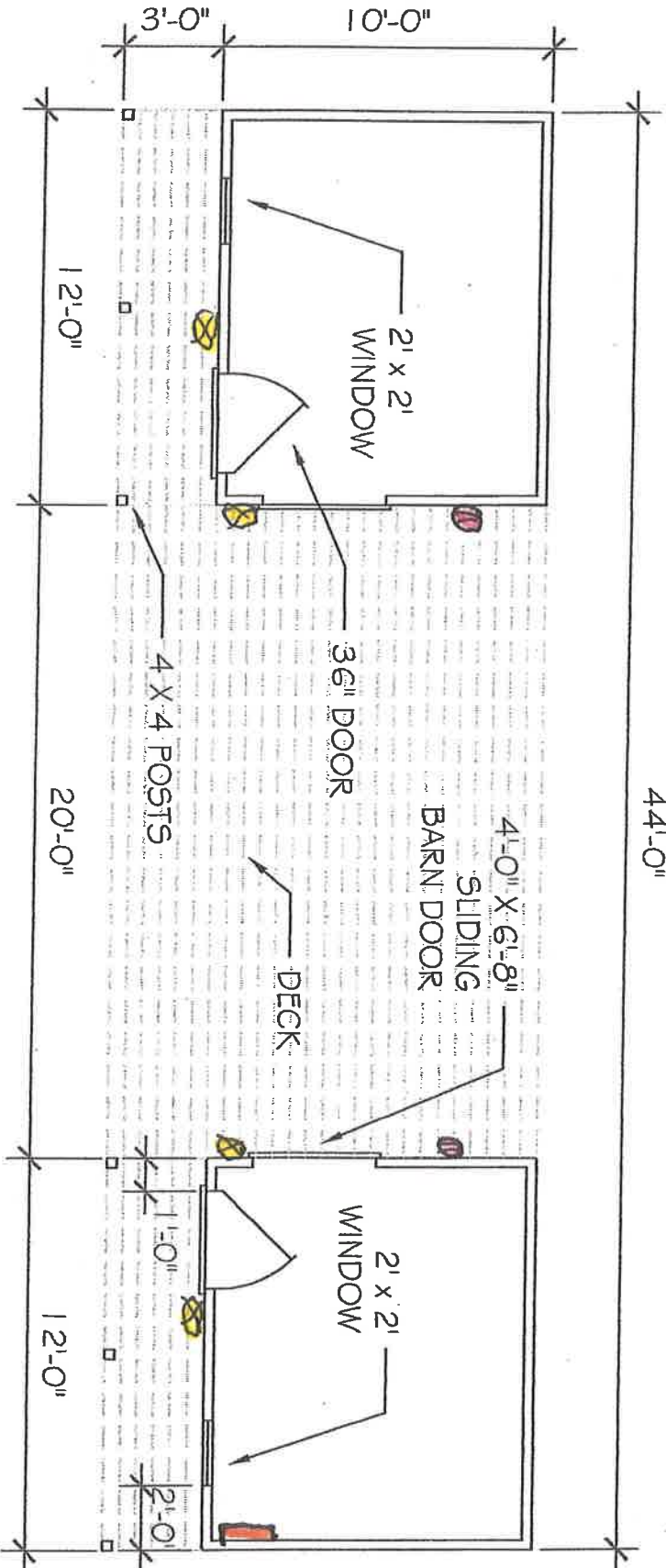
Attachment A

ITEM 5 (P1-5)

FLOOR PLAN

SC: $\frac{3}{16}'' = 1'-0''$

-  OUTSIDE ENTRANCE AND SECURITY LIGHTS
-  OUTSIDE OUTLETS
-  SUBPANEL FOR ELECTRICAL



RECEIVED

APR 29 2016

PERMIT CENTER/CDD

Attachment A

BILL CLUTTON

08 DEC 2015

HOME SHED

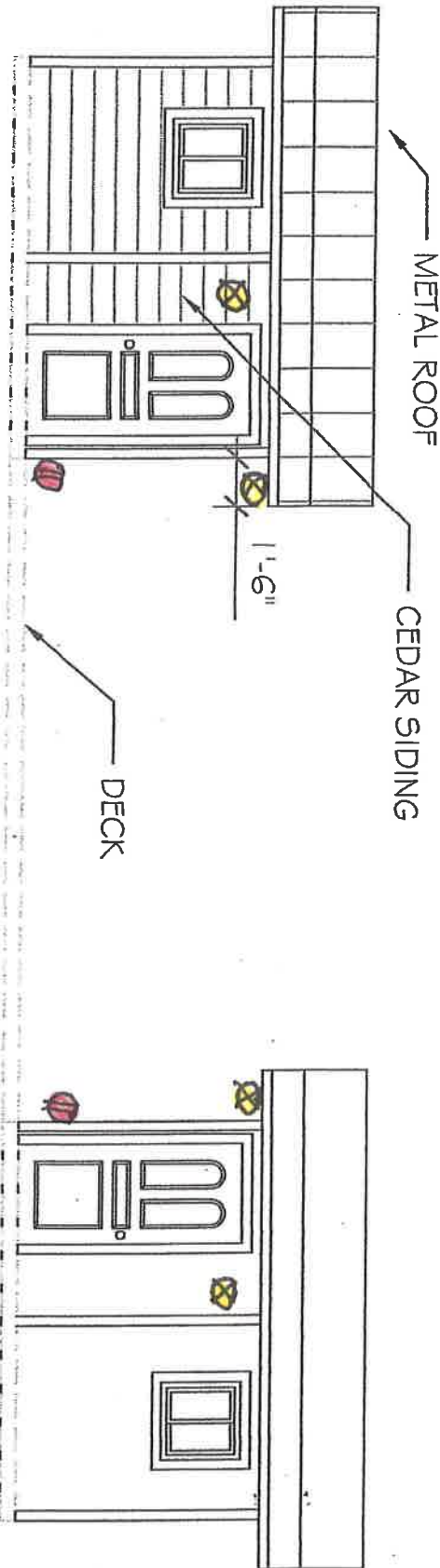
FLOOR PLAN

SC: $\frac{3}{16}'' = 1'-0''$

CT 175

SHEET 1 OF 4

FRONT ELEVATION
SC: $\frac{3}{16}'' = 1'-0''$



 OUTSIDE ENTRANCE AND SECURITY LIGHTS
 OUTSIDE OUTLETS

RECEIVED

APR 29 2016

PERMIT CENTER/CDD

Attachment A

BILL CLUTTON

08 DEC 2015

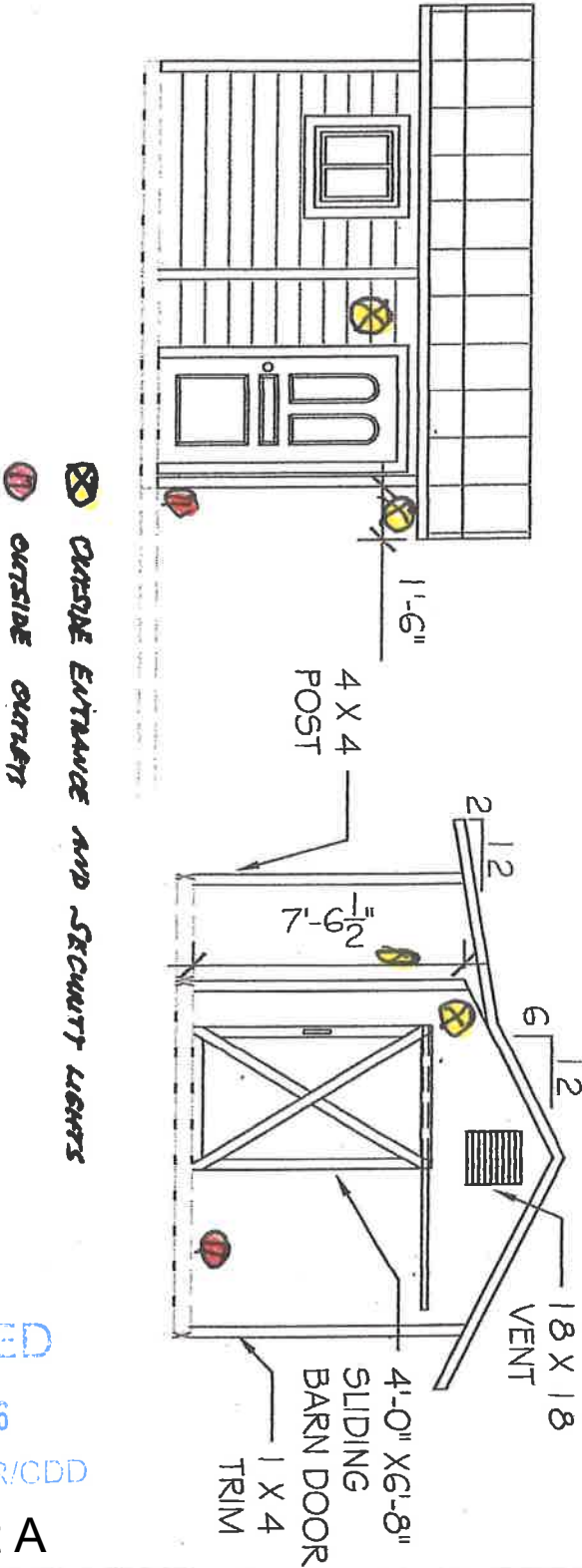
HOME SHED

FRONT ELEVATION

SC: $\frac{3}{16}'' = 1'-0''$

CT 175

SHEET 2 OF 4



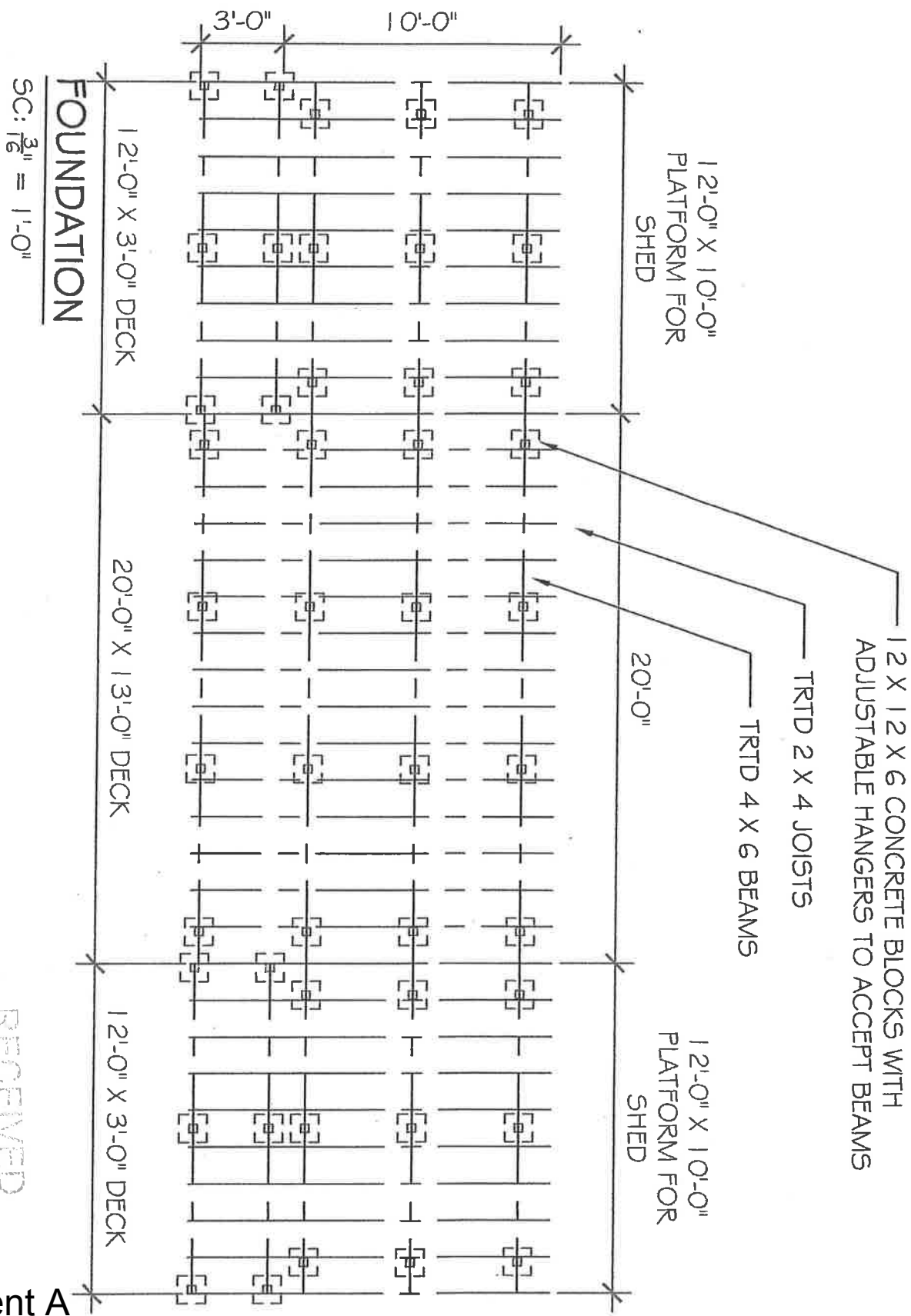
RECEIVED

APR 29 2016

PERMIT CENTER/CDD

Attachment A

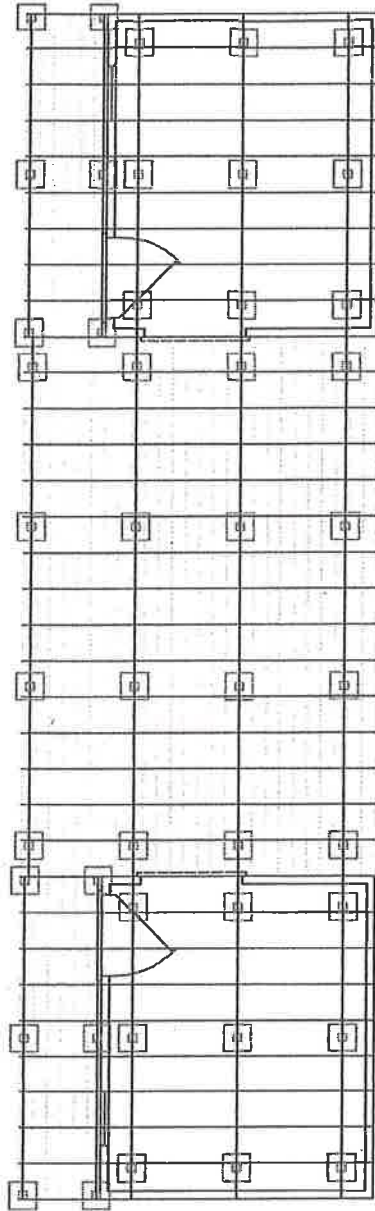
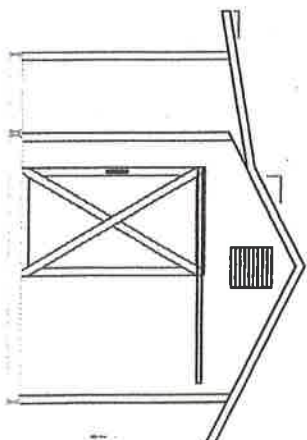
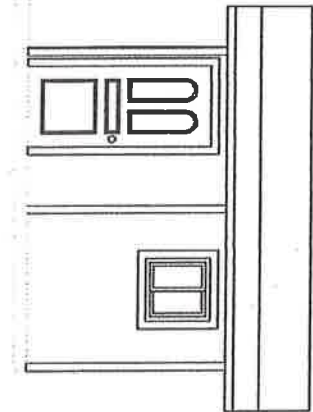
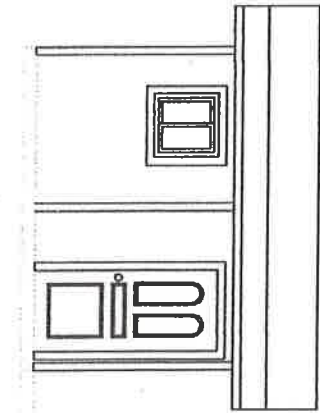
BILL CLUTTON	HOME SHED	CT 175
08 DEC 2015	LEFT SHED ELEV SC: $\frac{3}{16}'' = 1'-0''$	SHEET 3 OF 4



RECEIVED
APR 29 2016
PERMIT CENTER/CDD

Attachment A

BILL CLUTTON	HOME SHED	CT 175
08 DEC 2015	FOUNDATION	SHEET 4 OF 4



RECEIVED
APR 29 2016
PERMIT CENTER/CDD
Attachment A

Tim Felstead

From: Greg Chaney
Sent: Wednesday, April 27, 2016 4:58 PM
To: Tim Felstead
Subject: RE: 10390 Mendenhall Loop: VAR or USE

Hi Tim,

Yes that is correct. The adjacent property is a park that is being retained in open space status.

As part of the CU process, I would recommend asking Parks about how appropriate the proposed setback reduction wouldn't have "deleterious" impacts on the park.

Cheers,

- Greg

From: Tim Felstead
Sent: Wednesday, April 27, 2016 4:13 PM
To: Greg Chaney
Subject: 10390 Mendenhall Loop: VAR or USE

Hi Greg,

Question is does the CBJ parcel bounding his property fall into the '*park, open space or similarly restrictive land management land classification*' that would allow it to have a CU rather than a variance (49.25.430(4)(N)). Land Management Plan shows it as P&R and for it to be retained.

Thanks Tim

Property details are here:

PARCEL	
Tax ID	4B2601030060
Site address(es)	10390 Mendenhall Loop Rd
Owner(s)	William F Clutton
Mail address(es)	10390 Mendenhall Loop Rd - Juneau, AK 99801
Legal description	NEWLANDS BL A LT 3
Lot square feet	30,123
Lot acres	0.6915
Zoning	(D 3) Single family/duplex
Road system	yes
Fire service	yes
Water available	yes
Sewer available	yes

RECEIVED
 APR 29 2016
 PERMIT CENTER/CDD

Attachment A

Aerial is here.

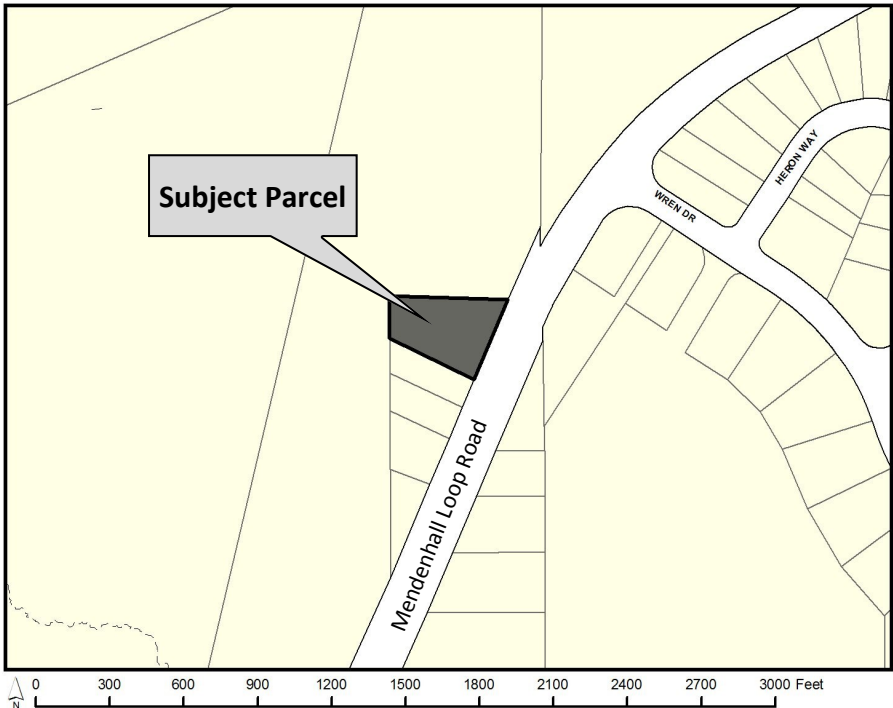


Tim Felstead
Community Planner
Community Development Department
City and Borough of Juneau
155 S. Seward
Juneau, AK 99801

Tel: (907) 586 0466
<http://www.juneau.org/cddftp/>



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Conditional Use Permit for encroachment into side yard setback for shed adjacent to public open space.

File No:	USE2016 0014	Applicant:	William Clutton
To:	Adjacent Property Owners	Property PCN:	4-B26-0-103-006-0
Hearing Date:	June 28, 2016	Owner:	William F. Clutton
Hearing Time:	7:00 PM	Size:	30,123 Square Feet
Place:	Assembly Chambers	Zoned:	D3
	Municipal Building	Site Address:	10390 Mendenhall Loop Road
	155 South Seward Street	Accessed Via:	Mendenhall Loop Road
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

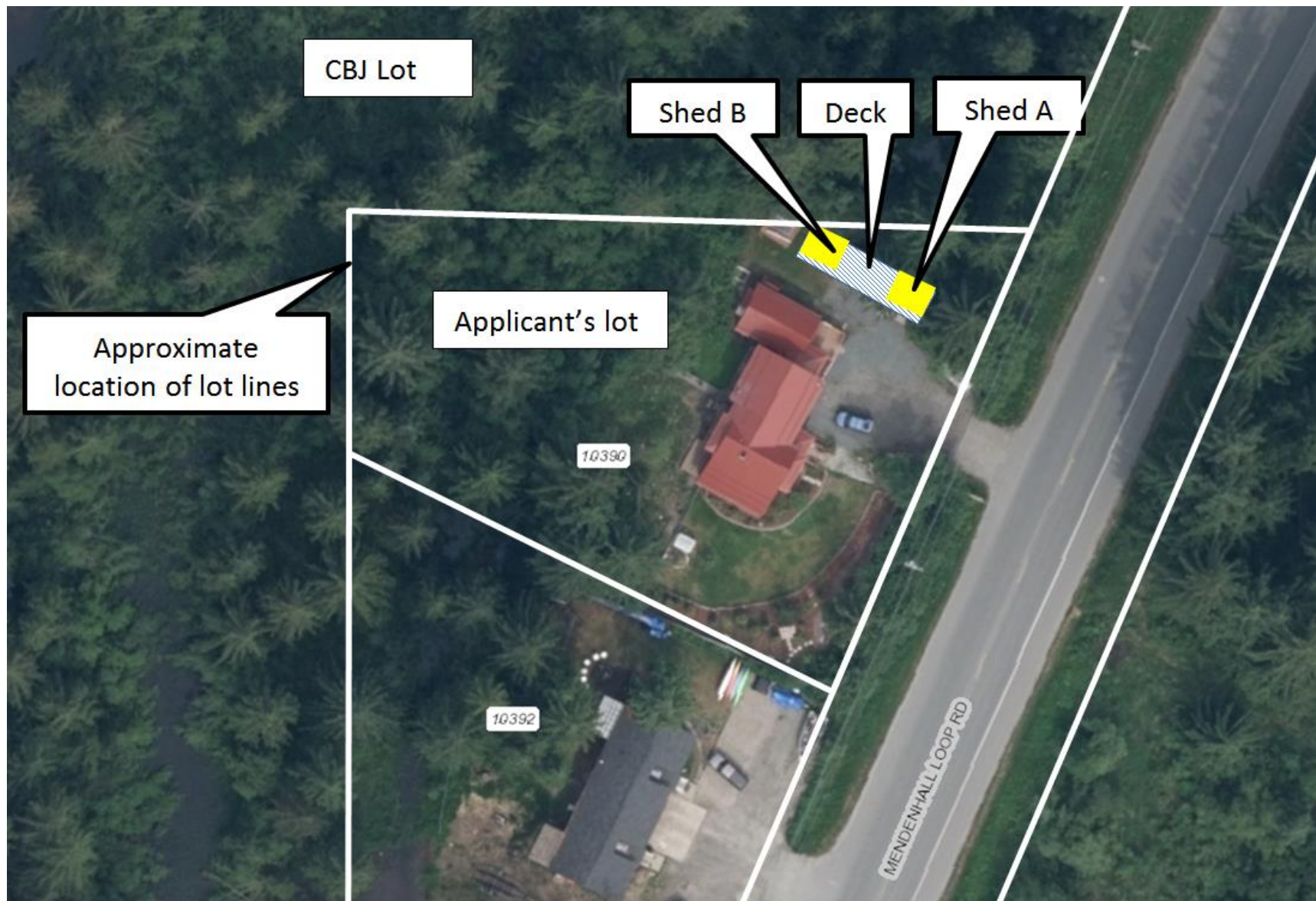
You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included 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 Tim Felstead at tim.felstead@juneau.org or 586-0466

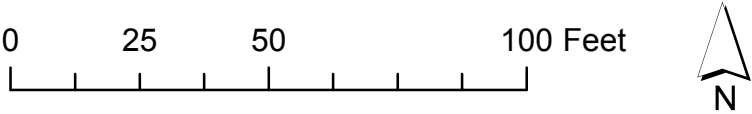


Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>

Attachment B - Public notice



Attachment C - Sketch of proposal showing proposed location of sheds decking





Community Development

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

PLANNING COMMISSION

NOTICE OF DECISION

Date: June 30, 2016

File No.: USE2016 0014

William Clutton
10390 Mendenhall Loop Road
Juneau, AK 99801

Proposal: Conditional Use Permit for encroachment into side yard setback for shed adjacent to public open space.

Property Address: 10390 Mendenhall Loop Road

Legal Description: NEWLANDS BL A LT 3

Parcel Code No.: 4-B26-0-103-006-0

Hearing Date: June 28, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 20, 2016 and **APPROVED** the development of two (2) sheds and supportive decking constructed and located as per the applicant's plans and sited parallel to the existing dwelling. The permit would allow for a reduction of the side yard setback requirement to publicly owned land for 2 sheds joined by a shared deck. The side yard is reduced from 10 feet to 0 feet. This Conditional Use permit does not allow for encroachment into any other yard setbacks. The development shall be conducted as described in the project description and project drawings submitted with the application and with 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.

Attachments: June 20, 2016 memorandum from Tim Felstead, Community Development, to the CBJ Planning Commission regarding USE2016 0014.

William Clutton
USE2016 0014
June 30, 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).

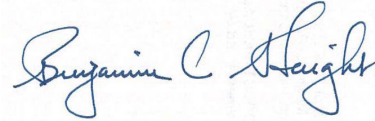
Effective Date: The permit is effective upon approval by the Commission, June 28, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or December 28, 2017, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:



Tim Felstead, Planner
Community Development Department



Ben Haight, Chair
Planning Commission



Filed With City Clerk

July 11, 2016

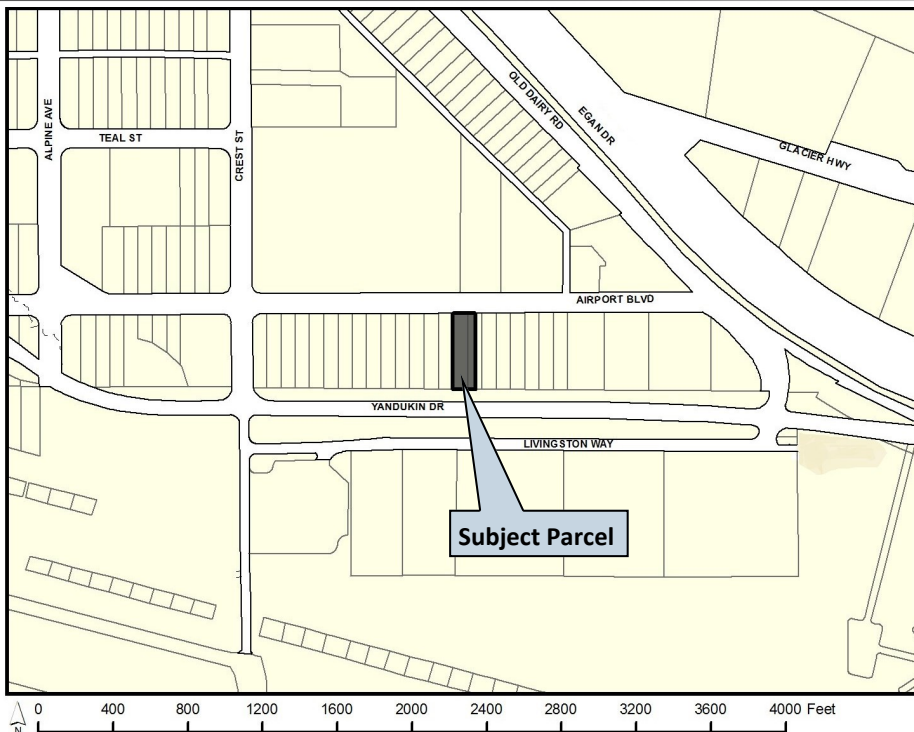
Date

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.



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 a standard marijuana cultivation facility in an Industrial zone.

File No:	USE2016 0017	Applicant:	Paul V. Disdier
To:	Adjacent Property Owners	Property PCN:	5-B15-0-102-015-1
Hearing Date:	June 28, 2016	Owner:	MACKINCO
Hearing Time:	7:00 PM	Size:	12,645 Square Feet
Place:	Assembly Chambers	Zoned:	I (Industrial)
	Municipal Building	Site Address:	8415 Airport Blvd
	155 South Seward Street	Accessed Via:	Airport Blvd
	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 Jonathan Lange at jonathan.lange@juneau.org or 586-0218



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

Date notice was printed: May 24, 2016



Community Development

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

DATE: June 15, 2016

TO: Planning Commission

FROM: Jonathan Lange, Planner *Jonathan Lange*
Community Development Department

FILE NO.: USE2016 0017

PROPOSAL: A Conditional Use permit for a standard marijuana cultivation facility in an Industrial zone.

GENERAL INFORMATION

Applicant: Paul V. Disdier

Property Owner: Mackinco

Property Address: 8415 Airport Blvd

Legal Description: Valley Centre Block M Lot 15 & 16A (Building Site)

Parcel Code Number: 5-B15-0-102-015-1

Site Size: 12,645 Square Feet

Comprehensive Plan Future Land Use Designation: LI – Light Industrial

Zoning: Industrial (I)

Utilities: City water and sewer

Access: Airport Blvd

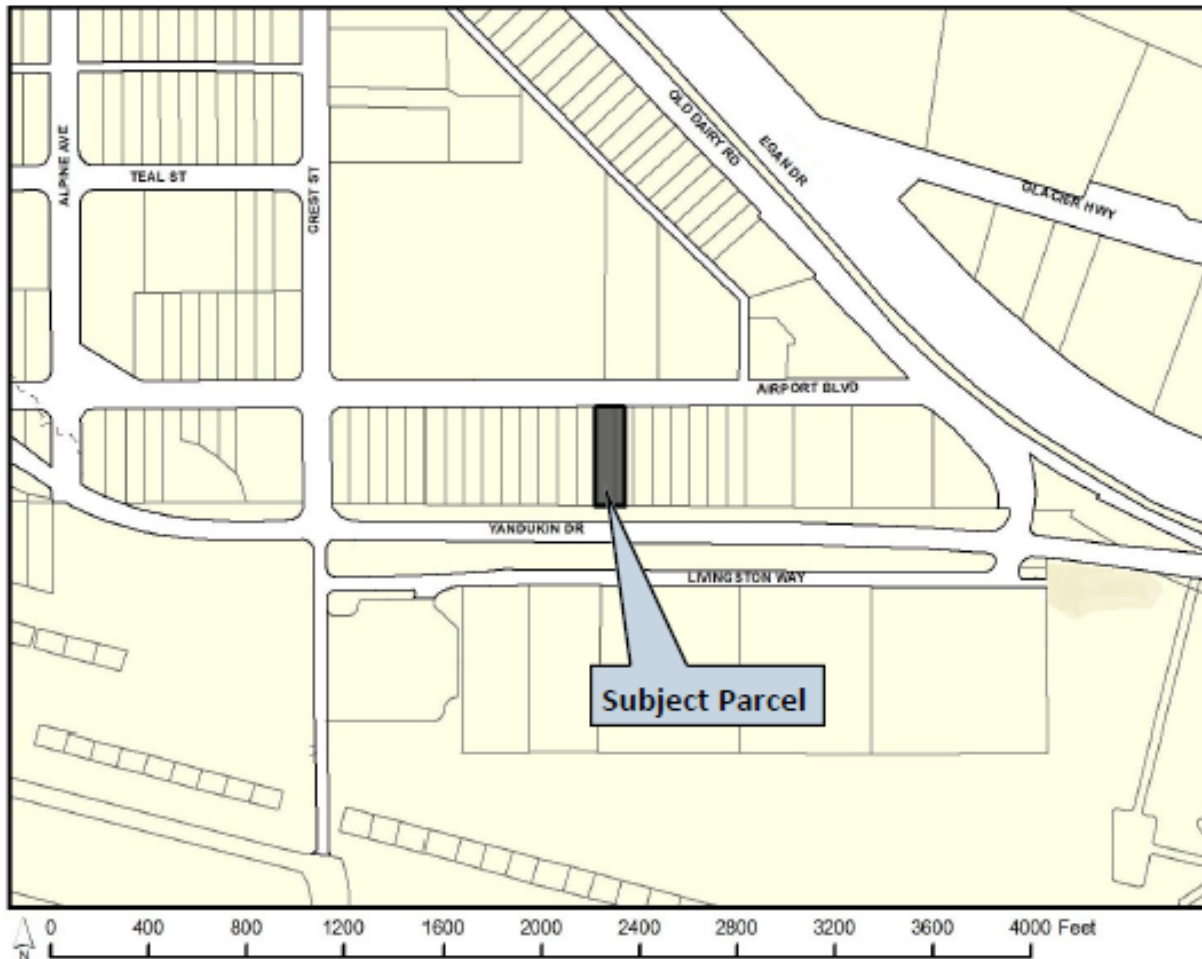
Existing Land Use: Alcan Electrical and Engineering; Garage/storage

Surrounding Land Use: North I (Industrial) - AK Litho Printers, Juneau Dance Theatre

Planning Commission
 File No.: USE2016 0017
 June 15, 2016
 Page 2 of 11

South	I (Industrial) - Yandukin Dr., Airport hanger
East	I (Industrial) – The Plumbing and Heating Co., caretaker residence
West	I (Industrial) - Vacant

Vicinity Map



ATTACHMENTS

- Attachment A – Conditional Use and Development Permit Application, Narrative, Site Plans/Building Plans, and Applicant’s Open House Invitation
- Attachment B – Public Notice
- Attachment C – Pictures

Planning Commission
File No.: USE2016 0017
June 15, 2016
Page 3 of 11

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of a 2,156 square foot standard commercial marijuana cultivation facility in the Industrial Zone. The proposed facility would be for growing, processing and packaging cannabis for sale and distribution. The proposed project would include no outward change of the existing building. The proposed cultivation facility would be built within the existing building (see Attachment A for site plans and building plans).

BACKGROUND

The subject site and building are located on Lots 13, 14, 15, and 16A of Valley Centre Subdivision. The lots in this area were platted in 1968 and in 1986 Lot 16A was created from Lot 16 of Valley Centre Subdivision.

In the Greater Juneau Borough 1964 Zoning Ordinance, the subject parcel was zoned A – F, Agricultural and Forest. It was then updated and changed in the 1969 Comprehensive Zoning Ordinance of the Greater Juneau Borough, to be located in the C3 General Commercial Zoning District, with a minimum of 2,000 square foot lot sizes. The purpose of the C3 General Commercial District was “to provide areas for those types of retail, wholesale, transportation and service uses which tend to conflict with the uses permitted in Neighborhood and Central Commercial Districts”. The 2006 Title 49 ordinance update rezoned the subject parcel and area to Industrial.

The Special Use Regulations for Marijuana Establishments, Ordinance 2015-38, is effective as of June 2nd, 2016. The proposed cultivation facility has been reviewed for conformity with the regulations of the ordinance. CBJ Title 49.65.1100 regulates Marijuana Establishments and Conditional Use Permits for these establishments. Additional application materials must be submitted with those regularly submitted for Conditional Use Permits. These materials include: site and floor plans, security plan, waste disposal plan, screening plan, a ventilation and filtration plan, a plan to prevent the growth of harmful mold, and an odor plan. These application materials will be discussed further in the report. The applicant must also display health warning signs on the facility.

ANALYSIS

The City and Borough of Juneau (CBJ) Land Use Code, Title 49, requires a Conditional Use Permit for proposed Marijuana Cultivation (500 square feet or more under cultivation) in the Industrial Zoning District (CBJ 49.25.300 Table of Permissible Uses 19.230).

Planning Commission
 File No.: USE2016 0017
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CBJ Land Use Code, Title 49.65.1100 – Marijuana Establishments

49.65.1105 License required

(a) No person may operate a marijuana establishment within the City and Borough without a conditional use permit, a valid license issued by the City and Borough, and a valid license issued by the State of Alaska. The following types of licenses may be issued under this article:

(2) Marijuana cultivation facility license;

49.80.120 Definitions – Marijuana cultivation facility means an entity that cultivates, prepares, and packages marijuana and sells marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

Project Site - The property is located on the south side of Airport Blvd, north of Yandukin Dr., in the Industrial Zoning District. The site is south of the AK Litho Printers building, west of the Plumbing and Heating building with a caretakers unit, north of an airport hangar across Yandukin Dr., and east of a vacant parcel of land. On the western side of the vacant land is Les Schwab Tire Center.

Marijuana facilities must be located more than 500 feet from school grounds, recreation or youth centers, buildings which regularly conduct religious services, and correctional facilities. The Raven Correspondence Homeschool is located at 8391 Airport Blvd, in the same building as Holt Chiropractic Offices and Rehabilitation, and is over 500 feet from the proposed facility. Staff made a site visit and measured the distance from the proposed facility to the Homeschool. The measurement came to approximately 505 feet from the school property line to the door of the proposed marijuana cultivation facility, measured along the shortest pedestrian route along a public right-of-way to the private property of the proposed facility. Staff followed the directions on measuring distances from the State Marijuana Ordinance, 3 AAC 306.010.

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Red line measuring from school property line to the front door of the proposed cultivation facility

The Juneau Dance Theatre, located across the street at 8420 Airport Blvd, does not meet the State of Alaska's definition of a "recreation or youth center", as the facility is not run or created by a local government or state agency, is not a youth center, and is for persons of all ages.

3 AAC 306.990. Definitions.

(35) "recreation or youth center" means a building, structure, athletic playing field, or playground

(A) run or created by a local government or the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or

(B) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age;

The subject lots are 29,444 square feet and have two structures located on them. The proposed marijuana cultivation facility would be located in the rear portion of the main building on the parcels, facing Airport Blvd. The front half of the warehouse/building is occupied by Alcan Electrical and Engineering. The back portion of the building, 2,156 square feet, is owned by Mackinco and is currently being used for storage.

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Project Design - The proposed marijuana cultivation facility will be constructed within the existing storage or garage area of the back half of the main building onsite. A fire separation wall separates the proposed facility from the Alcan Electrical and Engineering space. The door between the two spaces will be walled off and secured. The proposed facility will consist of four 190 square foot flowering rooms with 12 foot ceilings; one 213 square foot propagation room with a 10 foot ceiling; two 64 square foot rooms, one for drying and one for packaging, with 8 foot ceilings; an approximately 56 square foot office with an 8 foot ceiling; a 32.5 square foot ADA restroom; and a 35.75 square foot entry foyer. The total area of the proposed facility will be 2,156 square feet. The facility will have a single entrance, which will be replaced by an industrial grade door for security. All interior doors will be able to be locked. The garage door will be secured and the windows on the garage door will be secured and covered or opaque.

The propagation room and each flowering room will have fully contained ventilation, air conditioning/heating systems, CO2 systems, activated charcoal filter systems, and LED grow lights (see Attachment A for building plans). The interior room walls and ceilings will be painted with a coating that is able to withstand frequent washing and sanitizing. CO2 canisters will be stored at the north end of the hall between flowering rooms. The canisters will have manual shut-off valves on each tank. A tube will go from the canisters to each room to feed the CO2 to the plants; CO2 will be controlled by an electronic monitoring system. No air ventilation, noise, or light will be emitted from the facility to the outside.

Mother plants will be kept in the propagation room. Mother plants are plants that remain in a constant state of vegetation. This allows clones, or small cuttings to be taken of a particular type of plant in order to produce more of the same product. The cultivation process begins with these plants in the propagation room. Once sprouted the clones are transplanted into new pots and grow in the propagation room for two weeks, until approximately eight inches in height. Each clone is given a Marijuana Inventory Tracking System (MITS) number. The approximately eight inch plant will then be transplanted again into a larger pot and will grow for two months in the flowering rooms, until they are harvested.

An activated charcoal filter system will eliminate the smell of cannabis from the proposed facility. Each room that contains cannabis will have a charcoal filter system. The filters will be changed at least once a year.

After harvesting, the plants will be dried for seven to ten days in the drying room. Byproduct will be sold to other businesses that may use the product to manufacture items like extracts or edibles. Flower buds and trim will be stored until packaging. Prior to packaging, the product will be tested.

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Traffic, Parking, and Circulation - The proposed facility is not expected to generate any traffic other than that which would be regularly found in this neighborhood and in an Industrial Zoning District. The facility will have two employees and may add two more employees in the future. Traffic would consist of the employees coming to and from work and making deliveries of product, or supply delivery. CO2 canisters will be filled at a nearby welding shop. The number of trips from employees and deliveries is expected to be well below 250 average trips in a day. 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 cultivation facility requires one parking space for the office, and three parking spaces for the cultivation facility, per 49.40.210. One of the parking spaces is required to be a handicapped accessible space. The applicant has proposed the accessible space to be near the entrance of the facility (see Attachment A for site plan). No loading space is required for commercial spaces less than 5,000 square feet of gross floor area. The lot has adequate parking for the proposed use and the existing electrical business.

Noise – As mentioned above, the proposed facility will be fully contained within the existing warehouse building. No noise is expected to be emitted from the facility. The proposed facility will be located within the Industrial Zoning District and activity and noise is expected to be less than other uses that may be permitted in the zone.

Public Health or Safety – Employees of the proposed facility will be trained in safe product handling and processing, and in operating security equipment and procedures. The application states that they will use organic pesticides and fungicides in their facility. Fertilizers will be high quality organic nutrients. Plant waste will be disposed of with used growing medium, and will be shredded and mixed into dirt, and stored inside the building until it needs to be removed. At that time it will be bagged and taken to the landfill in accordance with the State Marijuana regulations. Water captured by dehumidifiers will be recycled back into the plants. No waste water from plants will be discharged into the City's sewer system.

The building exterior is equipped with lighting, along the parking area and at the entrance to the facility on the back/south facing portion of the building. The applicant may place motion sensor lights near the entrance doors. As a condition of approval staff recommends that no offsite glare shall be produced by exterior doorway lights.

The proposed facility will be restricted to employees with a State issued marijuana-handler's permit, persons with official documentation, or to visitors with a visitor's pass. An ID badge will be worn by all on site. The building will be equipped with an advanced security system. Cameras will be IP based and will capture and transmit images over an IP network; this will allow the owner or employees to view and record footage remotely from a smartphone or tablet. The applicant's building plan shows proposed locations of cameras. Cameras will be

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placed in each room of the proposed facility and on the exterior of the facility facing the entrance door. The camera system will be able to record in the infrared spectrum to provide images in total darkness and will record in HD 1080p. Cameras will be installed within vandal-proof enclosures, have Wide Dynamic Range, and have facial recognition software. Cameras will record 24 hours a day and will be equipped with a battery backup system.

The proposed facility will be equipped with an alarm system that includes multiple duress alarm access points, multiple panic alarm access points, digital dialer with cellular backup, and an equipment failure notification alarm. Security monitoring equipment will be stored in the office of the facility, and a professional security company will be monitoring the facility.

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.

Habitat - No sensitive areas, eagle nests, anadromous fish streams, or wetlands are known to exist on the subject site. Title 49 requires a 5% vegetative cover for all Industrially Zoned sites (CBI 49.50.300). The site meets the vegetative requirement.

A screening plan is required by State and Title 49 Marijuana Establishment regulations. Marijuana plants and products are not allowed to be visible to the general public from a public right-of-way. The proposed use will be within an enclosed, existing facility; no exterior work is proposed.

Property Value or Neighborhood Harmony – As mentioned above, the proposed facility would be contained within an existing warehouse building. The use is expected to generate less traffic and noise than other uses within the surrounding Industrial Zoning District and is in harmony with the adjacent uses.

Public and Agency Comments – No public or agency comments were received by staff at the time of completing the report.

Conformity with Adopted Plans - The project has been found consistent with the 2013 Juneau Comprehensive Plan, as discussed below.

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.

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The property is located within the LI – Light Industrial Land Use Designation of the Comprehensive Plan. The proposed use is determined to be a similar or less intensive use than those uses described in the LI definition. The proposed facility would provide for a diverse economy and encourage entrepreneurship within Juneau.

FINDINGS

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

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

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

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

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

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

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

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

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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 19.230 for the Industrial zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the June 18th, 2016 and June 27th, 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. Staff finds no evidence that the proposed development will materially endanger the public health and safety. The proposed facility will include security systems and cultivation techniques that will provide for a safe and secure facility.

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

No. Staff finds that the proposed development will be in harmony with the property in the neighboring area, and is a less intense use than other uses found within the Industrial Zoning District.

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

Yes. The proposed development is in conformity with the Comprehensive Plan. The Light Industrial Land Use Designation supports this type of use.

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

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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.

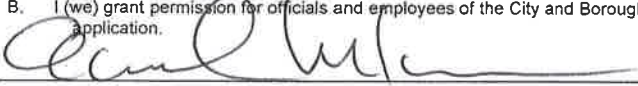
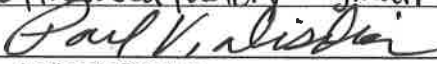
The approval is subject to the following conditions:

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.

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

INFORMATION

PROJECT / APPLICANT

Project Description Standard marijuana cultivation facility			
PROPERTY LOCATION			
Street Address 8415 Airport Blvd Space B		City/Zip Juneau, AK 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Valley Centre BL M L415 #16 A ✓			
Assessor's Parcel Number(s) 5B1501020151 ✓			
LANDOWNER/ LESSEE			
Property Owner's Name Mackinco		Contact Person: Neil	Work Phone: 586.1254
Mailing Address 1114 Glacier Ave. Juneau 99801		Home Phone:	Fax Number: 463.3433
E-mail Address nmackinnon@acsalaska.net		Other Contact Phone Number(s): 321.0931c	
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			4/15/16
	Landowner/Lessee Signature		Date
X	_____		_____
	Landowner/Lessee Signature		Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name Paul V. Disdier		Contact Person: Paul	Work Phone:
Mailing Address 8343 No. Douglas Juneau AK 99801		Home Phone: 957.2670	Fax Number: 586.6790
E-mail Address thefireweedfactory@gmail.com		Other Contact Phone Number(s): 586.6790	
X			_____
	Applicant's Signature		Date of Application

STAFF APPROVALS		OFFICE USE ONLY BELOW THIS LINE		
✓	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, <u>Conditional</u> , Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/9/16	USE20160017
	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
				ANE

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters) <u>The Fireweed Factory</u>	Case Number <u>USE20160017</u>	Date Received <u>5/9/16</u>		
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED					
☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW) ☒ Use Listed in §49.25.300 (Table of Permissible Uses) (USE) Please list the Table of Permissible Uses Category: _____ ***An Accessory Apartment Application will also be required.					
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. <u>Standard Cultivation marijuana facility for growing, processing and packaging cannabis for sale and distribution.</u>					
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES – Case # _____					
CURRENT USE OF LAND OR BUILDING(S): <u>Storage</u>					
PROPOSED USE OF LAND OR BUILDING(S): <u>Cultivation of marijuana</u>					
UTILITIES PROPOSED:					
WATER: ☒ Public ☐ On Site SEWER: ☒ Public ☐ On Site					
SITE AND BUILDING SPECIFICS:					
Total Area of Lot <u>29,444</u> square feet Total Area of Existing Structure(s) <u>2,156</u> square feet					
Total Area of Proposed Structure(s) <u>2,156</u> square feet					
EXTERNAL LIGHTING:					
Existing to remain ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures					
Proposed ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures					
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:					
☐ Site Plan ☐ Floor Plan of proposed buildings ☐ Elevation view of existing and proposed buildings ☐ Proposed Vegetative Cover <u>N/A</u> ☐ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ☐ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)					
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	ALLOWABLE/CONDITIONAL USE FEES				
		Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>500.00</u>	_____	_____	<u>5/9/16</u>
	Admin. of Guarantee	\$ _____	_____	_____	_____
	Adjustment	\$ _____	_____	_____	_____
	Pub. Not. Sign Fee	\$ <u>50.00</u>	_____	_____	_____
Pub. Not. Sign Deposit	\$ <u>100.00</u>	_____	_____	_____	
Total Fee	\$ <u>650.00</u>	<u>2822</u>	<u>8047</u>	<u>5/9/16</u>	

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

CBJ Conditional Use Permit Application Narrative and Site Plan May 2016

The Fireweed Factory LLC

Narrative

Contents:

Business Structure and Operations

Site Development

Facility overview

Cultivation

Processing

Waste disposal

Safety and Security

Parking

Summary

Site Plan and Drawings

Copy of Lease

Photos

Attachments

Business Structure and Operations

The Fireweed Factory is a LLC licensed in the State of Alaska. As a manager/owner company some members will oversee its operation. The State marijuana regulations spell out four types of facilities that can be established. The company plans to apply for the State of Alaska standard cultivation permit to grow, process and package cannabis for sale. It will operate under and comply with all the legal requirements of the State and CBJ. We plan to begin with 2 employees, full or part-time and add two more in the future. All marijuana handlers will be licensed per State regulation 3 ACC 306.425.

Use and occupancy will conform to the International Code Council's Chapter 3, Section 312.1 Utility and Misc. Group U - Agricultural Buildings category. Appendix C was added to the agricultural buildings section and CBJ adopted this added code under 19.03 (Serial No. 2009.16b). The scope of this appendix outlined provisions that apply exclusively to agricultural buildings. Such buildings in Group U include, but were not limited to, horticultural structures including detached production greenhouses and crop protection shelters.

The Fireweed Factory will be operated as a vertically integrated company that incorporates the "seed to sale" business model. Our company policies will reflect our values: to grow only premium cannabis that will be held to the highest safety standards, be sensitive to community concerns and to be protective of the environment.

Site development

A standard cultivation marijuana establishment is allowed under the CBJ Land Use Code as amended by CBJ Ordinance #2015-39. Under CBJ Title 49.25.300, and by standard definition, the cultivation facility is designated as a Commercial Agricultural Operation.

The site is located in an industrial zoned area near the Juneau airport at 8415 Airport Blvd. Space B and is surrounded by other commercial and industrial businesses. Parking areas are located on two sides of the building with a thick strip of trees at the back edge (west). Total square feet of the site is 29,444.

The cultivation facility will be constructed in the back half of the warehouse on the site. The space now serves as storage for the current owner, Mackinco, and the separated front half of the warehouse is occupied by an electrical contractor. There is a fire separation wall between the two spaces.

Unlike greenhouses, no light will be emitted from the building. There are no windows in the warehouse walls and the only small windows are those up high in the garage door. They will be made secure and opaque.

Hours of operation

As cannabis cultivation parallels other forms of indoor farming and gardening, the schedule for all work performed is 8 am to 6 pm, seven days a week throughout the year, or as needed.

Facility overview

The existing building is an insulated structure of steel construction with metal siding and roof. TFF is planning to construct a series of non load bearing rooms inside the warehouse necessary for growing, processing and packaging operations. They will be independent of the warehouse structure itself and be self contained. The warehouse currently has only one entry and the door will be replaced with a industrial grade door and upgraded surveillance. Additional security will be added in the form of lighting and video monitoring.

The existing building has adequate three phase 440a power and will supply 120v and 240v power through conduit to multiple outlets throughout the building. All electrical work will be performed by a licenced electrical contractor.

An on site bathroom with a hand washing sink is available to employees. Because we will have only two to four employees, the accessible standards set by ADA Title 1 do not apply to the existing bathroom area. The ADA Advisory 203.9 section suggests that "Although areas used exclusively by employees for work are not required to be fully accessible, consider designing such areas to include non-required turning spaces . . . consider accessible elements whenever possible," and this is what we intend to do if we ever have a qualified individual apply for a job.

See attached building plans.

Cultivation

Propagation Section

The warehouse will be divided into specific work spaces and designed to make the complete operation safe, secure and efficient. The interior walls and ceilings will be covered with smooth finished drywall and painted with a coating that is capable of being frequently washed and sanitized.

The cultivation rooms must be kept scrupulously clean to avoid invasion of any contaminants like molds, mildew, fungus, etc. Pest contamination will be controlled by a variety of methods, including regular cleaning of growing equipment and keeping the proper environment at all times (i.e humidity, temperature and light). Personnel will put on clean Tyvek suits, shoe coverings and gloves to prevent bringing in any contaminants. Any pest contaminations will be eliminated with organic pesticides and fungicides only.

Equipment installed will include an air conditioning/heating system, CO2 canister systems, activated charcoal filter systems and fluorescent and LED grow lights. CO2 canisters will have manual shut-off valves on each tank, and will be controlled by an electronic monitoring system that will have an automatic safety shut-off feature. Canisters will be filled by a nearby welding shop.

Walls of the interior of the rooms will be insulated and noise from equipment will not be transferred to the exterior of the building.

The process of growing begins with the “mother plants.” Mother plants are large mature plants that are kept solely for the production of clones (small cuttings). A mother plant is used for long periods of time and is not harvested for sale. The clones are taken from the mother plants and put into aeroponic cloning machines where they sprout roots. After rooting, the clones are then transplanted into small pots containing coco coir (shredded coconut husks) where they will grow under fluorescent lights for the next two weeks. All plants will be fertilized with high quality organic nutrients.

Each 8” clone is given an official Marijuana Inventory Tracking System (MITS) number. When mature plants are harvested, they will be separated into batches of a single strain. Labeling and tracking of each batch is also entered into the State MITS per regulation 3 AAC 306.730.

Flowering Section

After transplanting into larger pots, the plants will grow for a total of two months in the flowering rooms until they are harvested. These rooms must also be kept extremely clean to avoid any contaminants. Any pest contaminations will be handled with organic pesticides and fungicides only. Large trays are used under the plants.

Equipment includes: an air conditioning/heating system, CO2 canister system, fans and LED lighting fixtures. An activated charcoal filter system will remove any smell from the rooms. Light and CO2 is supplied in a cycle of 12 hours on and 12 hours off and will be controlled electronically. No light or noise will be emitted to the outside.

See attached for plans.

Processing

Drying, Trimming, and Packaging

A portion of this warehouse will be separated into an office, drying and trimming room and a packaging room. All personnel will wear clean Tyvek suits and gloves to prevent contamination of the marijuana during these processes.

After harvesting, matured plants will be hung to dry for seven to ten days in a climate controlled environment. Trimming of the flower buds and the topmost smaller leaves will be done by hand to ensure optimum quality. The byproduct of the trimming process (trim) will be sold to other businesses who will manufacture refined items such as extracts and edibles. The flower buds and trim will be put into in a light proof, air-tight container and securely stored at a cool temperature until it is packaged.

Before any cannabis is packaged, it must be tested by a licensed lab for cannabinoid potency and contaminants per 3 AAC 306.645. Only after it meets the testing requirements can it be packaged for sale. Packaging and labeling will be done in compliance with 3 AAC 306.470 and 3 AAC 306.475. Child-resistant plastic opaque bags will be used and heat sealed. Labels with our company name and logo as well as the required MITS and warning labels. Packages will be securely transported to other licensed businesses that manufacture refined items, or to our permitted retail store. Before distribution the State excise taxes must be paid.

Weighing of the marijuana at the different stages will be done on a certified scale.

No manufactured products such as concentrates, edibles or extracts from the plants will be made and we do not intend on applying for those State permits in the future.

Odor control

Any smell of cannabis to the outside will be eliminated by the activated charcoal filter system. Every room that contains cannabis will each have its own charcoal filter system. Filters will be changed at least once a year.

Waste disposal

Plant waste will be shredded inside the building and mixed with used growing medium. It will then be bagged and disposed at the Juneau landfill in accordance to regulation 3 AAC 306.730-740. Plant waste will be stored inside and removed frequently as needed.

No waste water will enter the CBJ sewer system. Our growing process will not create any fertilizer runoff. Water from the dehumidifiers will be recycled to water the plants.

Safety and Security

The health and safety of our cannabis and those that produce it are a primary concern for our business. Employees will be trained in safe product handling and processing as well as security equipment and procedures. All sections of the remodeled warehouse will be restricted to those without a visitor pass, a handler's permit or official documentation. An identification badge will be worn by every licensee, employee or agent while on site.

Cannabis products will be stored in a fire resistant safe on site until delivered to another licensed premise. Deliveries will occur during normal business hours.

The building will have the most advanced security systems available, fulfilling regulations 3 AAC 306.715 and 3 AAC 306.720. Camera systems will be IP based and will capture and transmit images over an IP network. IP video allows the user to view and record footage remotely from a smartphone or tablet.

Cameras will record in HD 1080p and have the ability to record in the infrared spectrum to provide detailed images even in total darkness. The cameras will also record in Wide Dynamic Range (WDR), which creates a clearer more identifiable image and ensures optimal image detail, along with facial recognition software. Surveillance cameras will be outfitted with vandal-proof enclosures. These enclosures help to minimize physical

damage to the camera lens. For outside placement a weather-resistant enclosure will be used to prevent water damage. These cameras will be placed inside and out at all entrances to prevent robbery and catch detailed imagery in case an unauthorized person breaks into the buildings. Cameras will record 24 hours a day and have a battery backup system.

Video Management Software will be used in conjunction with a network video recorder to view, record and manage all cameras from a monitoring station or a remote device such as a smartphone or tablet. Downward facing motion detecting spotlights will be used at the entrance area. Industrial grade security doors and locks will be installed.

The alarm system will include multiple duress alarm access points, multiple panic alarm access points, digital dialer with cellular backup, and equipment failure notification alarm. Real-time monitoring of security systems will be provided by a professional security company. The main security monitoring equipment will be stored in the office.

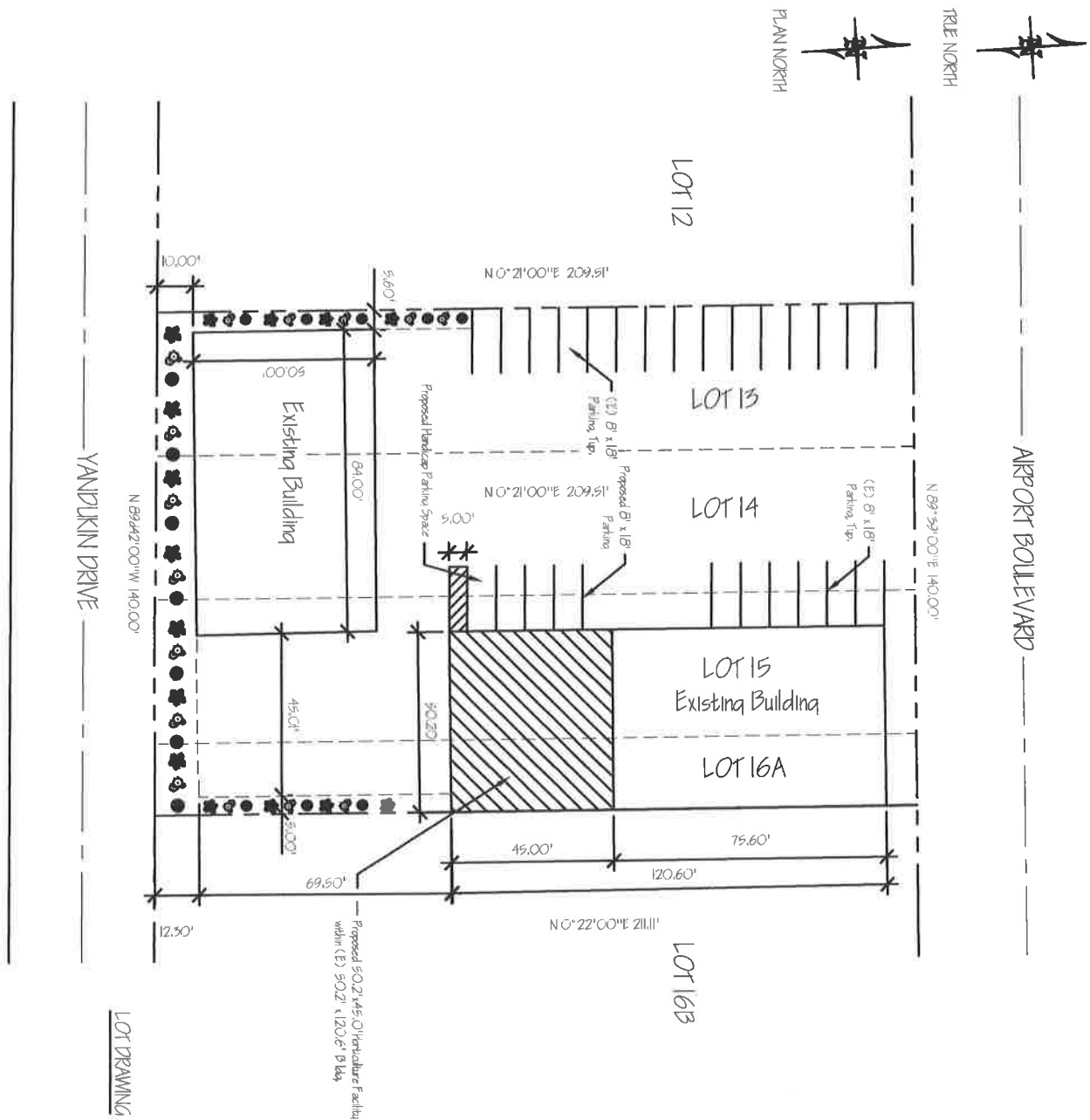
Parking

Parking spaces will meet CBJ 49.40.210(b)(1) code. There is a large paved parking lot at the north side of the building and a smaller graveled area at the west side that will be shared with the electrical contractor who rents the front portion of the warehouse. A handicap parking spot will be marked for TFF. The building entrance is at the back (west side) of the warehouse.

See site plan.

Summary

The primary goals of this standard cultivation operation will be to provide the highest quality safe cannabis, grown with environmentally friendly and all natural methods. It is our desire to integrate this new product into the local market in a socially responsible way. We plan to help educate our local community on the benefits of both medical and recreational cannabis and contribute to positive social change in our community.



PROPOSED 2259 SQ. FT HORICULTURE FACILITY

INDEX

LOT DRAWING _____ 1
PROPOSED FLOOR PLAN _____ 2
ELEVATIONS _____ 3

MAY 2016

MAY 2016

FIREWEED FACTORY LLC
PLANT
FOR PROPRIETORS:
PAL V. DISLER,
MANAGER
8593 NORTH DOLLA
HIGHWAY
JUNEAU, ALASKA
99801
586-9760
http://www.fireweedfactory@gmail.com
Information herein from (15)
Site Plan of:
LOTS 13, 14, 15, & 16A
BLOCK M WITHIN 15.5, 1195
FOR BLDG. OWNER:
MACRINCO
1114 GLACIER AVENUE
JUNEAU, AK 99801

FIREWEED FACTORY LLC
PLANET
FOR PROPERTIES:
PAUL V. DISDER,
MANAGER
8593 NORTH DOLLAS
HIGHWAY
JINEAL, ALASKA
99801
586-9760
http://www.fireweedfactory.com
Information herein from (E)
Site Plan of:
LOTS 13, 14, 15,, & 16A
BLOCK M WITHIN U.S. 1195
FOR BLDG. OWNER:
MAGNICO
1114 GLACIER AVENUE
JINEAL, AK 99801

MACKINCO
1114 ALACIER AVENUE
JUNEAU, AK 99801

FOR BLDG. OWNER:

BLOCK M WITHIN U.S.S. 1195

-015 | 3, | 4, | 5, & | 6A

Site Plan of:

thatirweedactor@gmail.com
information herein from (E)

586-9760

99801

JUNEAU, ALASKA

HIGHWAY

8393 NORTH DOUGLAS

MANAGER

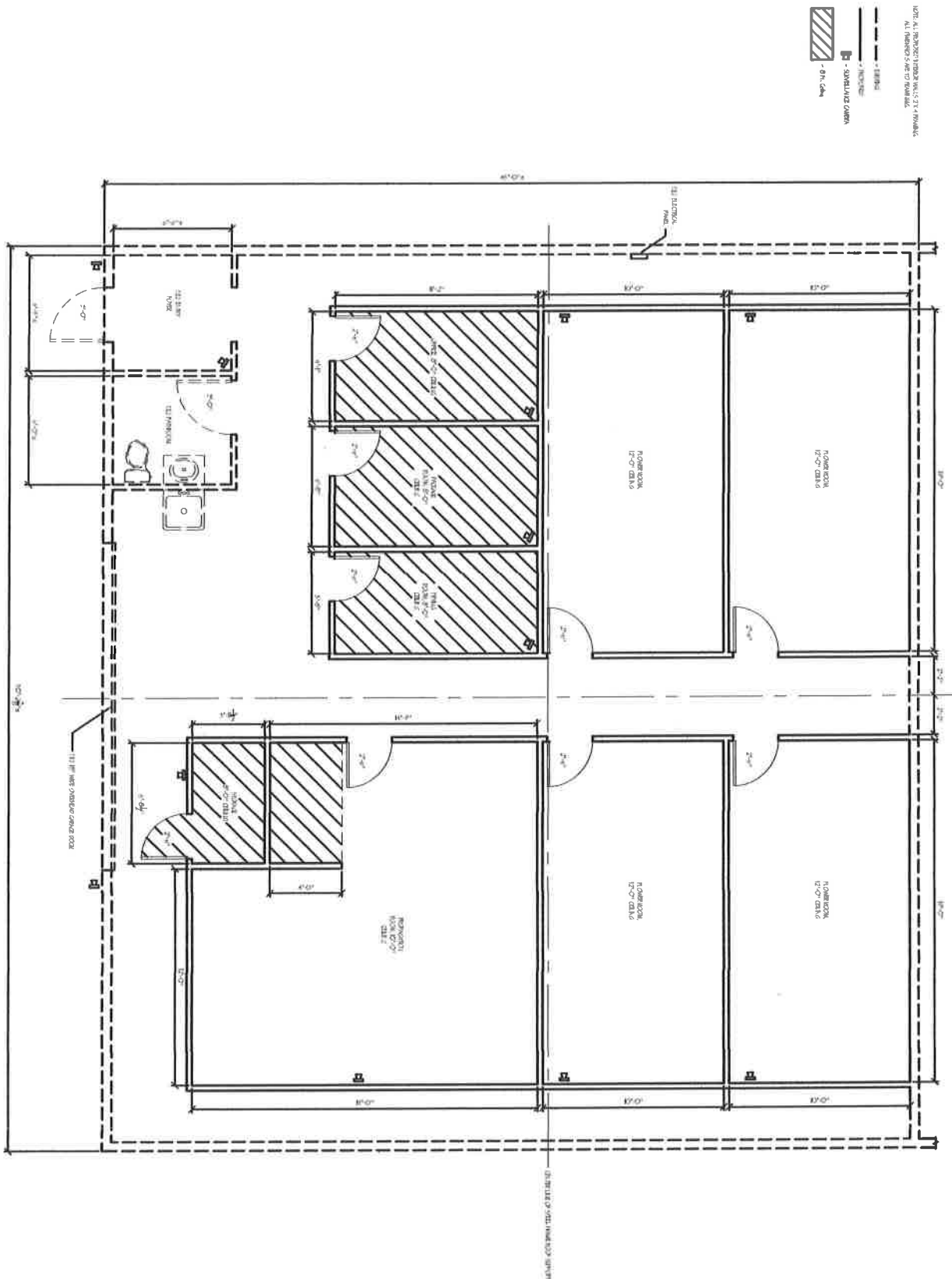
PALL V. DISDLER,

FOR PROPRIETORS:

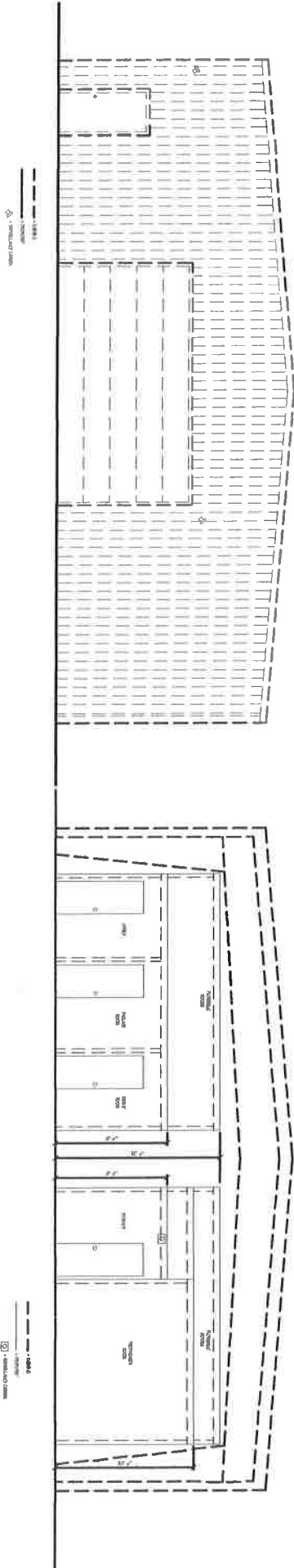
PLANSET

FIREWEED FACTORY LLC

ATTACHMENT A



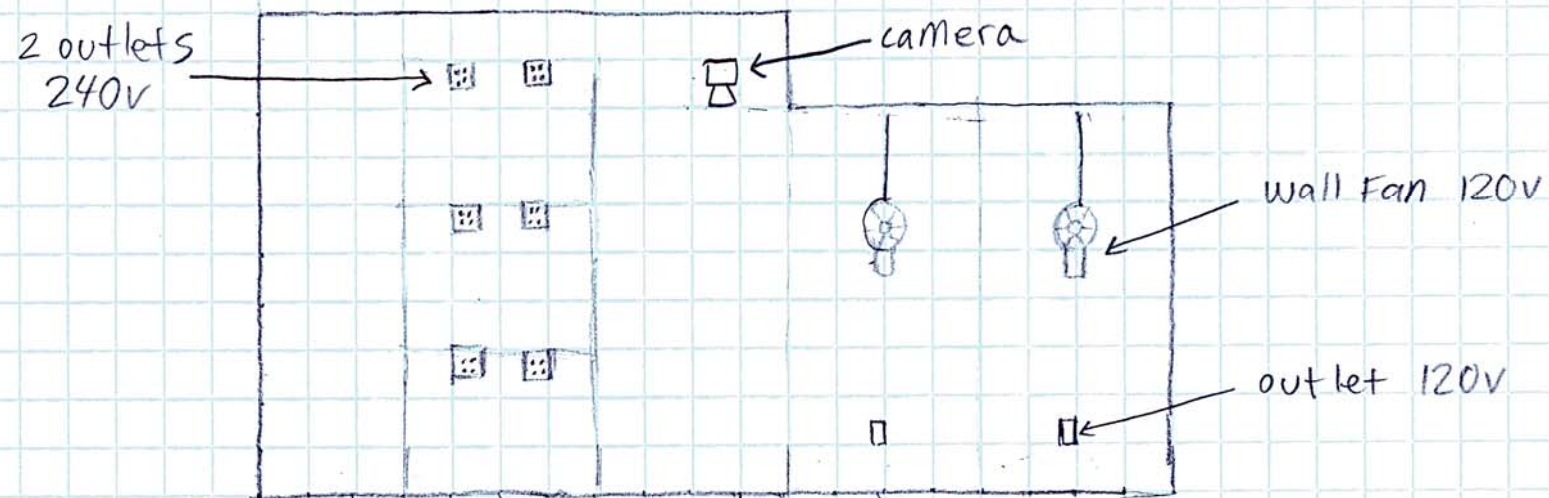
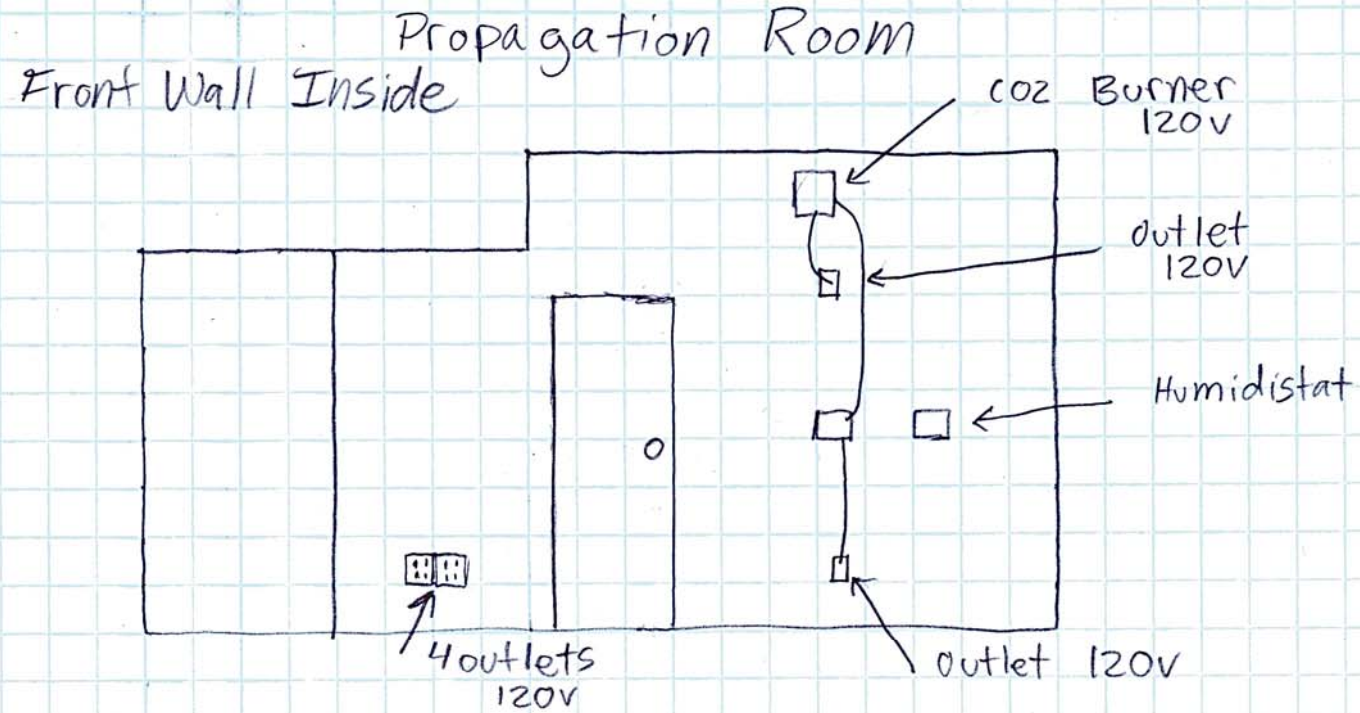
ATTACHMENT A



SOUTH EXTERIOR ELEVATION

SOUTH INTERIOR ELEVATION

SOUTH EXTERIOR & INTERIOR ELEVATION

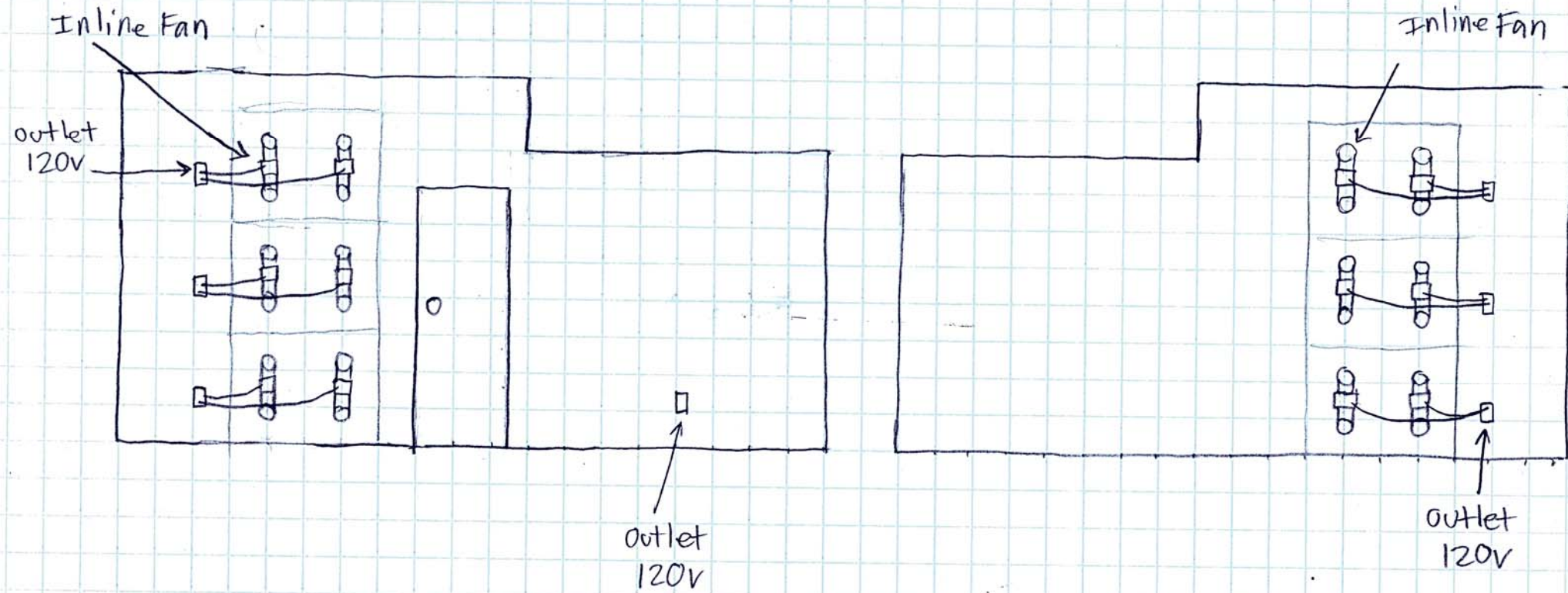


Back Wall Inside

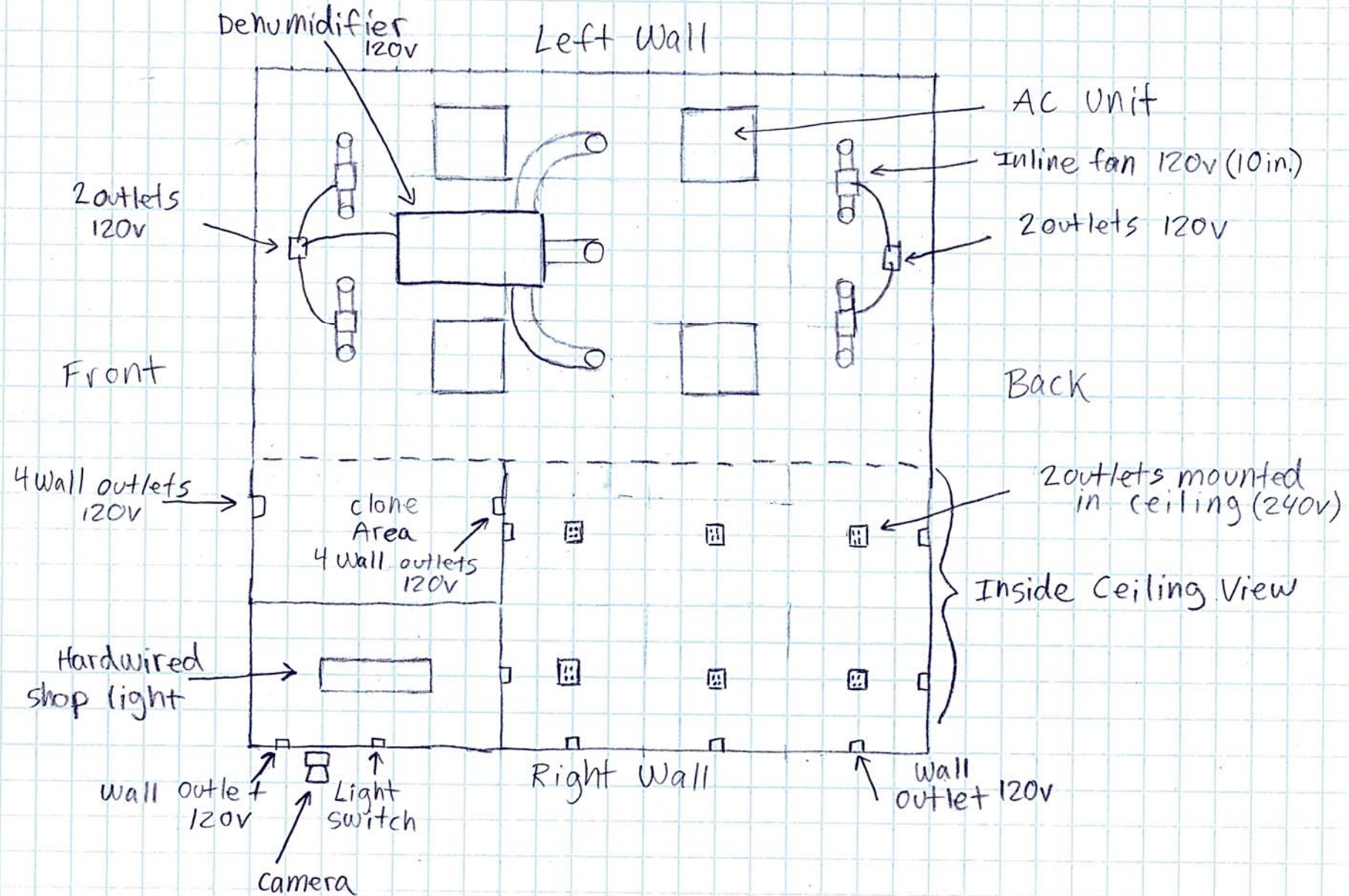
Propagation Room

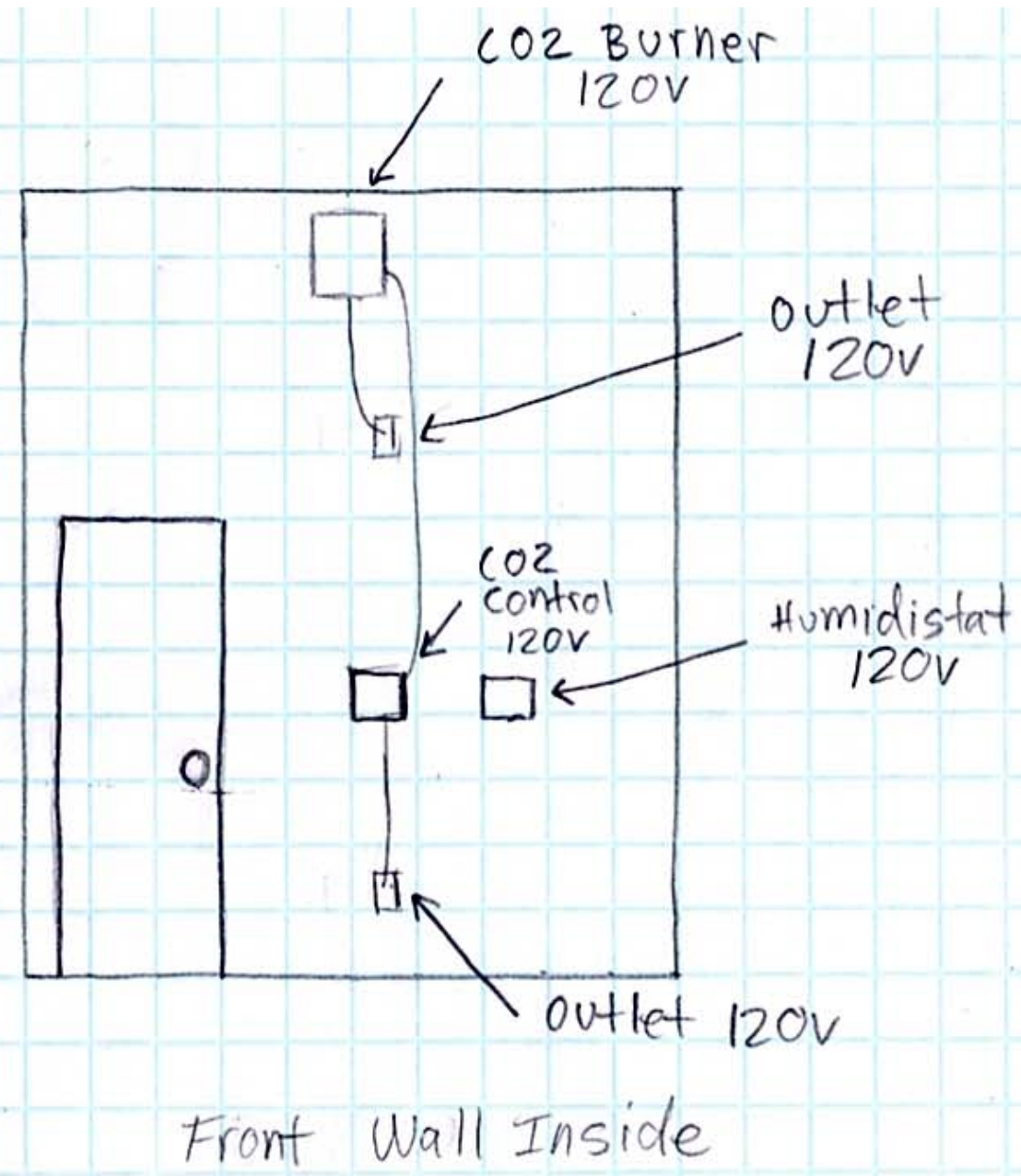
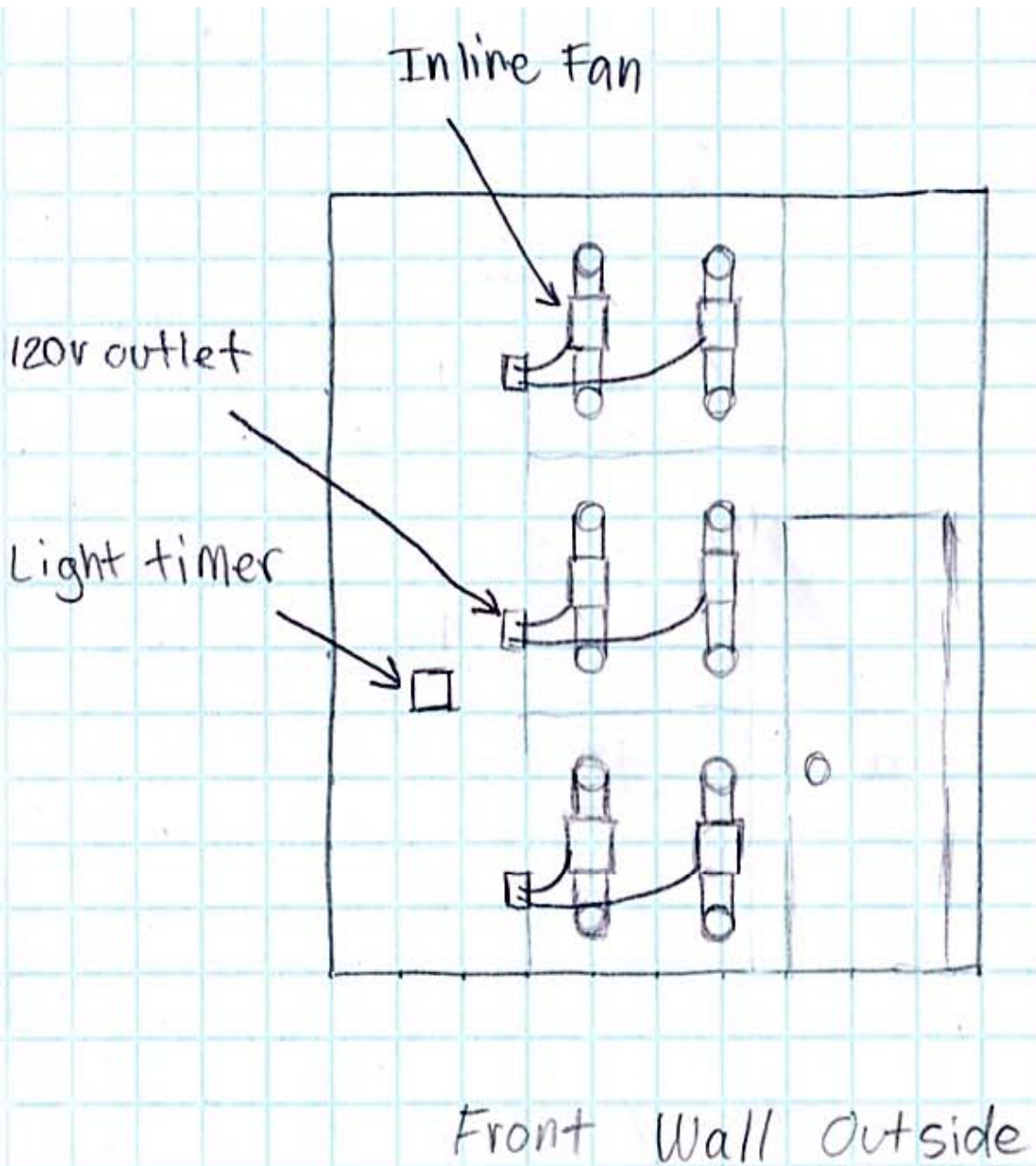
Front wall outside

Back Wall outside

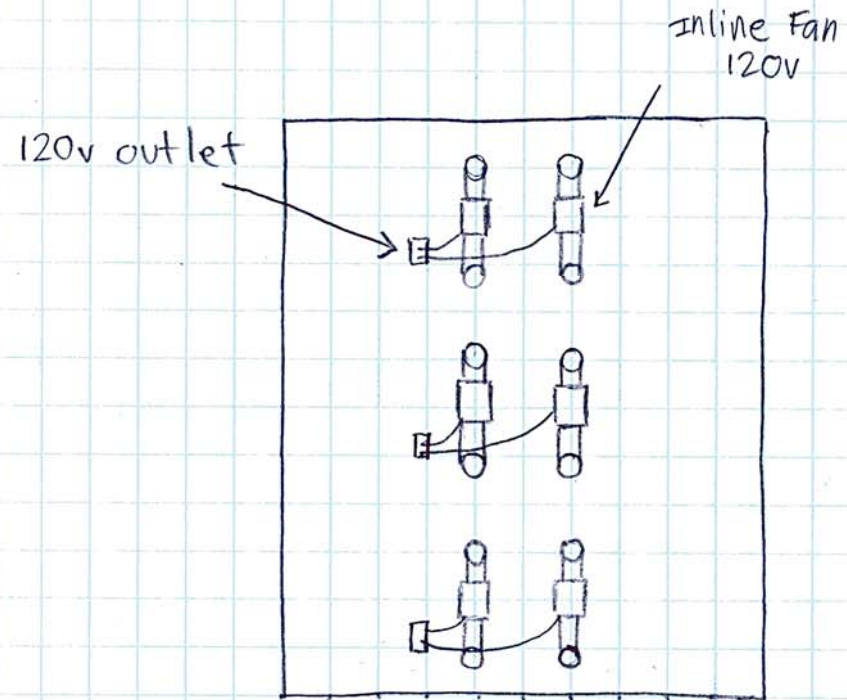


Propagation Room outside ceiling view

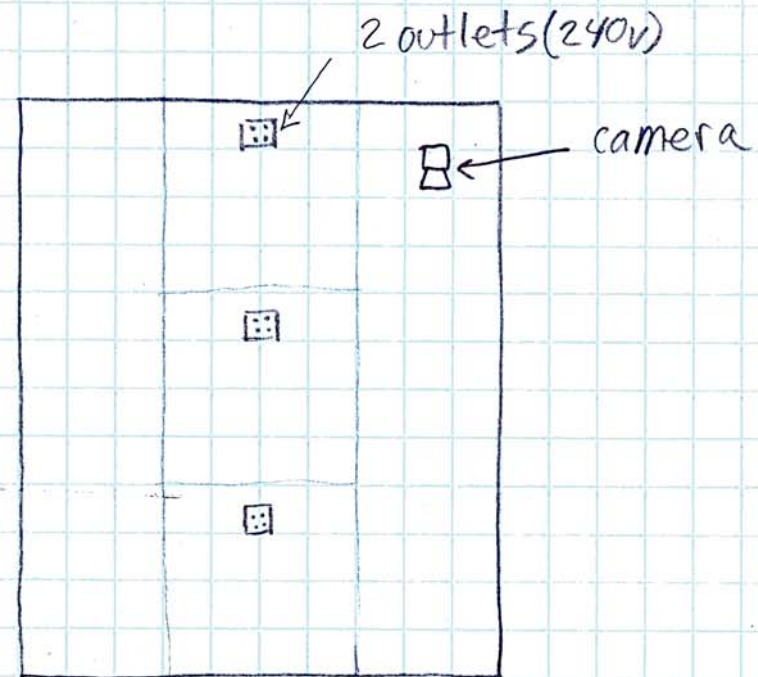




Flower Room

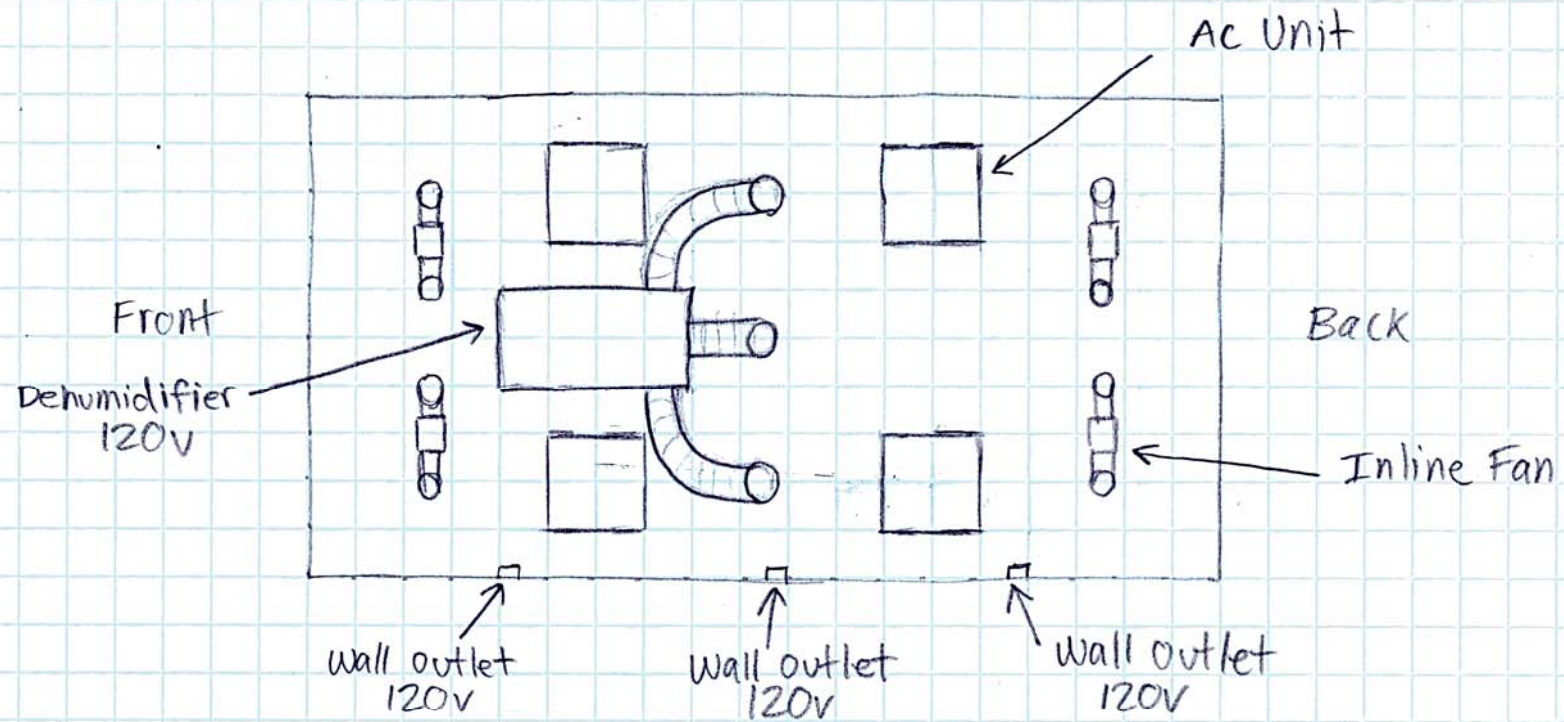


Back Wall Outside



Back Wall Inside

Flower Room
Outside ceiling view



EMPORIUM LEASE

COMMERCIAL PROPERTY LEASE

THIS LEASE, made March 17, 2016 by and between MACKINCO, An Alaskan Partnership, 1114 Glacier Ave., Juneau, Alaska 99801, Lessor and The Fireweed Factory LLC, 8393 North Douglas Hwy, Juneau, AK 99801

WITNESSETH:

That the Lessor in consideration of the payment of the rent and the performance of all of the covenants herein contained by the Lessee does hereby demise and lease unto the Lessee the following-described property located in the Juneau Recording District:

A portion of the of the Building located at, 8415 Airport Blvd (space B), Juneau, Alaska, containing approximately 2150 square feet for a term of three (3) years from June 1, 2016 for a term rent of [REDACTED]. The term rent is payable as follows:

[REDACTED] on the first day of the term and the same date each month thereafter throughout year one of the term.

In addition Lessee agrees to pay the sales tax in effect in the City and Borough of Juneau on each payment as it falls due.

LEASE RENTAL INCREASE. If the items listed below increase in the aggregate of ten per cent (10%) the Lessor may increase the rent once a year on the first of the year following the date of execution of this lease on a pro-rata basis of space rented to total space owned in the building by Lessor where the building wide increase in rent is equal to the total amount of the increase in said items:

Fire and other hazards insurance
Real property taxes
Increases in the consumer Cost-of-Living Index as released by the U.S. Government

LIABILITIES FOR TAXES. The responsibilities of the parties for taxes which may become due or owing as a result of this lease are as follows;

1. Taxes upon personal property owned by lessee or being acquired by Lessee, such as for furniture, equipment, and merchandise used or to be utilized by Lessee are to be paid for by Lessee.
2. License taxes, sales taxes, or other taxes attributable to Lessee's occupation of the demised premises are to be paid by the Lessee.
3. Real property taxes and assessments fro public improvements are to be paid for by the Lessor, subject to the paragraph entitled Lease Rental Increase.

MAINTENANCE OF THE PREMISES. The parties' responsibilities as the condition of the demised premises during the term of this lease are as follows:

1. The demised premises are accepted by Lessee in their present condition and state of repair.
2. Lessee is responsible for maintaining the interior of the demised premises in its present condition and at Lessee's own expense.
3. Lessor is responsible for maintaining the exterior and foundations of the demised premises in a good state of repair during the term of this lease.

EMPORIUM LEASE

4. No remodeling or structural alterations of the demised premises may be undertaken without the Lessee first having obtained Lessor's written consent thereto, and all such undertakings shall be performed and completed in a workmanlike manner, with remodeling to include the authority to change and alter interior walls and to install necessary plumbing and wiring for Lessee's purposes. Lessee to bear the costs of any and all alterations. Lessee, subject to the express direction and control of Lessor, shall be responsible for restoring the demised premises to its original condition at the termination of the lease term. Lessor's written consent for remodeling shall not be unreasonably withheld.

5. In connection with any maintenance or repair of the furnace or heating systems, the obligation for the payment of same shall be that of the Lessee, on a pro-rata basis, as the normal wear and tear and that of Lessor as to permanent fixture replacement needs. Lessee's pro-rata share of the maintenance or repair of the furnace or heating systems shall be based upon the percentage of the entire area being heated for Lessee's benefit to the total of all leasable space.

6. Lessee is to make the demised premises available to Lessor or Lessor's agents at reasonable times in order to permit inspection concerning the condition and state of repair of the demised premises.

7. Lessor is not responsible for the repair or replacement and the maintaining of water pipes utilized in connection with Lessee's occupation of the demised premises and Lessee shall save Lessor harmless from any damages that may be sustained as a result of Lessee's neglect in allowing said water pipes to freeze.

8. Lessee is responsible for and shall erect and maintain only those signs which are suitable to Lessor, and in order to advertise Lessee's business operation on the demised premises, and Lessee shall obtain Lessor's approval of any such signs prior to ordering, purchasing or erection any such signs.

9. **UTILITY AND SERVICE CHARGES.** Those expenses which are incurred from day to day in connection with Lessee's occupation of the demised premises shall be apportioned as follows:

1. The obligation of payment and the expense of all utility and local government service charges including, but not limited to, electricity, telephone, and garbage removal, in connection with the demised premises, shall be that of the Lessee.

2. Lessee shall arrange, at Lessee's expense, for adequate garbage collection services so as to preclude any unsightliness as a result of garbage litter on the surrounding area.

TERMINATION OF THE LEASE. The conditions governing the termination of this lease and the Lessee's departure from the possession of the demised premises are as follows:

1. Time is declared to be of the essence as to the performance of all conditions and covenants created by the execution of this Lease Indenture with the consequence that any default hereunder gives Lessor the right to take possession of the demised premises and to occupy the demised premises to the exclusion of Lessee, with Lessor thus having the option to thereupon terminate the lease.

2. On termination of this lease, whether by breach or expiration of its term Lessee agrees that Lessee will vacate and depart the demised premises leaving them in as good a condition and state of repair as when possession was taken except as to ordinary wear and tear and damage or destruction by a fire which destroys 20% or more of the demised premises.

3. A default occurs hereunder if Lessee, within ten (10) days of receipt of written notice by Lessor of a failure by Lessee to comply with this agreement.

EMPORIUM LEASE

4. In the event of destruction by fire or other cause, or in the event of damage sufficient to make the demised premises untenable for period in excess of ninety (90) days, then this lease may be terminated by Lessor or Lessee provided that in the event of an untenable period of less than ninety (90) days the Lessee is relieved of the obligation for the payment of the required monthly lease installments during said untenable period but the lease can only be canceled under such circumstances at the option of the Lessor.

5. In the event that the United States federal government withdraws or substantially alters the enforcement priorities outlined in the memorandum that United States Deputy Attorney General James Cole issued to all U.S. Attorneys on August 29, 2013 (commonly referred to as "the Cole Memo"), such that continued operation of a marijuana establishment in compliance with State of Alaska and/or City & Borough of Juneau laws and regulations would no longer likely shield from federal intervention, whether civil or criminal, then this lease may be terminated by Lessor or Lessee.

6. In the event that the State of Alaska and/or City & Borough of Juneau enacts, amends, or repeals laws or regulations, or conditions permits such that the Lessor or Lessee is no longer able to perform any act or operation intended under this lease, or rendering any service required under this Lease, then the performance of any such act or obligation affected by the change in law, or rendering of any such service affected by the change in law shall be excused for the period of the resulting delay and the period of the performance or rendering shall be extended for a period equivalent to the period of such delay. Should such delay extend six (6) months, then this lease may be terminated by Lessor or Lessee.

7. Within ten (10) days after termination and the Lessee vacating the demised premises, any carpeting or flooring, lighting fixtures, wall paneling, and other permanent fixtures or improvements which may have been installed by Lessee or at Lessee's direction become the property of Lessor without cost or expense to the Lessor except as may otherwise be expressly provided herein.

8. This lease may be terminated at any time by mutual consent of Lessee and Lessor.

LIEN INDEMNIFICATION. Lessee is responsible to Lessor for liability incurred as a result of Lessee's acts or neglect, and Lessee shall not allow the demised premises to become subject to any lien, charge, or encumbrances.

QUIET ENJOYMENT AND LEASE RENEWAL. During the term of this lease and as to any renewals of said lease:

1. Lessee is entitled to, and shall hold and enjoy, the demised premises without interference from Lessor so long as Lessee promptly pays the monthly lease installments herein required and performs the covenants and abides by the conditions herein contained.

2. All provisions hereof shall inure to the benefit of, extend to, and include, and be binding upon, the heirs, executors, administrators, successors, and assigns of the Lessee and the Lessor.

3. This lease is not renewable by the Lessee, except as may otherwise be expressly provided herein, and any occupation of the demised premises by the Lessee beyond the term of this lease shall only be upon the basis of a month to month tenancy subject to all of the terms and conditions herein contained and not otherwise in conflict.

LIABILITY FOR FIRE LOSS. The Lessor is not responsible to Lessee for any loss by Lessee of personal property maintained on the demised premises as a result of fire or related cause and Lessee shall, at Lessee's sole expense, maintain such insurance as Lessee may desire in order to protect against any such loss.

DAMAGE RESPONSIBILITY. Lessor shall not be liable for any damage occasioned by the negligence or fault of the Lessee, or for any damage resulting from the act or negligence of co-

EMPORIUM LEASE

tenants or other occupants of the same building or any owners or occupants of adjacent or contiguous property.

ABANDONMENT OR VACATION. If lessee shall abandon or vacate said premises prior to the expiration date of this lease, the same may be relet, by the lessor, at the best rent obtainable and any deficiency in the amount of rent herein mentioned to be paid by the lessee and the rent herein mentioned to be paid by the Lessee and the rent received after such abandonment or vacation shall be paid by the Lessee to the Lessor.

SAVE HARMLESS. Lessee will save and indemnify the Lessor harmless from all judgments, liabilities, expenses, costs, and attorneys' fees arising out of any act, omission, or neglect in such respect of the Lessee, lessee's agents or employees, or of any person permitted by Lessee to be upon or about the demised premises, as well as from all judgments, liabilities, expenses, costs and attorney fees incurred or paid by the Lessor in defending against any action at law, suit in equity, or statutory proceedings brought by or at the instance, or in the name of any governmental body, or any public authority in which it shall be attempted to subject the Lessor or the demised premises, or any part thereof to any damages, costs, injunctions, restriction, or regulations, by reason of any claim that there shall have been any such act, omission or neglect of Lessee in any of the respects aforesaid. This save harmless obligation does not apply to loss by fire.

LIABILITY INSURANCE. Lessee agree at all times during the term hereof, at Lessee's own expense, to maintain, keep in effect, furnish, and deliver to the Lessor evidence of liability insurance in form and with an insurer satisfactory to the Lessor, insuring both the Lessor and the Lessee against all liability for damages to person or property in or about said demised premises: the amount of said liability insurance shall not be less than \$100,000.00 for injury to one person, \$300,000.00 fro injuries arising out of any one accident, and not less than \$50,000.00 for property damage. All such insurance shall name Lessor as a co-insured by policy endorsement.

OPTION TO RENEW. Lessee shall be entitled to renew this lease for an additional term of three (3) years upon the same terms and conditions as set forth in this lease, save for the rental terms which, unless the parties otherwise agree, will be established as hereinafter set forth. This option may only be exercised by giving written notice of Lessee's intention to renew not sooner than one hundred eighty (180) days, nor less than ninety (90) days before the expiration of the original term of this lease, which notice must declare the rental rate at which Lessee is willing to renew the lease. Unless Lessor gives Lessee written notice of Lessor's rejection of the renewal rental proposal within thirty (30) days of the date of receipt of Lessee's notice, the renewal rental proposal of Lessee will be deemed accepted by Lessor. If Lessor rejects the renewal rental proposal, Lessee's renewal rights will automatically cease and terminate.

BANKRUPTCY. In the event that the lessee becomes voluntarily or involuntarily bankrupt, or if a receiver be appointed by any court for the business of the Lessee, then the term of this lease shall, at the election of the Lessor, immediately terminate.

CONDEMNATION. With reference to condemnation and any proceedings in regards thereto, the following shall apply:

1. In the event title to the entire demised premises shall be acquired by anyone by exercise of right of eminent domain, this lease shall cease and terminate upon the vesting of title and Lessee shall make all payments required to be made by Lessee hereunder pro-rata to the date of such vesting of title, but Lessee shall be entitled to a pro-rata refund of any rent paid in advance. Lessee shall be indemnified for the depreciated value of any improvements Lessee has made which have increased the value of the demised premises as reflected in the purchase price under eminent domain proceedings.

2. In the event title to less than the whole of the leased premises but more than twenty (20%) percent of any ground floor area of the building thereon, or more than twenty (20%) percent of the entire demised premises shall be so acquired by eminent domain, or, as a result of exercise of such right of eminent domain, the part of the demised premises remaining shall not be one undivided whole, then Lessor shall immediately give to Lessee written notice of such acquisition and Lessee

EMPORIUM LEASE

shall have the option to terminate this lease effective on a date to be specified in a written notice to be given by Lessee to Lessor, provided, however, that the date so specified in such notice shall be a date not more than sixty (60) days after the receipt by Lessee from Lessor of notice of such acquisition, and in such event Lessee shall make all payments required to be made by Lessee hereunder pro-rata to the date of such termination, but Lessee shall be entitled to a pro-rata refund of any rent paid in advance.

3. In the event Lessee does not exercise Lessee's right of termination, then this lease and all of the covenants, agreements, terms and conditions hereof shall continue in full force and effect as to the portion of the demised premises not taken by exercise of the right of eminent domain. If a portion of the demised premises shall have been so taken by exercise of the right of eminent domain without termination of this lease, as aforesaid, Lessor shall repair and rebuild the portion of the demised premises not so taken in such manner as to render such remaining portion commercially usable for the purpose of Lessee, and lessor shall restore such portion to a unit of substantially like quality and character as existed before such taking. Commencing with the date said portion of the demised premises so taken, the monthly rental shall be reduced in the proportion that the total square footage of the demised premises so taken shall bear to the total square footage the demised premises prior to such taking.

4. Any condemnation award with respect to the demised premises shall be the sole and exclusive property of the Lessor.

PERSONAL PROPERTY. All equipment unique to Lessee's business, and located on the demised premises by Lessee are the property of Lessee and shall be removed by Lessee or at Lessee's expense at the termination of this lease.

WINDOW GLASS. Lessee shall repair and replace, with like quality, all window or door glass on the demised premises which may become broken or cracked during the lease term or any renewals thereof and shall do so at Lessee's sole expense.

INSURANCE RECOVERY WAIVER. Lessor and Lessee, and all parties claiming under them, hereby mutually release and discharge each other from all claims and liabilities arising from or caused by any hazard covered by insurance on the demised premises, or covered by insurance in connection with property on or activities conducted on the demised premises, regardless of the cause of the damage or loss and to the extent of any recovery collectible under such insurance. Lessor and lessee agree to notify fire and extended coverage insurance companies of these conditions and have insurance policies appropriately endorsed in order to preclude insurance coverage invalidity.

IN WITNESS WHEREOF, the Lessor and Lessee have hereunto set their hands and seals effective as of the date next written and in the following manner.

LESSOR, MACKINCO

by  date 3/29/16

LESSEE:

by  date 3/29/16

STATE OF ALASKA

)
) ss

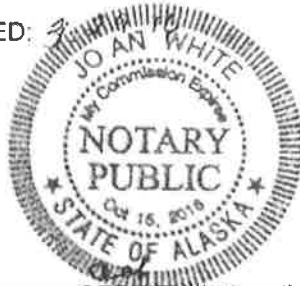
EMPORIUM LEASE

FIRST JUDICIAL DISTRICT)

THIS IS TO ^{ack}CERTIFY that on the date next below written, and before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, there appeared personally E. Neil Mookkuma, and who has or have executed the above and foregoing instrument, and said person acknowledged to me that he, she or they had signed and sealed the same freely and voluntarily for the uses and purpose therein mentioned.

WITNESS my hand and official seal the date next below written.

DATED: 3-29-16

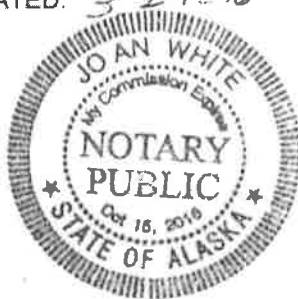


Joan White
Notary Public for Alaska
My Commission Expires: 10-15-2016

THIS IS TO CERTIFY that on the date next below written, and before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, there appeared personally Gaut V. Bissler, and who has or have executed the above and foregoing instrument, and said person acknowledged to me that he, she or they had signed and sealed the same freely and voluntarily for the uses and purpose therein mentioned.

WITNESS my hand and official seal the date next below written.

DATED: 3-29-16

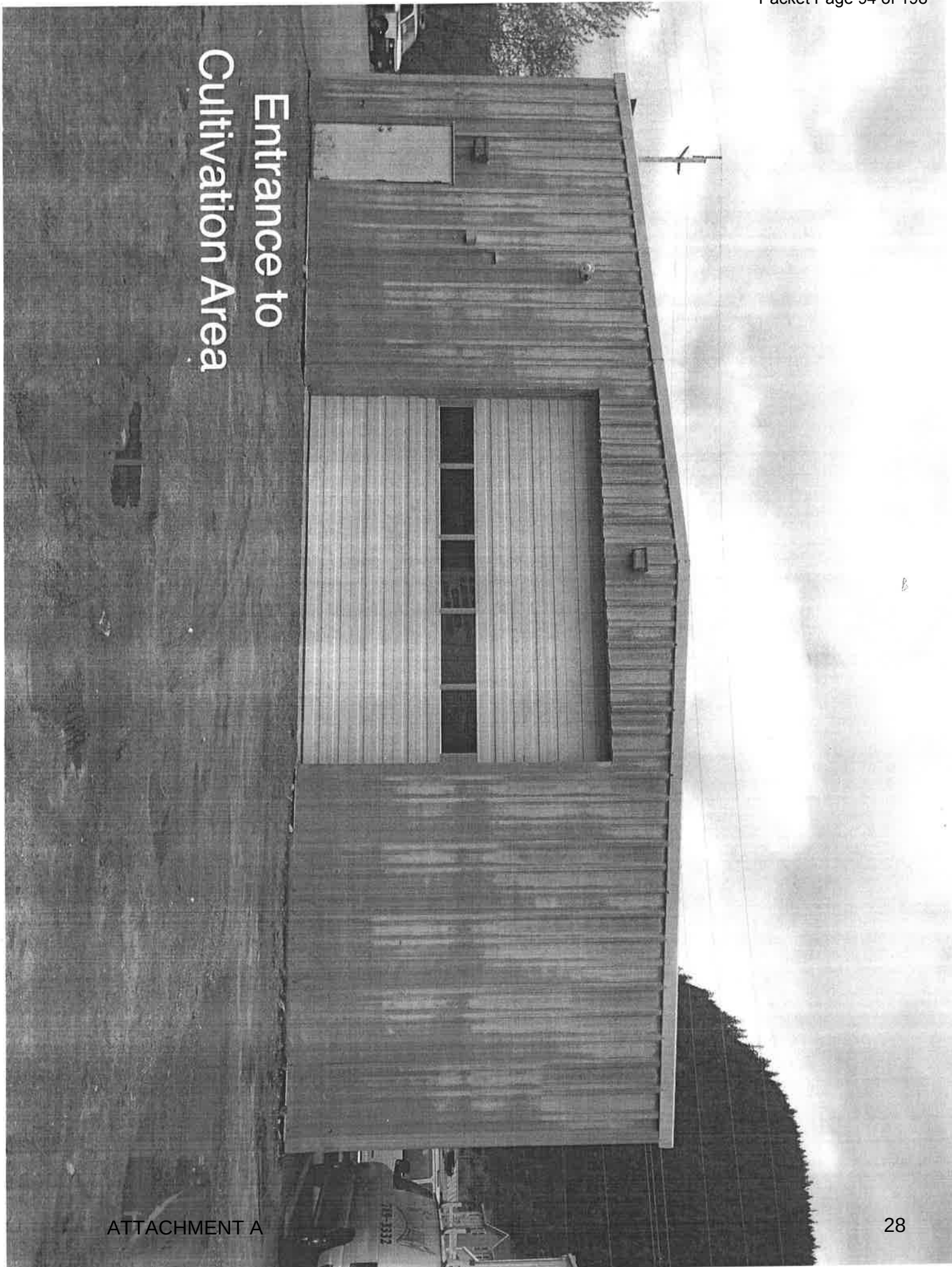


Joan White
Notary Public for Alaska
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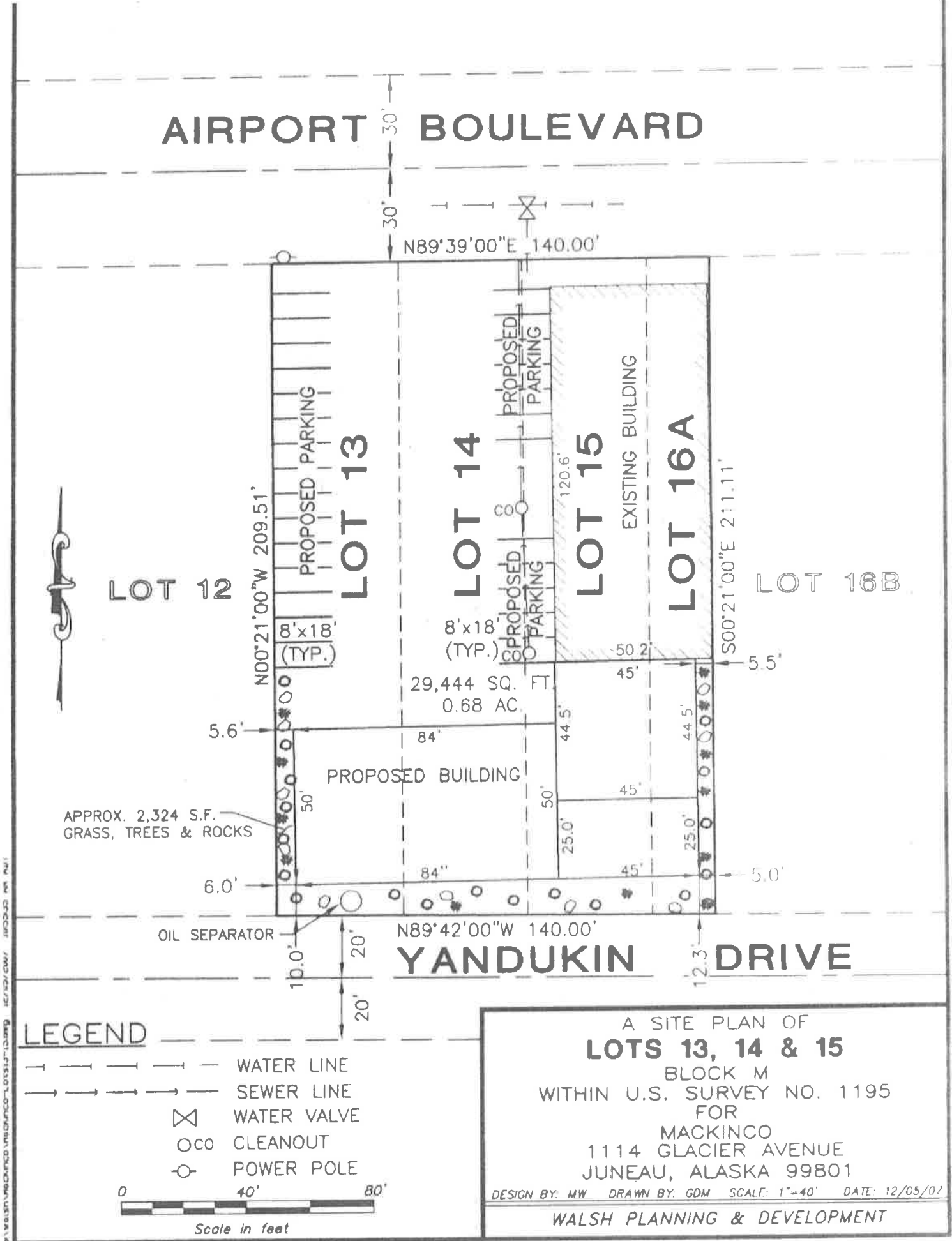
Parking

Front of Building





Entrance to
Cultivation Area



APR - 4

N 89° 39' E - 160.00'



$N. 0^{\circ} 21' W. - 209.97$

6214

20x15

$N 0^{\circ} 21' W - 211.11'$

West 1.6

Story
BAG

6271

50° 21' E - 211.78'

81 + 07

BK 189 PG 103

DLM
C-0,3-1194
m.c.-2,5-1195
506,6
(506,3)

- Re-Bar wrap (Typical)

42

40.01

20' 20

40

N 89° 12' W ~ 160.0 T
BASIS OF BEARING

I hereby certify that this is a true and correct plat;
that all walks, roads, easements and improvements thereon
are as shown and that all overlaps and encroachments are as
shown to the best of my knowledge.

1,22

93417 Rem
Diapyl
Gou. 11.25
Morseport

DEA.	SCALE 1"=30'	J.W. BEAN	AS-Built Survey of: Lots 17, 16, 18, Block 11 Valley Center Sub. within U.S.S. 1195
DATE 4-10-96	SHEET 1 of 1		

Uth

The Fireweed Factory LLC proposed cultivation facility

The Fireweed Factory LLC

Open House

Saturday June 11, 2016 1:30pm to 3:30pm

We are hosting an Open House for our cannabis cultivation facility at 8415 Airport Blvd. in the warehouse behind Alcan Electric. We understand that this type of business is new to Juneau and we want to answer any questions you may have about our operation. If you are an owner/ landlord who received the Public Notice of our business, please share this information with any tenants you may have.

The existing warehouse will serve as a shell for the completely new growing facility to be built inside. Our plans include a 2100 square foot cultivation area, processing and office facility. Our organic cannabis will be grown under optimal conditions without the use of any toxic chemicals and tested for safety as required by State and CBJ regulations.

Here are some of the key points about our operation:

- The existing warehouse only has windows in the garage door and they will be secured and covered so no light will be emitted to the outside.
- Smell from plants will be controlled with a charcoal filtering system and will not be detectable from outside the sealed facility.
- No loud operational sounds will be audible outside the buildings.
- A security system will be installed inside and out at several locations and monitored 24/7 by a professional security company.
- Foot traffic will be minimal as only one to two workers will be on site and each will have a Marijuana Handler's Permit as required by State regulations.
- Our one entrance door to the warehouse is in the back of the building and has no visibility from the road.
- No products will be sold on site and no money will be held on site.
- All work will be done in an enclosed environment and at no time will plants be visible to the public.
- There will be very limited access to the facility and only by appointment.

We look forward to this opportunity to explain further details of our business. Plans for our new cultivation building will be on display. We hope you will be able to join us.

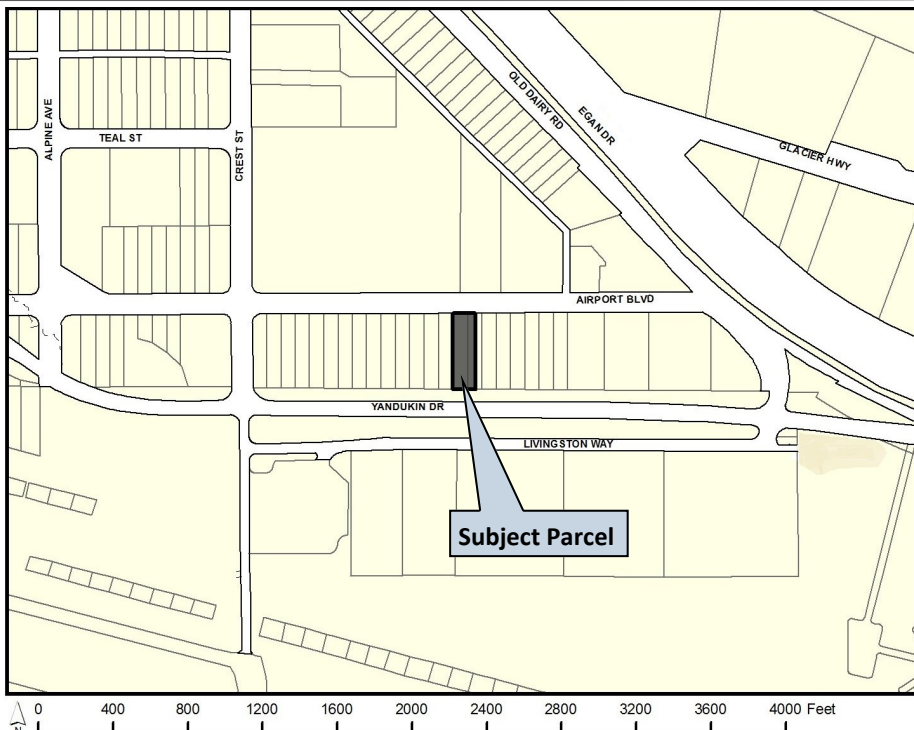
June E. Hall and Paul V. Disdier

8393 No. Douglas 586-6790 thefireweedfactory@gmail.com

For complete information on State marijuana regulations please visit the online Alcohol and Marijuana Control Board Office website.



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 a standard marijuana cultivation facility in an Industrial zone.

File No:	USE2016 0017	Applicant:	Paul V. Disdier
To:	Adjacent Property Owners	Property PCN:	5-B15-0-102-015-1
Hearing Date:	June 28, 2016	Owner:	MACKINCO
Hearing Time:	7:00 PM	Size:	12,645 Square Feet
Place:	Assembly Chambers	Zoned:	I (Industrial)
	Municipal Building	Site Address:	8415 Airport Blvd
	155 South Seward Street	Accessed Via:	Airport Blvd
	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 Jonathan Lange at jonathan.lange@juneau.org or 586-0218



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

Date notice was printed: May 24, 2016



Proposed Facilities Entrance



South Face of Facility



Inside view of Warehouse facing Alcan's portion of building



Inside view of Warehouse facing Entrance



Subject Site and Parking facing south



View east to Subject Site and Airport Blvd



View West on Airport Blvd



Community Development

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

PLANNING COMMISSION

NOTICE OF DECISION

Date: June 30, 2016

File No.: USE2016 0017

Paul V. Disdier
8393 N. Douglas Hwy
Juneau, Alaska 99801

Application For: A Conditional Use permit for a standard commercial marijuana cultivation facility in an Industrial zone.

Legal Description: Valley Centre Block M Lot 15 & 16A

Property Address: 8415 Airport Blvd

Parcel Code No.: 5-B15-0-102-015-1

Hearing Date: June 28th, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 15th, 2016 and approved the Conditional Use permit for a standard commercial marijuana cultivation facility in an industrial zone 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 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.

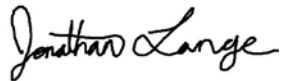
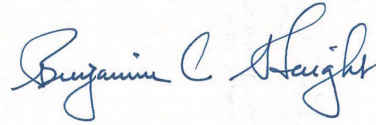
Attachments: June 15th, 2016 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding USE2016 0017.

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.

Paul V. Disdier
 File No.: USE2016 0017
 June 30, 2016
 Page 2 of 2

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

Effective Date: The permit is effective upon approval by the Commission, June 28th, 2016.
 Expiration Date: The permit will expire 18 months after the effective date, or December 28th, 2017, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for a permit extension must be submitted thirty days prior to the expiration date.

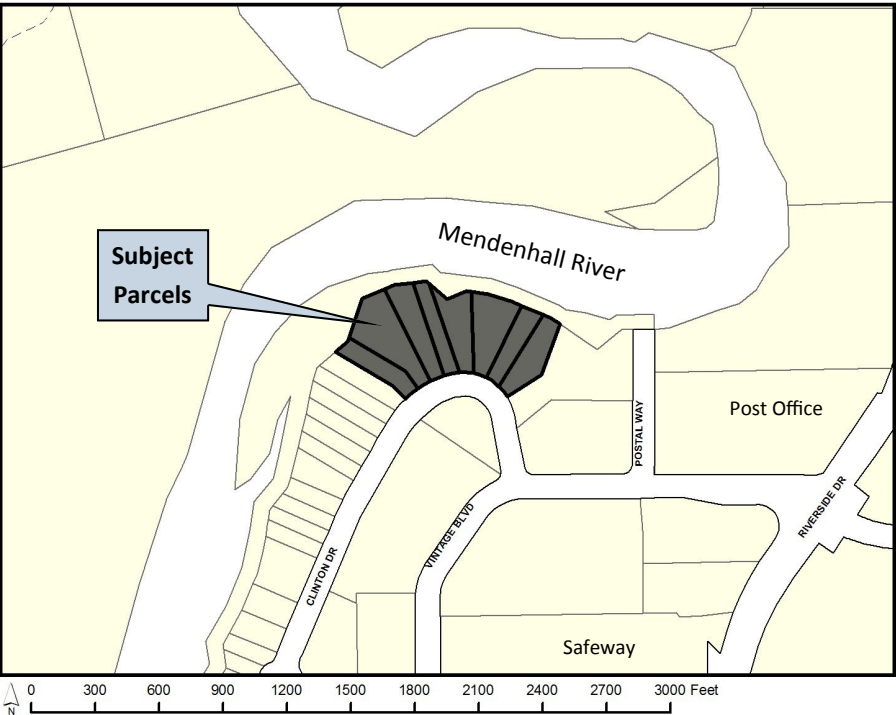
Project Planner:		
	Jonathan Lange, Planner Community Development Department	Ben Haight, Chair Planning Commission
		July 11, 2016
	Filed With City Clerk	Date

cc: Plan Review

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



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Conditional Use Permit for an Assisted Living Facility.

File No:	USE2016 0015	Applicant:	MARATHON DEVELOPMENT INC
To:	Adjacent Property Owners	Property PCNs:	5-B16-0-144-031-0, -032-0, -033-0, -034-0, -035-0, -036-0, -037-0, -038-0
Hearing Date:	June 28, 2016	Owner:	WILLIAM BAUER LIVING TRUST
Hearing Time:	7:00 PM	Size:	Approximately 2.5 acres
Place:	Assembly Chambers	Zoned:	Mixed Use (MU)
	Municipal Building	Site Address:	Clinton Drive
	155 South Seward Street	Accessed Via:	Clinton Drive
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Jill Maclean at jill.maclean@juneau.org or 586-0756



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

DATE: June 14, 2016

TO: Planning Commission

FROM: Jill Maclean, Senior Planner
Community Development Department

FILE NO.: USE2016 0015

PROPOSAL: Conditional Use Permit for an Assisted Living Facility.

GENERAL INFORMATION

Applicant: Marathon Development, Inc.

Property Owner: William Bauer Living Trust

Property Address: Clinton Drive

Legal Description: Vintage II Block C Lot 31, 32, 33, 34, 35, 36, 37, 38

Parcel Code Number: 5-B16-0-144-031-0; 5-B16-0-144-032-0; 5-B16-0-144-033-0;
5-B16-0-144-034-0; 5-B16-0-144-035-0; 5-B16-0-144-036-0;
5-B16-0-144-037-0; 5-B16-0-144-038-0;

Site Size: Approximately 2.5 acres

Comprehensive Plan Future Land Use Designation: Traditional Town Center (TTC) – High density residential and non-residential uses around shopping centers, employment centers, and public transportation; 18 units or more per acre.

Zoning: Mixed Use (MU)

Utilities: CBJ Water & Sewer

Access: Clinton Drive

Existing Land Use:	Vacant		
Surrounding Land Use:	North	-	Mendenhall River/Vacant (D1)
	South	-	Vacant (LC)
	East	-	Vacant & True North (MU & LC)
	West	-	Vacant/Commercial Buildings (MU & LC)

Vicinity Map



ATTACHMENTS

- Attachment A – Application
- Attachment B – AME2016-08 NOR
- Attachment C – Vintage Final Plat 4-29-16
- Attachment D – Public Notice

Planning Commission
 File No.: USE2016 0015
 June 14, 2016
 Page 3 of 11

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of Riverview Senior Community. Riverview Senior Community will consist of 80 units with 88 beds. The assisted living section will consist of 54 units, and the memory care section will consist of 26 units with 32 beds. The proposed 70,865 sq. ft. building consists of a 3-story structure for the assisted living facility, attached to a 1-story structure for the memory care facility (see Attachment A).

BACKGROUND

The project consists of Lots 31A (see Attachment C) through 38 of Vintage II Subdivision. This land was part of Vintage Subdivision, originally a homestead of U.S. Survey 1193 that was left mostly undeveloped. In 1984, the land was sold to Mr. William Bauer, and was designed as a business park. The site was cleared of the natural vegetation and graded to accommodate buildings and parking. A lot line adjustment for Lots 26A and Lot 31A of Vintage II Subdivision (see Attachment C) was recently approved. The project was reviewed as if the lots were consolidated. Therefore, as a condition of approval, the lots related to this project should be consolidated into one lot.

In January 2016, a zoning change from Light Commercial to Mixed Use was proposed (see Attachment B). On April 12, 2016 the Planning Commission recommended adoption of this zone change to the Assembly. On May 23, 2016 the Assembly adopted the zone change from LC to MU, which will become effective 30 days from that hearing date. As the staff report was due during this 30-day period, the application was reviewed under both the LC and MU zoning districts.

The proposed use (assisted living), and the site design/layout, conforms to the current LC zoning requirements, and also meets the MU zoning requirements. Once the zoning change is effective, the use, structure, and site will continue to be conforming. A Conditional Use Permit is required under both zoning districts. For further clarification of the LC and MU zoning requirements please refer to the table below.

	LC	MU	Riverview Senior Community
Minimum Lot Size	2,000 sq. ft.	4,000 sq. ft.	102,366 sq. ft.
Minimum Lot Width	20'	50'	445'
Minimum Lot Depth	80'	80'	183'
Minimum Lot Coverage	None	None	Approx. 70%
Maximum Height	45'	None	
Front Yard Setback	25'	0'	27.45'
Rear Yard Setback	10'	0'	10.44'
Side Yard Setback	10'	0'	10.1'
Minimum Vegetative Cover	15%	0%	19.9%

Planning Commission
File No.: USE2016 0015
June 14, 2016
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ANALYSIS

Project Site

The proposed site is located at Clinton Drive off of Vintage Boulevard. The site is located in what is currently a Light Commercial-zoned district. The site will be zoned a Mixed Use district effective June 23, 2016 (Ordinance 2016-16 adopted May 23, 2016). City water and sewer are available. The site is 2.35 acres. The site is located adjacent to the Mendenhall River, an anadromous fish stream, with a 50ft streamside setback. The proposed structure is located outside the 50-foot streamside setback, and parking is not allowed in the setback area.

Project Design

As stated above, Riverview Senior Community will have 80 units with 88 beds. The assisted living section will consist of 54 units, and the memory care section will consist of 26 units with 32 beds. The proposed 70,865 sq. ft. building consists of a 3-story structure for the assisted living facility, attached to a 1-story structure for the memory care facility. The project includes a kitchen, dining area, lobby, an administrative office area, courtyard, walking paths, activities room, laundry, and parking.

Traffic

As the project consists of housing for assisted living, residents will not be driving. Traffic will be generated by employees and visitors. Riverview Senior Community anticipates approximately 45 employees (including full-time and part-time).

The proposed eighty (80) unit assisted living facility is classified as "Assisted Living" Land Use in the Trip Generation Manual (9th Edition 2012). The Handbook establishes the standards for traffic impact analysis for development projects. The standard number of trips during the week is 2.74 per resident, totaling 241 weekday trips; standard number of trips on Saturday is 2.20 per residents, totaling 194 trips on Saturday; and the standard number of trips of Sunday is 2.44, totaling 215 trips on Sunday. CBJ 49.40.300 states that a traffic impact analysis is not required when a development is projected to generate less than 250 average trips in a day.

Given the existing access in and around Vintage Park, which was designed as a business park, the traffic generated by this project should have minimal impacts on the surrounding area. The peak hours of increased traffic coincide with the morning and evening commutes, given that the employees generate the traffic for the assisted living facility.

Parking and Circulation

Under the newly adopted parking requirements, in CBJ 49.40.210 (a) Table of minimum parking standards, assisted living facilities are required to provide 0.4 parking spaces per maximum number residents. Riverview Senior Community, at an 88 maximum resident count, must accommodate 36 parking spaces on site, of which 2 are required to be ADA. The facility is also required under CBJ 49.40.210 (c) to provide for 1 loading space.

The project provides 37 parking spaces, of which 2 are required to be ADA, plus 1 loading space.

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Exterior Lighting

A lighting plan was not submitted with the Conditional Use Permit application. CBJ 49.15.330(g)(17) and CBJ 49.40.230(d) require exterior lighting in parking areas, along pedestrian pathways, and immediately adjacent to the building. All exterior lighting should have appropriate cut-off optics and house-side shields to efficiently focus light in the desired areas and to minimize the impacts to adjacent neighbors. As a condition of approval staff recommends that prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements at CBJ 49.40.230(d).

Landscaping

The MU district does not require any of the lot be maintained with live vegetative cover (CBJ 49.50.300). However, the project strives to create an inviting and natural landscape for the residents, and proposes almost 20% of the site with vegetated cover. The project includes a walking path along the Mendenhall River; pathways connecting the site internally and to adjacent properties and sidewalks; a patio area with planters; a secure garden and patio area for the memory care unit; a 4ft to 6ft high hedge along the easterly property line with a 6ft high good neighbor fence which must transition to a maximum 4ft high fence/hedge line along Clinton Drive (CBJ49.25.430(L) Yard setbacks); an atrium located within the memory care unit; plantings along all foundation walls and ornamental trees located throughout the property.

Signs

Per CBJ 49.45 a separate permit process requires that all signs proposed by the development be submitted to CDD staff for review and approval.

Noise

The surrounding area is a mix of vacant, retail, and commercial uses. There may be minimal increase in traffic noise generated on neighboring streets during commute times. The proposed assisted living facility expects residents to use the walking trails, paths, garden areas, and memory garden located on the property. No excess or considerable amount of noise is expected as a result of this development.

Public Health or Safety

Beyond impacts addressed in other sections of this report there are no anticipated negative impacts to public health or safety that result from this development. Issues related to construction and building will be addressed during the review of the plans prior to issuance of a Building Permit. At this stage the Building Division has no issues with the project. Capital City Fire and Rescue has no concerns with the project.

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Habitat

The site is located adjacent to the Mendenhall River, an anadromous fish stream. The proposed structure is located outside the 50-foot streamside setback, and no parking is proposed in the setback area. The site is located in a Zone X flood zone. Flood Zone X are moderate flood hazard areas located between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. Any flood permits required will be determined during the building permit review. No other known habitats regulated by Title 49 are located on the site.

Property Value or Neighborhood Harmony

The Conditional Use Permit is for an assisted living facility. The purpose of the MU zoning district according to CBJ 49.25.230 is:

“...to reflect the existing downtown development pattern and is intended to maintain stability in the downtown area. Multifamily residential uses are allowed and encouraged.”

While the project is not located downtown, it is located in an area classified as Traditional Town Center by the Comp Plan Land Use Maps, which strives to create village-like centers similar to a downtown (see below for more information).

As the surrounding land uses are primarily public (post office), retail (grocer, salons) and commercial (healthcare, bank), and lend themselves to typical village center uses, no negative impacts to neighboring property values from the proposed project are foreseen. The project is of a scale, massing, and architecture that is in harmony with other surrounding buildings and uses.

Conformity with Adopted Plans

2013 Comprehensive Plan

As stated above, the Comp Plan Land Use Maps designate this area as Traditional Town Center (TTC). The designation supports higher density housing located in shopping centers, with access to public transportation. The project site is located in an established shopping area, within a half mile of the Safeway grocery store, a transit stop, bank, and a post office.

Chapter 4 – Housing Element, Policy 4.2 states that the CBJ should facilitate the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups. The following standard operating procedures apply:

4.2 - SOP1 Designate on the Comprehensive Plan Land Use Maps adequate sites and supporting infrastructure within the Urban Service Area Boundary to accommodate a diversity of housing types, size, price and types of neighborhood scale and character to satisfy the desires of all residents.

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4.2 - SOP2 The CBJ government should monitor the inventory of all types of housing and should focus efforts, funding and resources on producing the types of housing that have not yet reached a sufficient supply to meet demand.

4.2 - SOP3 The CBJ government should seek and facilitate new housing production, for all types, at an annual rate that mimics the growth rate of new households in Juneau, in order to maintain adequate choice of residence type, location, and cost.

Policy 4.8 calls for the CBJ to balance the protection and preservation of the character and quality of life of existing neighborhoods within the urban service area while providing opportunities for a mixture of new housing types.

Given these policies and procedures, the Riverview Senior Community development is found to conform to the Comprehensive Plan.

Title 49

CBJ 49.25.300 Table of Permissible Uses (TPU) Section 7.200, allows for assisted living facilities with a conditional use permit in the LC zoning district (and within the MU zoning district).

The project is consistent with the TPU.

Draft Housing Action Plan

The Draft Housing Action Plan states that the borough does have a shortage of senior housing, which is supported by the findings of the 2014 Juneau Senior Housing and Services Market Demand Study. The Plan includes solutions for addressing the housing challenges facing Juneau over the next 30 years. *Solution 4: Production Targets*, states that the need for assisted living units is 330 units over 30 years, with the development of 11 units annually.

The project is consistent with the Draft Housing Action Plan.

Juneau Economic Development Plan

The Juneau Economic Development Plan (JEDP) developed eight economic development priorities, including to "Promote Housing Affordability and Availability". In order to accomplish the priorities set forth, the Plan states Initiatives, Goals, and Actions. Specifically relating to housing is the initiative "Build the Senior Economy", which calls for the support of development that creates a range of housing options and support services that meet the needs of Juneau's senior population.

Given these priorities and initiatives, the Riverview Senior Community development is found to conform to the JEDP.

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Area-Wide Transportation Plan

The Area-Wide Transportation Plan (AWTP) addresses land use revisions and enhancements that developments should provide in projects. These enhancements include sidewalks, creating pathways that eliminate vehicular conflict points, and encourage infill development and redevelopment. The Riverview Senior Community is working with the neighboring property, which is proposing senior housing, to ensure that parking and access needs are met while eliminating excess asphalt, vehicular conflicts, and providing pedestrian connectivity among the surrounding properties.

Given these enhancements, the Riverview Senior Community development is found to conform to the AWTP.

Juneau Non-Motorized Transportation Plan

The purpose of the Juneau Non-Motorized Transportation Plan (JNMTP) is “to promote active transportation by guiding development of a community-wide bicycle and walking network that can be used by all Juneau residents for all types of trips”. Specifically, this project meets Goal 2 “to Encourage an increase in bicycling, walking and other active forms of transportation by providing safe, efficient and easy- to-use facilities that connect activity centers”. The thoughtful site design includes tree-lined sidewalks, a walking path along the river, connectivity to adjacent properties and uses, and linkages to public transit.

The project is consistent with the goals of the JNMTP.

AGENCY & PUBLIC COMMENTS

The application was provided to applicable CBJ departments and state and federal agencies. As of this staff report, comments were received by CBJ General Engineering (see below). No public comments were received by staff.

CBJ General Engineering

- The property as shown includes Lot 31A from a recent subdivision. The lots will be consolidated to include Lot 31A.
- The CBJ Manual of Best Management Practices encourages clean runoff to be directed into a bio-swale or drain-way and not directly into a storm drain system.
- All runoff from outside the paved areas including roof drains will be directed to the Mendenhall River drainage system.
- Stormwater run-off within the paved areas will be collected and directed into an Oil/Water separator immediately prior to connecting into the Clinton Street existing storm drain system.
- A 12” CPP will be allowed from the Oil/Water Separator to the catch basin in Clinton Drive.
- The catch basin in Clinton Drive will be replaced prior to the project connection.

Per General Engineering’s review, the items listed above should be conditions of approval.

Planning Commission
 File No.: USE2016 0015
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US Fish & Wildlife Services

- Stormwater runoff originating from parking lots can contain hydrocarbons and other pollutants that are harmful to aquatic life. Stormwater runoff from parking lots in the proposed development should not be directed to a stormwater system that discharges to the Mendenhall River. The CBJ Manual of Stormwater Best Management Practices provides several examples of systems, structures, and practices that can be used to reduce or eliminate the need for direct discharge of runoff into the river. We encourage the CBJ to require the use of stormwater BMPs that are designed to attenuate stormwater, e.g. through infiltration or other means, on site.
- Existing riparian vegetation within the 25-foot setback should not be removed to construct stream bank armoring systems. If stream bank armoring is necessary to prevent bank erosion, protect existing vegetation by limiting riprap placement to the toe of the bank and areas where the bank is unstable or actively eroding.

Per USFWS's review, the restoration of the river bank should be a condition of approval.

FINDINGS

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

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

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

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

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

Planning Commission
File No.: USE2016 0015
June 14, 2016
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Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

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

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.330.

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 7.200 for the Mixed Use zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the June 17, 2016 and June 27, 2016 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

No. Based on the preceding analysis, there is no evidence to suggest that the assisted living/memory care facility in the Mixed Use zoning district will materially endanger the public health or safety.

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

No. Based on the preceding analysis, staff finds that the proposed assisted living/memory care facility will not substantially decrease the value of or be out of harmony with property in the neighboring area.

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

Yes. Based on the preceding analysis, staff finds that the proposed assisted living/memory care facility is in general conformity with the land use plan and Comprehensive Plan.

Planning Commission
 File No.: USE2016 0015
 June 14, 2016
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Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

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

Yes. The proposed project is outside of the 50ft. no-development setback from the Mendenhall River, and does not affect any other sensitive habitats.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of an 80 units/88 beds assisted living and memory care facility. The approval is subject to the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).
2. The lots will be consolidated into one lot, including Lot 31A.
3. All runoff from outside the paved areas including roof drains will be directed to the Mendenhall River drainage system.
4. Stormwater run-off within the paved areas will be collected and directed into an Oil/Water separator immediately prior to connecting into the Clinton Street existing storm drain system.
5. A 12" CPP will be allowed from the Oil/Water Separator to the catch basin in Clinton Drive.
6. The catch basin in Clinton Drive will be replaced prior to the project connection.
7. The river bank will be restored and vegetated, if needed.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 4-29-16
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description The Riverview Senior Community will be an 80 unit/88 bed facility providing assisted living and memory care for the senior citizen community.		
	PROPERTY LOCATION		
	Street Address 3031 Vintage Boulevard	City/Zip Juneau, Alaska 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Lots 31, 32, 33, 34, 35, 36, 37, 38 BLOCK C, VINTAGE II SUBDIVISION, according to Plat 85-58, Records of the Juneau Borough		
	Assessor's Parcel Number(s) 5B1601440380, 5B1601440370, 5B1601440360, 5B1601440350, 5B1601440340, 5B1601440330, 5B1601440320, 5B1601440310		
	LANDOWNER/LESSEE		
	Property Owner's Name William Bauer Living Trust	Contact Person: Budd Simpson	Work Phone: 586-1400
	Mailing Address c/o One Sealaska Plaza, Ste 300, Juneau	Home Phone:	Fax Number: 586-3065
	E-mail Address bsimpson@stsl.com	Other Contact Phone Number(s):	
	LANDOWNER/LESSEE CONSENT ***Required for Planning Permits; not needed on Building/Engineering Permits***		
PROJECT / APPLICANT	I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.		
	X William Bauer Living Trust By: <u>Budd Simpson</u> Date: <u>4/6/16</u>		
	X <u>Attorney-in-Fact for William Bauer, Trustee</u> Date: _____		
	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 Marathon Development, Inc	Contact Person: Ted Johnson	Work Phone: 425-233-6972
	Mailing Address 12600 SE 38th St, Suite 210, Bellevue, WA 98006	Home Phone: 425-890-3420	Fax Number: 425-675-4599
	E-mail Address tjohnson@marathondev.com	Other Contact Phone Number(s): 425-233-6974	
	X <u>Ted Johnson</u> Date of Application _____		

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE		
	Permit Type	Region	Date Received
	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 20160015
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>jmm</u>			

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

I:\FORMS\2010 Annotations

Revised November 2009

Project Number USE20160015	Project Name (15 characters) Riverview Senior Community	Case Number PAC 2016-0017	Date Received 5-2-16																																			
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: CUP - Assisted Living Facility ***An Accessory Apartment Application will also be required.																																						
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. The Riverview Senior Community project is an assisted living and memory care facility. Land is currently zoned LC and Assisted Living Facilities are an allowed use with a CUP.																																						
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES - Case # _____																																						
CURRENT USE OF LAND OR BUILDING(S): Vacant, treed, land with a private community trail and river access.																																						
PROPOSED USE OF LAND OR BUILDING(S): Development of an 80 unit/ 88 bed facility consisting of 54 assisted living units and 26 unit/32 bed memory care.																																						
UTILITIES PROPOSED: WATER: ☒ Public ☐ On Site SEWER: ☒ Public ☐ On Site																																						
SITE AND BUILDING SPECIFICS: Total Area of Lot 102,366 square feet Total Area of Existing Structure(s) n/a square feet Total Area of Proposed Structure(s) 70,865 square feet																																						
EXTERNAL LIGHTING: Existing to remain ☒ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed ☐ No ☒ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST: ☒ Site Plan ☒ 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. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	ALLOWABLE/CONDITIONAL USE FEES																																					
	<table><thead><tr><th></th><th>Fees</th><th>Check No.</th><th>Receipt</th><th>Date</th></tr></thead><tbody><tr><td>Application Fees</td><td>\$ 1600</td><td>285</td><td></td><td></td></tr><tr><td>Admin. of Guarantee</td><td>\$</td><td></td><td></td><td></td></tr><tr><td>Adjustment</td><td>\$</td><td></td><td></td><td></td></tr><tr><td>Pub. Not. Sign Fee</td><td>\$ 56</td><td></td><td></td><td></td></tr><tr><td>Pub. Not. Sign Deposit</td><td>\$ 100</td><td></td><td></td><td></td></tr><tr><td>Total Fee</td><td>\$ 1756</td><td>285</td><td>8022</td><td>May 2 16</td></tr></tbody></table>		Fees	Check No.	Receipt	Date	Application Fees	\$ 1600	285			Admin. of Guarantee	\$				Adjustment	\$				Pub. Not. Sign Fee	\$ 56				Pub. Not. Sign Deposit	\$ 100				Total Fee	\$ 1756	285	8022	May 2 16		
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Revised July 2015- I:\FORMS\2015 Applications

Allowable/Conditional Use Permit Application Instructions

Pre-Application Conference: A pre-application conference is required prior to submitting an application. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

Forms: A completed Allowable/Conditional Use Permit Application and Development Permit Application form. The "land owner or lessee consent" signature is mandatory for all landowners on the Development Permit Application form.

Fees: The fee is dependent upon the class of the proposed use. Land Use fees generally range from \$350 to \$1,600. Any development, work or use done without a permit issued will be subject to double fees. All fees are subject to change.

Project Description: A detailed letter or narrative describing the project.

Plans: All plans are to be drawn to scale and clearly show the items listed below:

- A. Site plan, floor plan and elevation views of existing and proposed structures
- B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
- C. Proposed traffic circulation within the site including access/egress points and traffic control devices
- D. Existing and proposed lighting (including cut sheets for each type of lighting)
- E. Existing and proposed vegetation with location, area, height and type of plantings
- F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All information that is submitted as part of an application shall be submitted in either of the following formats:

- A. Electronic copies may be submitted by CD, DVD or E-mail in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf or other formats pre-approved by the Community Development Department.
- B. Paper copies may not be larger than 11" X 17" (Unless a larger paper size is preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: As part of the Allowable/Conditional Use permitting process, all permit requests must be given proper public notice, which consists of the following:

Community Development Department: Will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail abutters notices to all property owners within 500-feet of the project site.

Applicant: Will post a sign on the site at least 14-days prior to the meeting. The sign shall be visible from a public right-of-way or where determined to be appropriate by the Department. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned by 4:30 p.m. on the Monday following the scheduled hearing date. If the sign is returned later than the Monday after the Planning Commission meeting, but within two weeks of the meeting, \$50.00 may be refunded. The applicant may make and erect their own sign. Please speak with the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



**Project Overview:
March 22, 2016**

Property Name:	Riverview Senior Community
Property Location:	3031 Vintage Boulevard Juneau, Alaska 99801
Project Schedule:	Commence site work late 2016. Vertical construction 1Q 2017
Unit Mix:	80 Units / 88 beds consisting of 54 Assisted Living Units and 26 Units/32 Beds of Memory Care.
Property Size:	2.35 Acres
Zoning:	LC – Light Commercial, in the process of rezoning to MU – Mixed-Use a Conditional Use Permit <u>is required</u> and will be submitted for CBJ review and processing April 2016.
Building Size:	Three Story Assisted Living with one level Memory Care Community consisting of 70,865 s.f. Licensed by the State of Alaska Department of Health & Social Services.
Building Construction:	Wood Frame, fully sprinkled. Code analysis will be provided by Northwind Architects.
Exterior Building Surface:	To be determined
Project Sponsor:	Senior Citizens Support Services, Inc. (SCSSI) Sioux Douglas, President.
Project Team:	Marathon Development, Bellevue, WA., Developer, Northwind Architects, Juneau, AK., Architect, R & M Engineering, Juneau, AK., Civil, Structural & Geotechnical Engineer, Halvorson Construction, Kirkland, WA., General Contractor.
Project Contact:	Ted Johnson, President Marathon Development, Inc. 12600 SE 38 th Street, STE 210 Bellevue, WA 98006 (425) 233-6972 direct (425) 890-3420 cell tjohnson@marathondevel.com

RIVERVIEW SENIOR COMMUNITY

02/24/16

CIVIL ENGINEERING SCHEMATIC DESIGN NARRATIVE

INTRODUCTION

Per Marathon Development notice to proceed, R&M Engineering, Inc. (R&M) has prepared a schematic design narrative for the Riverview Senior Community project. The project site is located on Lots 31 through 38 of Vintage II Subdivision in the Mendenhall Valley. Vintage Subdivision is part of an original homestead of U.S. Survey 1193 that was left largely undeveloped until 1984 when sold to Mr. William Bauer. The property is currently owned by the Senior Citizens Support Services Inc. and is zoned LC (Light Commercial) per the current City and Borough of Juneau (CBJ) zoning maps. NorthWind Architects provided R&M with a pdf of the concept site plan on February 2, 2016 which was used to develop the civil narrative and schematic plan.

Vintage Subdivision was designed as a business park in 1984. The site was mostly cleared of trees and vegetation and the site graded to support future buildings and parking surfaces. Some Sitka Spruce and Hemlock trees exist near the north edge of the property. Two roadways were constructed to access Vintage Subdivision, Vintage Boulevard and Clinton Drive. Both of these roadways are paved surfaces with curb and gutter and concrete sidewalks on both sides of the street. CBJ owns and maintains these roadways. On street parking exists in some areas of the subdivision. In 1985-86 the first office buildings were constructed and periodic development of the area has occurred since that time. Lots 31 through 38 are fairly level with the slopes gently sloping away from Clinton Drive toward the Mendenhall River which borders the north side of the lots. A survey previously conducted by R&M indicates site elevations vary from 29' to 30' excluding the soil mound area. A 6' wide asphalt pedestrian path is located on the north side adjacent the top of the Mendenhall River bank. In the late 1990's material from the Riverbend Elementary School project was stockpiled on Lots 36, 37 and 38. The quality and quantity of this stockpiled material is unknown.

The proposed Riverview Senior Community project is to include a single story Memory Care Unit wing, a three story assisted living area with kitchen, dining area, lobby, admin/office areas, offices, courtyard, activities room, laundry and parking facilities.

SITE UTILITIES

CBJ public water and sanitary sewer utilities existing within Clinton Drive. An 8" ductile iron water line exists within Clinton Drive on the north side of the street beneath the existing concrete sidewalk as identified in underground locates and available as-built information. The existing 8" water line is reported to be buried approximately 5' in depth. It is assumed that the required domestic and fire service lines can connect to this CBJ line and a new water line routed to the building. It is assumed at this time that a 6" ductile iron line with gate valves would be installed to the proposed buildings. An existing fire hydrant is located near the intersection of Clinton Drive and Vintage Boulevard.

An 8" PVC sanitary sewer main exists within Clinton Drive with a 4" PVC sewer service stubbed out to Lot 37. It is not known if a 4" PVC sewer service will be large enough for

RIVERVIEW SENIOR COMMUNITY

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this development. If a 6" sewer service is required then a new line would have to be installed to the manhole located in Clinton Drive asphalt roadway. This would involve asphalt pavement, concrete sidewalk, curb and gutter removal and replacement. The invert elevation of the sewer service entering the existing sewer manhole is 24.64'. It is estimated that a new 200' sewer service would be required to collect wastewater from the Riverview Senior Community buildings to the existing sewer manhole. Cleanouts would be placed at 100' intervals. Maintaining gravity flow sewer methods is important for this site development to avoid expensive pumping/maintenance of wastewater to the existing gravity flow sewer system in Clinton Drive. Once the wastewater enters the existing sanitary sewer mainline pipe in Clinton Drive it flows by gravity to the CBJ Mendenhall Valley wastewater treatment plant where the waste will be treated.

Power, telephone and television cable services are provided by underground conduits and conductors coming off of Clinton Drive southeast of the project site. Some street lighting exists on Clinton Drive.

STORM WATER SYSTEM

South of Lots 36 through 38 within Clinton Drive is existing CBJ storm drain system consisting of 12" CMP pipe, catch basins and storm drain manhole structures. This is the nearest storm drain connection location for the project site. Storm water surface runoff from the parking lots will be collected in storm drain catch basins and routed underground via new 12" CPP storm drain pipe to the existing underground storm drain system located in Clinton Drive. This would involve removing and replacing asphalt pavement, concrete sidewalk and curb and gutter in Clinton Drive. An oil/water separator is recommended to be installed at the last storm structure on the project before exiting the site. All storm drain structures and pipes will be installed per current CBJ Engineering Department Standard Specifications and Details. New roof drains where feasible would be connected to the new underground storm drain system.

SITE ACCESS/IMPROVEMENTS

Riverview Senior Community project site will be accessed off of Clinton Drive. Access to the parking area on site will involve removal of existing concrete sidewalk and curb and gutter to construct a new egress/ingress access driveway. Site improvements include excavation of the existing silty/sandy/gravels to create vehicle parking lots and internal site access roads. The pavement section will involve excavation approximately 12" deep and replacing with 9-1/2" depth 2-inch minus shot rock with base course and then a 2-1/2" depth asphalt pavement. Parking stalls will be striped and signed. A minimum of two (2) Americans with Disabilities Act (ADA) stalls with access aisle will be constructed.

SITE GEOLOGY AND SOILS

Soils at the investigation site are geologically young, having been deposited since the retreat of the last regional glacier. The height of the last glacial period was ~18,000 years before present, when the ice thickness in the valley ranged between 4,000 and 5,000 feet thick. Melting started about 1,000 years later and the landscape is believed to have become ice-free by 11,000 to 7,500 years before present as far north as the present toe of the Mendenhall glacier.

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During deglaciation, sedimentation in the lower Mendenhall Valley consisted of marine deposits followed by glacial outwash. From 10,000 to 4,500 years before present, the site of the Vintage II Subdivision was below sea level, resulting in deposition of marine clay, silt, sand and fossils mixed with rocks from glacier melt and icebergs. After 4,500 years before present, sedimentation changed from marine to terrestrial, dominated by 'glacial outwash deposits'. Outwash in the immediate vicinity of the Vintage II subdivision is defined as generally gray silty sand which is locally rich in boulders. It ranges from 10 to 60 feet in thickness but is generally about 40 feet thick beneath the Mendenhall River valley floor. Sedimentation in the lower Mendenhall Valley today is still influenced by the Mendenhall Glacier, as well as by a rising land surface (0.79 inches/year) created by rebound following glacier melt.

BUILDING SITE PREPARATION METHODS

The ground elevations of the project site are at or above approximate elevation 29.0, mean lower low water (MLLW) with the site located immediately south of the Mendenhall River. Mendenhall River is tidally affected and within the maximum high water tidal range of the Auke Bay tidal datum effluence. The maximum high water level of Auke Bay is 22.0 feet, MLLW. The FEMA flood plain elevation for this area is approximately 23.0 feet, MLLW. The site's area and groundwater elevation may be somewhat affected through Auke Bay tidal pressure. The site civil and building foundation design and construction must account for these possible conditions. Any work at, or below elevation 23.0 feet, MLLW may, in some instances, require some type of dewatering.

No site specific geotechnical investigation has been performed for the Riverview Senior Community building at the time of this writing. The foundation is assumed to be constructed on structural fill after all silty Sand, organic material, vegetation and trees have been removed. The building foundation may consist of concrete perimeter strip footings and individual spread column footings bearing on the engineered fill. The finish floor elevations should be situated to allow positive drainage away from the buildings.

The following site preparation methods are assumed (actual recommendations to be confirmed after geotechnical investigation completed) for a shallow concrete foundation over improved fill:

- Install erosion and sediment control devices prior to beginning construction per approved SWPPP.
- Install dewatering devices to lower the ground water level as necessary to keep the bottom of excavation reasonable dry. This typically involves installing slotted vertical pipes with submersible pumps and discharge piping.
- Over-excavate the area beneath the building foundation footprint (6' outside each side of the building foundation) down to 1' below the bottom of the concrete footing/column footing elevation. Shoring or stable side excavation slope will be required to prevent collapse of the excavation.
- Static proof-roll the bottom of the building excavation using a 10-ton, self-propelled compactor, or tracked excavator. Should soft or weak areas be observed to "pump" or "settle", remove the observed soft/weak material and replace with compacted 6"-minus shot rock material.
- After proof rolling has been approved, then placement of 6"-minus non-frost susceptible (NFS) material compacted with a vibratory grid roller (minimum

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centrifugal force shall be 50,000 lb) with minimum 4 passes (1 pass = 1 down and back) prior to placement of subsequent lift shall take place. Initial lift thickness shall be a maximum of 18" in depth with subsequent lifts of 12". NFS material can be either shot rock or pit run fill consisting of clean material containing no muck, frozen materials, roots or other deleterious materials. The material shall have a plasticity index not greater than 6 as determined by AASHTO T90 and shall contain no more than 3% passing the #200 sieve based on material that passes a 3-inch screen.

- Beneath the building concrete footings/column footings the top of the NFS fill place 4" depth of base course, grading D-1 placed and compacted to 95% of the maximum dry density unit weight as determined by the modified proctor (ASTM D1557).
- Place a 6" depth of base course grading D-1 compacted to at least 95% of the maximum dry density unit weight as determined by modified proctor (ASTM D1557) beneath the building concrete floor slab.

REQUIRED DEVELOPMENT PERMITS

The following is a list of development permits that most likely will be required from the City and Borough of Juneau and other agencies to construct the Riverview Senior Community project:

- CBJ Grading and Drainage Permit
- CBJ Utility Connection Permit
- CBJ Right of Way Permit for working in the Right of Way
- CBJ Building Permit
- ADEC Storm Water Pollution Prevention Plan (SWPPP)

Drawing J:\NWA-16-01 River View Assisted Living\2 - CAD\Corvus-Sheets - River View.dwg last saved on 4/8/2016 3:59 PM was plotted by Erik Jones on 4/8/2016 3:59 PM





Riverview Senior Community Design Narrative – Landscape

Overall Design

The landscape design for the Riverview Senior Community project provides for a functional site but also provides a framework for the development of a site and landscape that meets the special needs of its residents, staff and visitors. The landscape shall assist residents in achieving and maintaining their highest level of physical, social and cognitive function and while supporting their well-being. Sites and landscape that provides interaction with nature and social interaction provides the highest value. The simple act of looking at nature and landscapes can have a positive healing effect on residents. Assumed goals for the site and landscape are as follows:

- Create a pleasant and comfortable homelike environment
- Support abilities and compensate for needs
- Provide opportunities for pursuing hobbies, work and interests
- Create a sense of security and belonging
- Create places for physical activity
- Create spaces for social interaction including multi-generational activities
- Establish a sense of pride, independence and freedom
- Create public gathering spaces and places for privacy
- Allow unobstructed viewing of all areas and secure needed areas
- Allow visual connections to the landscape and nature from within the buildings
- Establish connections and awareness of nature, time, and the seasons
- Allow programing opportunities within to flow into the surrounding landscape

These goals establish the development of a therapeutic or healing garden environment for the Riverview Senior Community project. Additionally the site design shall provide good connections to the campus and surrounding neighborhood that is unified through the use of common design elements and well-connected spaces with a focus on longevity and reasonable expected maintenance.

Scope of Landscape and Site Design

The scope for the landscape and site design is to address form and function. The specific functional aspects required for this project include: pedestrian and vehicular use (flow and connection for on-site and connection to off-site), solar orientation, visual connections to the river and natural landscape, and

the creation of outdoor spaces and facilities that support the landscape goals. The design elements that speak to form and aesthetics include how the above are designed in an aesthetic fashion, development and application of a refined planting palette, design form integration into the campus, site lighting, and architectural elements on the site such as landscape structures. All of the above elements require coordination with other team members to ensure integration.

Sustainable Design (Is this desired?)

A component of the proposed design for the Riverview Senior Community project will be sustainable design. Whether philosophy, materials or methods, the site design will be held to high standards for how it conveys this ethic. While we will subscribe to the guidance set out within such frameworks as LEED (Leadership in Energy and Environmental Design), and professional BMPs (Best Management Practices), we will try to exceed them where feasible and appropriate.

Existing Site Conditions

The site is located in Juneau within the Mendenhall Valley along the Mendenhall River and within Vintage Park. Detailed existing site conditions can be found within the civil/site design narrative.

Pedestrian Circulation

Pedestrian circulation within the site provides clearly defined access to the main entrance of the building from the parking lot(s). Sidewalks will be provided along roadways to connect this site to adjacent sites. Main circulation routes will be paved concrete without elaborate paving patterns, meeting ADA and should have a minimum width of five feet.

Within the campus, pedestrian circulation should also be concrete paving for primary routes and gathering areas. Again paving patterns (colors and score lines) need to be minimal and neutral colored to prevent glare and visual confusion. Borders of paved areas should have a contrasting color to distinguish edges. All paved areas need to meet ADA. Paved areas should have a minimum width of 6 feet to allow two wheelchairs to pass. Access beyond the campus shall be gated to prevent exit and entry to the property. A hierarchy of circulation routes can be established with the smallest being compacted crushed gravel with a minimum width of 3 feet and meeting ADA. All routes within the campus should be looped in nature and return to their place of origin to reduce confusion by users. A primary loop path should provide access from the primary patio/gathering area adjacent to the facility to the elements within the campus as outlined in the Site Amenities. This path should be a minimum of 6 feet wide and could be pavement or could be a poured in place safety surfacing as used for playgrounds to reduce injuries from falls. A gateway or easily identifiable element should be located at the start of the loop route to assist residents to visually find their way back home to the facility and safety.

Landscaping

Landscaping will be composed of functional and aesthetic plantings. The peripheral areas of the site will blend with the natural landscape through use of native, low maintenance species. High profile locations such as entryways, vehicle drop off points, gathering areas, and primary pedestrian pathways will receive a higher landscape aesthetic through the use of ornamentals, perennials, and other aesthetic

plantings. This gradient of native to ornamental plantings will aid in blending the site into its natural surroundings. Any non-native species will be adapted introduced species that are not considered to be invasive. Plants within the campus and adjacent to gathering areas and circulation routes shall provide a high level of sensory experience through providing color, pleasant smells, movement, and interesting textures. Plants shall also provide opportunities to attract small animals such a birds, butterflies and small mammals. Landscaped areas shall be densely planted to create a mass planting to reduce the likelihood of entry by residents. Mass plantings within the campus should be approximately 3-4 feet tall to allow viewing and can be accented by larger trees to create a sense of enclosure. Plantings along the campus perimeter can be taller. The use of thorny, toxic or other plants that could cause harm shall not be used. The use of turf grass will be minimized. Due to the existing soil conditions, all landscaped areas should be expected to receive 18 inches of manufactured planting soils and three inches of mulch. Turfed areas shall have four inches of manufacturer planting soil. Illuminate landscaping in key locations including at main entries and patios, gathering areas, from key views within the building and along pedestrian routes. Lighting shall be pedestrian scale and provide visual interest during the winter months. Provide electrical outlets at key locations for holiday lighting. Irrigation systems would not be needed.

Site Amenities

In combination with architectural elements, site amenities will be provided to encourage exterior use. This may include raised garden beds, gathering areas with benches and tables, picnic areas with firepit, a variety of seating, a playground, and canopies. Site amenities will be designed/chosen to meet the site and building aesthetic and provide use in a variety of weather conditions.

A hierarchy of spaces will be provided on the site to encourage and facilitate use. The entryway provides a vehicular drop off area, where residents and visitors can wait for transportation off-site. This area allows for circulation to and from the building, and will be a popular space for watching people come and go and therefore should have a large gathering area with seating adjacent and under the entry canopy. This area will be a social space for interacting, people watching, waiting for guests at the drop-off area, and enjoying the outdoors this sunny location within the campus. This area is positioned as to not impede circulation, yet not too secluded to deter use. The rear of the facility is a more private setting for residents, visitors and staff.

Gathering Areas

Gathering areas shall be provided at main building entries at both the front and back of facilities. These areas shall be paved patios with an architectural canopy that could be association with the building or free standing. A variety of benches and tables shall be provided in these areas.

A large central gathering area shall be provided with the landscape that creates a destination for residents. The gathering shall be a comprised of a large paved patio surrounded by landscaping and could include a large gazebo or similar wooden canopy structure to provide shelter and accommodate large groups. The gathering area could include a fire pit, BBQ facilities and should include a variety of benches, tables and seating.

Paving shall meet the requirement as indicated in Pedestrian Circulation and benches, tables and seating shall meet the requirements as indicated in Site Furnishings.

Site Furnishings

Site furnishings shall facilitate the use by a variety of users and include benches with backs and arm rests to assist getting on and off benches. Tables shall include an accessible space for those in a wheelchair. Site furnishings shall be constructed of metal or similar durable material that will dry quickly.

Site furnishings shall be grouped in a variety of setting including large gathering areas and small intimate private settings. In gathering areas furniture shall be movable. In smaller areas provide fixed furnishings. Small intimate areas shall provide a sense of enclosure and be located far enough from active areas to allow private conversations in a comfortable setting. Include 'gun-fighter' seats with landscaping or short walls behind them and arranged to allow interaction within a small paved patio. Numerous seating opportunities with a variety of sizes shall be located throughout the site.

Gardening

Gardening will provide a popular activity and needs to be configured to allow use by a variety of residents. Gardening shall be provided as at grade gardening and as raised garden beds that are accessible and allow resting (seating) while gardening. At grade beds shall be within 12 inch timber garden boxes and no wider than 4 feet if access if from both sides (2.5' for single sided access). Raised beds shall be constructed of concrete and be 30-36" tall and allow for gardening while standing or use by someone in a wheelchair. Provide a seat top along a portion of the top of the raised bed walls to allow sitting while gardening. Follow dimensions for width as indicated above. Beds shall be filled with 24 inches of high quality gardening soil (or manufactured planting soil). All garden beds shall have 4 foot wide paving or accessible surfacing on all sides.

Provide a small gardening shed/potting shed for storage of tools and other gardening equipment in close proximity to garden beds. If desired, a small green house could be provided to extend the gardening season for residents. Provide water sources at gardening areas.

Playground

A small accessible playground should be provided to allow multi-generational interaction with visitors and residents. The playground should be geared towards children of an age of six and older and promote social interaction and creative play. Play equipment shall meet ADA, CPSC (Consumer Product Safety Commission) and IPEMA (International Play Equipment Manufacturers Association) certifications. Avoid the use of timber play equipment. Play equipment shall include an accessible safety surfacing such as poured in place or tiles within the critical fall zones and be enclosed with a safety fence. Provide benches, tables and perimeter landscaping as part of the playground.

Games and Sport

Provide structured games and sport activities that might include bocce, shuffleboard, lawn bowling, putting green, and other low risk activities that provide physical activity and social interaction. Provide benches adjacent these areas to allow resting and viewing by others.

Art and Sculptures

Art, sculptures and other objects in the landscape provide opportunities for the familiar, interaction and adding to the landscape aesthetics. Elements that allow residence interaction such as flagpoles, bird baths and kinetic objects and sculptures provide the highest value. These elements can also assist those with cognitive needs.

Memory Courtyard

Within the Memory Care Facility is an enclosed courtyard. This courtyard should include a single looped pedestrian route with nodes of seating. The loop should a minimum of 4 feet wide and could be either concrete paving or poured safety surfacing and needs to meet the characteristics as indicated in Pedestrian Circulation. The entrance to the building should have a focal point or gateway to bring residents back to the facility's door. A small patio and canopy could also be located at the entry. Landscape shall be rich with material that stimulates the senses and attracts birds. The space needs to have a setting that creates a sense of personal security and comfort. Special attention need to be paid to the surrounding building massing to minimize shade and the creation of a cold environment. Art, sculptures and water would be opportunities to stimulate cogitative responses within the courtyard.



Community Development

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

Case Number: PAC 2016-0017
Project Description: Development of an 80 Unit Assisted Living Facility
Applicant: Marathon Development, Inc.
Property Owner: William Bauer Living Trust
Property Address: Clinton Drive
Parcel Code Number: 5B1601440310 thru 5B1601440380
Site Size: 2.35 acres
Zoning: Light Commercial (LC)
Existing Land Use: Vacant

Conference Date: March 23, 2016 10:30 am

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.

Jill Maclean	Senior Planner	Jill.Maclean@juneau.org
Ron King	General Engineering	Ron.King@juneau.org
Dan Jager	Fire Chief	Dan.Jager@juneau.org
Sven Pearson	Deputy Fire Chief	Sven.Pearson@juneau.org
Ted Johnson	Marathon Development	Tjohnson@marathondevel.com
Andrew Montero	Marathon Development	Amontero@marathondevel.com
James Bibb	NorthWind Architects	james@northwindarch.com
Sean Boily	NorthWind Architects	sean@northwindarch.com
Sioux Douglas	SCSSI	Sioux@gci.net
Kathleen Strasburg	SCSSI	kjstrasburgh@gmail.com

Neighborhood Association/Contact: N/A

Conference Summary

Questions/issues/agreements identified at the conference that were not already identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

1. **Zoning** – LC – Assisted Living Facilities are an allowed use with a Conditional Use Permit
 - a) Minimum lot size is 2,000sq ft.
 - b) Minimum lot width is 20ft and depth 80ft.
 - c) No minimum lot coverage.
2. **Setbacks** – LC setbacks are 25ft front yard, 10ft rear yard, and 10ft side yard.
3. **Height** – 45ft for permissible use and 35ft for accessory use.
4. **Parking** – Currently, assisted living does not have its own parking category in the TMP, and most closely relates to “hospital, nursing, convalescent home”, requiring 2 spaces per bed or 1 per 400 sq. ft. AME2015 0016 was favorably recommended to the Assembly by the PC on March 8, 2016. This amendment to the TMP, if adopted, creates a category for assisted living facility with a parking requirement of at 0.4 parking spaces per maximum number residents. Current drawings accommodate deliveries and loading. The applicant anticipates approximately 40 employees.
5. **Landscaping** – 15% vegetative cover.
6. **Lighting** – No issues at this time.
7. **Building** – No issues at this stage—applicant to contact John Young for plan review.
8. **Fire District** – Fire is comfortable with the 2009 Code requirement being used for this facility. Facility will be sprinkled. Postal Way is suitable access for the east side of the facility.
9. **Traffic** – No issues at this time.
10. **Engineering** – No issues at this time.
11. **Noise** – N/A
12. **Drainage** – No issues at this time.
13. **Utilities** – (water, power, sewer, etc.) CBJ water and sewer.
14. **Wetlands** – N/A
15. **Habitat** – (Eagle, Riparian, etc.) – The facility is along the Mendenhall River – an anadromous stream requiring a 50ft setback (no variances permitted), however a parcel of land is located between the development site and the river. No known eagle nests are within 330ft. of the development.
16. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
17. **Flood** – Located within Zone X.
18. **Plat or covenant restrictions** – None were apparent for this review.

19. **Other Agency Reviews** – (DOT&PF, Alcohol Beverage Control Board, Corps of Engineers, DEC waste-water, DNR, USF&WL, FAA, US Coast Guard, Corrections etc.) – DOT, ADFG

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. **Development Permit Application**
2. **Conditional Use Permit Application**

Additional submittal requirements:

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

3. A copy of this pre-application conference report.
4. A site plan, construction details, drainage report, landscaping, architectural drawings.

Fee estimates

The conditional use permit application fees listed below can be found in the CBJ code section 49.85.100 (3)(E)(iii) Class V uses.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Conditional Use Permit application - \$1,600

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

Submit your completed application

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

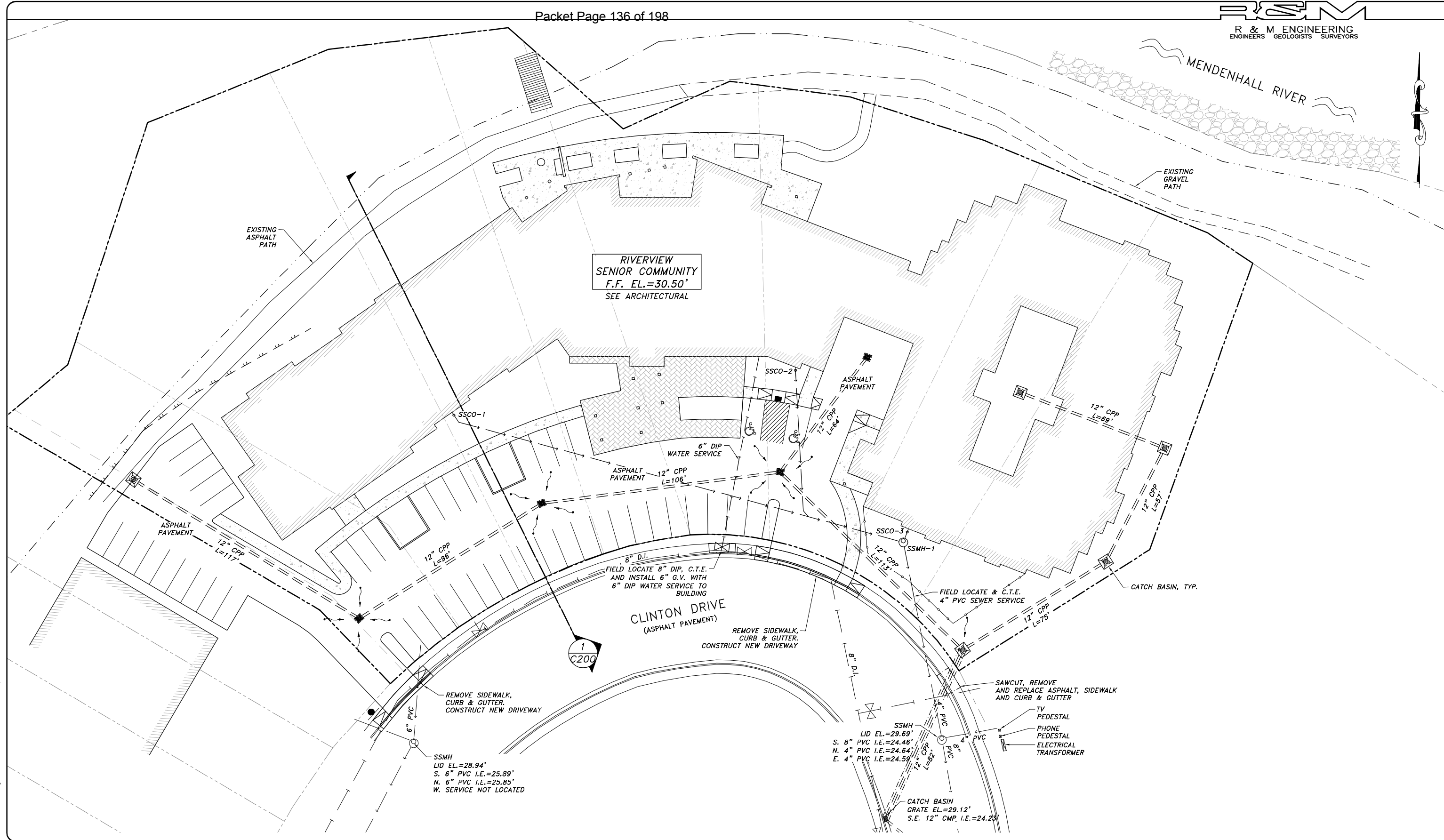
City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.Juneau.org

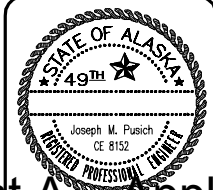
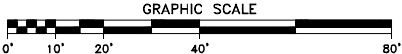


**Project Overview:
March 15, 2016**

Property Name:	Riverview Senior Community
Property Location:	3031 Vintage Boulevard Juneau, Alaska 99801
Project Schedule:	Commence site work late 2016. Vertical construction 1Q 2017
Unit Mix:	80 Units / 84 beds consisting of 52 Assisted Living Units and 28 Units/32 Beds of Memory Care.
Property Size:	2.35 Acres
Zoning:	LC – Light Commercial, in the process of rezoning to MU – Mixed-Use a Conditional Use Permit <u>is required</u> and will be submitted for CBJ review and processing April 2016.
Building Size:	Three Story Assisted Living with one level Memory Care Community consisting of 70,865 s.f. Licensed by the State of Alaska Department of Health & Social Services.
Building Construction:	Wood Frame, fully sprinkled. Code analysis will be provided by Northwind Architects.
Exterior Building Surface:	To be determined
Project Sponsor:	Senior Citizens Support Services, Inc. (SCSSI) Sioux Douglas, President.
Project Team:	Marathon Development, Bellevue, WA., Developer, Northwind Architects, Juneau, AK., Architect, R & M Engineering, Juneau, AK., Civil, Structural & Geotechnical Engineer, Halvorson Construction, Kirkland, WA., General Contractor.
Project Contact:	Ted Johnson, President Marathon Development, Inc. 12600 SE 38 th Street, STE 210 Bellevue, WA 98006 (425) 233-6972 direct (425) 890-3420 cell tjohnson@marathondevel.com



CONCEPT SITE PLAN



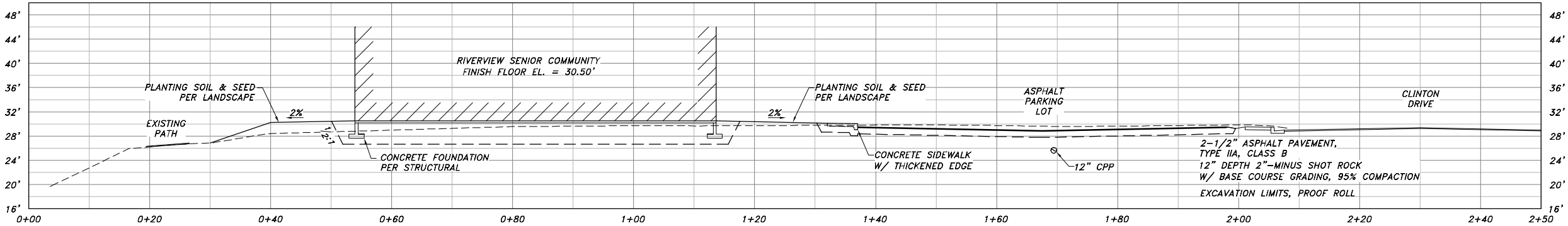
R & M ENGINEERING
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY Phone 907-780-6060
JUNEAU, AK. 99801 Fax 907-780-4611
rmengineering@rmjuneau.com

RIVERVIEW SENIOR COMMUNITY

CITY & BOROUGH OF JUNEAU, ALASKA

DATE:	MARCH 11, 2016
R&M NO.	16034JN
SHEET	C100

I:\2016\16034JN\Drawings\16034JN_Civil Site Plans.dwg PLOT: March 11, 2016 at 1:05pm JacobGraves



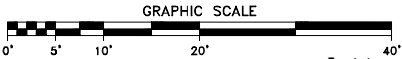
1 TYPICAL SECTION

E:\2016\16034\Drawings\16034.dwg Civil Site Plans.dwg PLOT: March 11, 2016 at 1:05pm JacobOraves

DESIGN	JMP
DRAWN	JAG
CHECK	JMP
APPROVED	JMP
FILE:	

No.	DATE	REVISION	BY	APPRD.

CONCEPT DESIGN
TYPICAL SECTION



R & M ENGINEERING
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY Phone 907-780-6060
JUNEAU, AK. 99801 Fax 907-780-4611
rmengineering@rmjuneau.com

RIVERVIEW SENIOR COMMUNITY

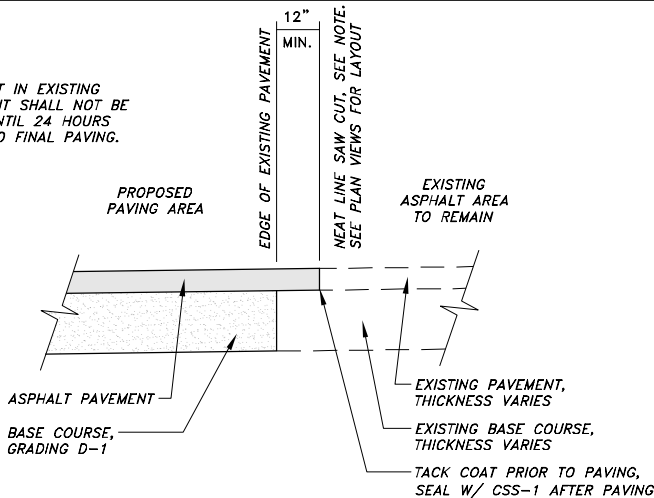
CITY & BOROUGH OF JUNEAU, ALASKA

DATE: MARCH 11, 2016
R&M NO. 16034JN
SHEET C200

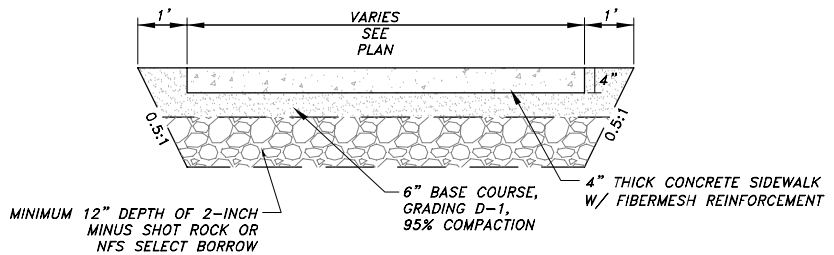
Attachment A - Application

NOTE:

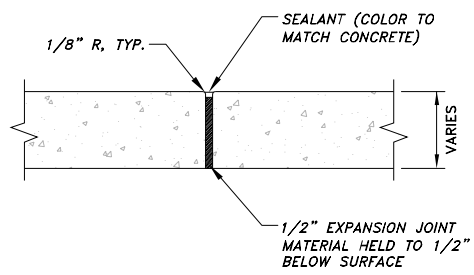
1. SAW CUT IN EXISTING PAVEMENT SHALL NOT BE MADE UNTIL 24 HOURS PRIOR TO FINAL PAVING.



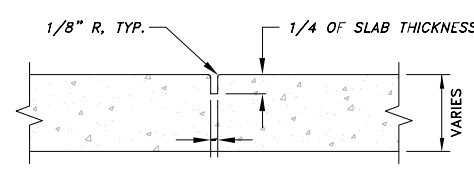
1 PAVEMENT MATCH JOINT DETAIL
N.T.S.



2 CONCRETE ENTRY SIDEWALK
N.T.S.



EXPANSION JOINT



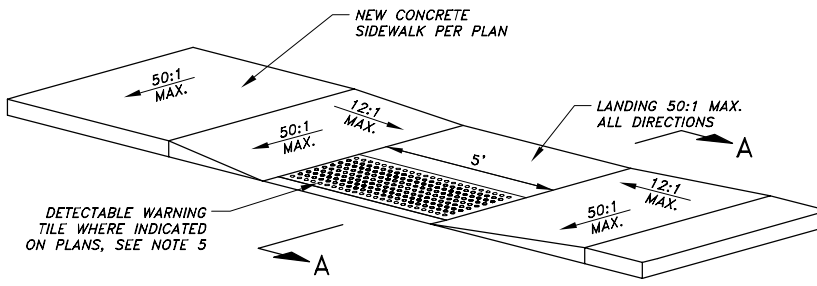
CONTROL JOINT

NOTES:

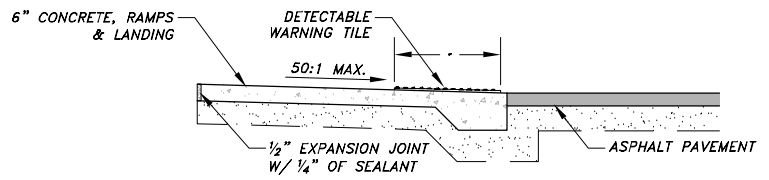
1. UNLESS OTHERWISE NOTED, CONTROL JOINTS SHALL OCCUR AT DISTANCES EQUAL TO THE WIDTH OF SIDEWALKS, WITH EXPANSION JOINTS NO FARTHER THAN 10 FEET APART.
2. UNLESS OTHERWISE NOTED, ALL CONCRETE FLATWORK TO BE OF LIGHT BROOM FINISH, WITH BROOM FINISH PATTERN RUNNING PERPENDICULAR TO FLOW OF TRAFFIC

3 EXPANSION AND CONTROL JOINTS
N.T.S.

NOTES:
1. RAMP RUNS AND ACCESS LANDINGS SHALL BE 3,000 PSI STRENGTH CONCRETE AT 28 DAYS.
2. RAMP RUN LENGTHS SHOWN PERTAIN TO 6" CURB HEIGHTS AND NO LONGITUDINAL SIDEWALK SLOPE. FOR OTHER HEIGHTS AND SLOPES, INCREASE OR DECREASE RUN LENGTHS TO MAINTAIN THE SLOPES SHOWN. IN CASES WHERE SIDEWALK SLOPE MAKES IT NECESSARY TO LENGTHEN A RAMP RUN TO AVOID EXCEEDING THE ALLOWABLE SLOPE, IT SHOULD NOT BE MADE LONGER THAN 15 FEET FOR A 6" CURB HEIGHT OR, IN GENERAL, 30 TIMES THE CURB HEIGHT. THE SLOPE RESULTING FROM THAT RUN LENGTH IS ACCEPTABLE, EVEN IF IT EXCEEDS THE MAXIMUM SLOPE SHOWN.
3. THE 12:1 AND 50:1 SLOPES SHOWN ARE THE STEEPEST SLOPES ALLOWED BY LAW (EXCEPT AS PROVIDED UNDER NOTE 2).
4. CONCRETE SHALL RECEIVE A COARSE BROOM FINISH RUNNING PERPENDICULAR TO THE CURB ON RAMP RUNS AND UPPER LANDINGS AND PARALLEL TO THE CURB ON LOWER LANDINGS.
5. INSTALL 24" WIDE BY 12" SAFETY YELLOW CAST-IN-PLACE COMPOSITE DETECTABLE WARNING TILES WITH TRUNCATED DOME DETECTABLE WARNING TEXTURE ON THE STREET SIDE EDGE OF LOWER LANDINGS AS SHOWN. DOMES SHALL BE IN A SQUARE PATTERN. ALIGN TRUNCATED DOME PATTERN IN THE PREDOMINANT DIRECTION OF WHEELCHAIR TRAVEL TO PERMIT WHEELS TO ROLL BETWEEN THE DOMES.



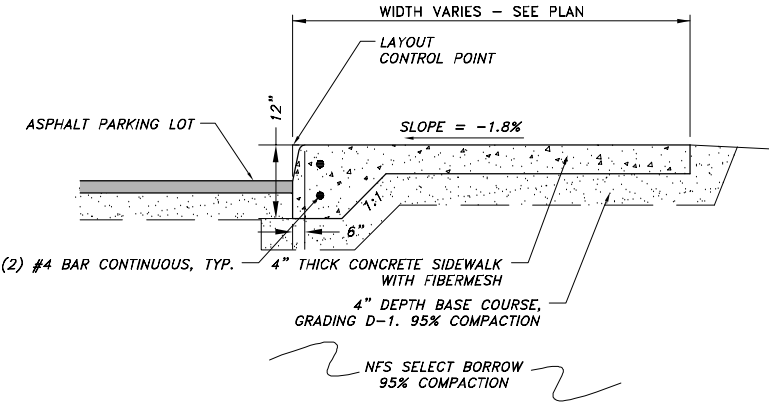
4 ACCESS CURB RAMP DETAIL
N.T.S.



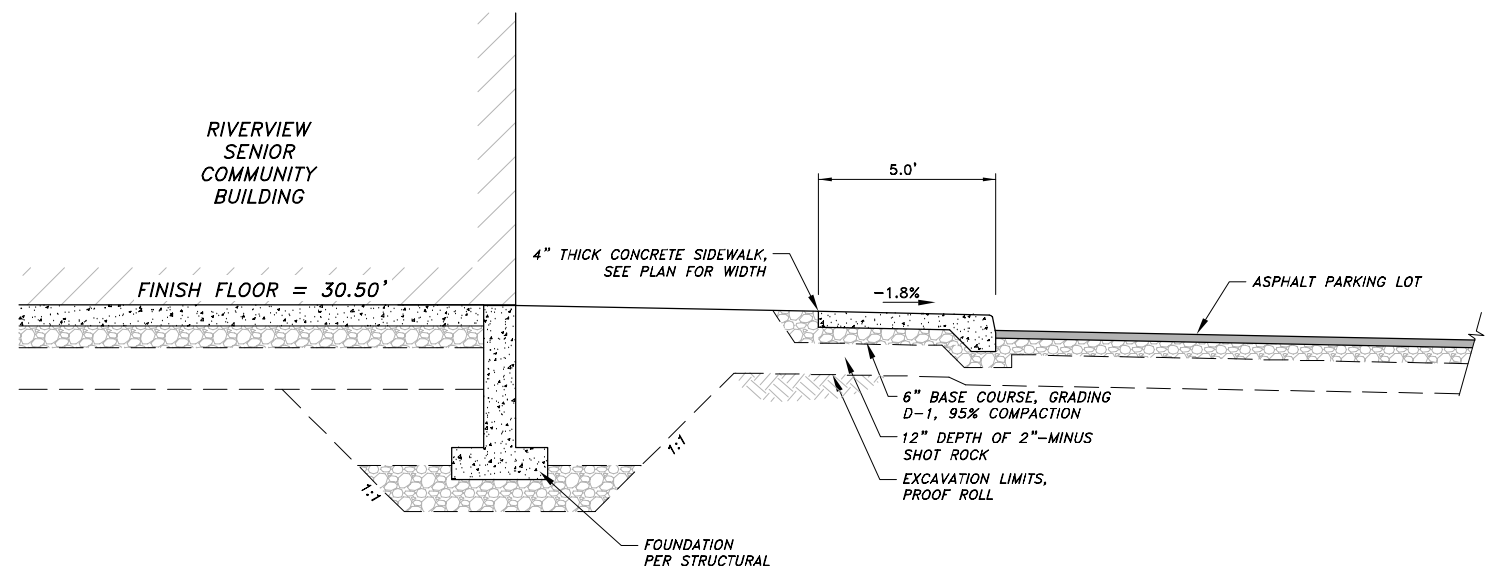
SECTION A-A

SIDEWALK NOTES:

1. ALL STEEL MUST HAVE A MINIMUM OF 2" OF CONCRETE COVER.
2. ALL JOINTS AND SEAMS SHALL BE EDGED.
3. EXPANSION JOINTS SHALL BE MAX. 1/2", MIN. 1/4", WITH NO GAPS FOR WATER INTRUSION. JOINTS SHALL BE MAX. 30' O.C.
4. STEEL TROWELING FINISH REQUIRED PRIOR TO LIGHT BROOM FINISHING ON ALL SURFACES PERPENDICULAR TO DIRECTION OF TRAVEL.
5. CONCRETE INTERNATIONAL CORPORATION ASHFORD FORMULA OR APPROVED EQUAL SHALL BE APPLIED AS A CURING COMPOUND. APPLICATION SHALL CONFORM TO THE MANUFACTURER'S RECOMMENDATIONS.



6 THICKENED EDGE SIDEWALK
N.T.S.



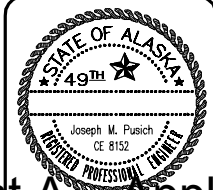
5 DOOR LANDING TYPICAL SECTION
N.T.S.

I:\2016\16034\Drawings\16034.dwg Plot: March 11, 2016 at 1:05pm JacobGraves

DESIGN	JMP
DRAWN	JAG
CHECK	JMP
APPROVED	JMP
FILE:	

No.	DATE	REVISION	BY	APRVD.

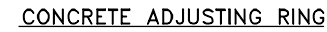
CONSTRUCTION DETAILS



R & M ENGINEERING
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY
JUNEAU, AK. 99801
Phone 907-780-6060
Fax 907-780-4611
rmengineering@rmjuneau.com

RIVERVIEW SENIOR COMMUNITY
CITY & BOROUGH OF JUNEAU, ALASKA

DATE: MARCH 11, 2016
R&M NO. 16034JN
SHEET C300



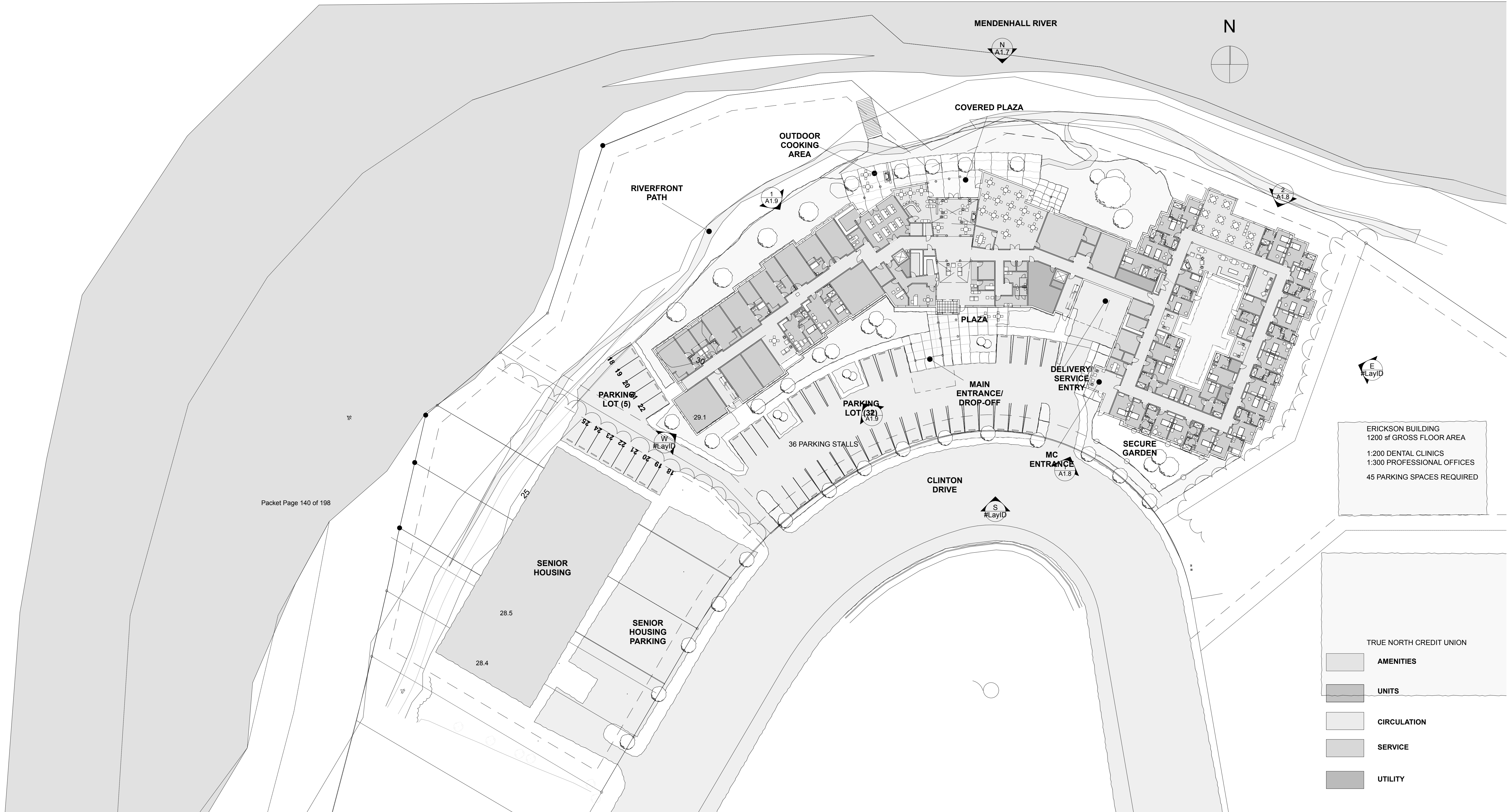
- 1 CATCH BASIN TYPE-IV
N.T.S.



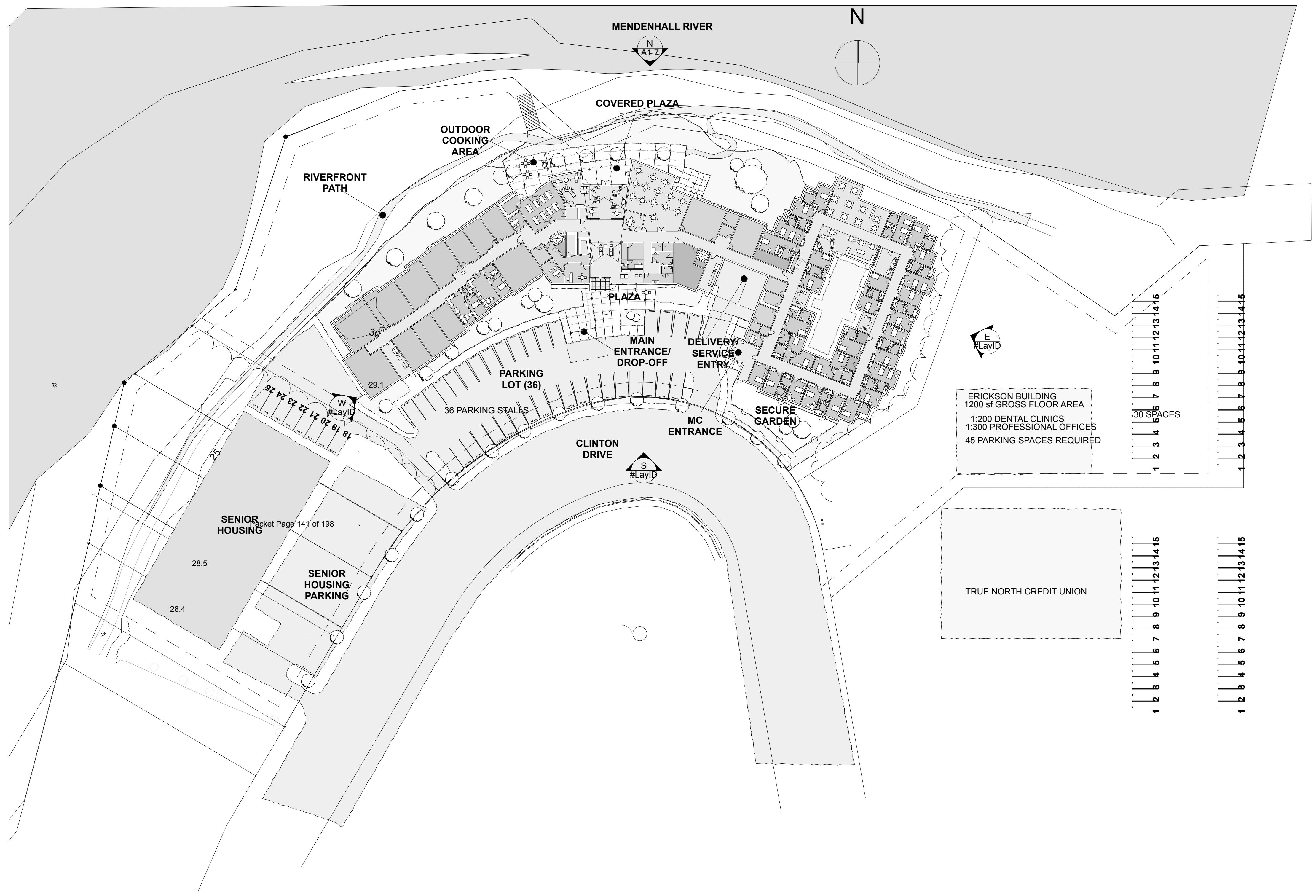
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DATE: MARCH 11, 2016
&M NO. 16034JN

SHEET C301



RIVERVIEW SENIOR COMMUNITY



PRELIMINARY 3-11-17 REVIEW

RIVERVIEW SENIOR COMMUNITY





1 SECOND FLOOR PLAN
SCALE: 1/16" = 1'-0"

- AMENITIES
- UNITS
- CIRCULATION
- SERVICE
- UTILITY

RIVERVIEW SENIOR COMMUNITY



1 THIRD FLOOR PLAN
SCALE: 1/16" = 1'-0"

- AMENITIES
- UNITS
- CIRCULATION
- SERVICE
- UTILITY

PRELIMINARY 3-11-17 REVIEW

RIVERVIEW
SENIOR COMMUNITY

Marathon Development, Inc.

LRS
ARCHITECTS

NorthWind
Architects, LLC



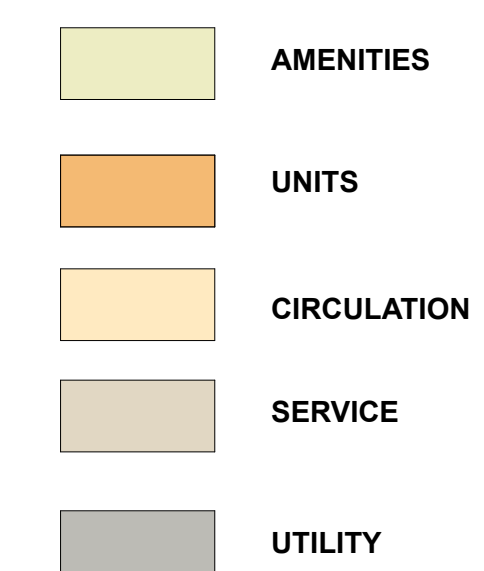
1 CENTER PROGRAMMING
SCALE: 3/32" = 1'-0"

PRELIMINARY 3-11-17 REVIEW

RIVERVIEW
SENIOR COMMUNITY



PRELIMINARY 3-11-17 REVIEW

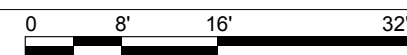


1 MEMORY CARE WING - GROUND FLOOR

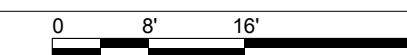
RIVERVIEW SENIOR COMMUNITY



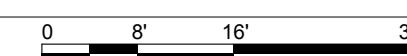
1 N NORTH ELEVATION
SCALE: 1/16" = 1'-0"



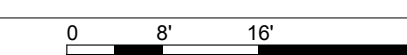
2 EAST ELEVATION
SCALE: 1/16" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"



- AMENITIES
- UNITS
- CIRCULATION
- SERVICE
- UTILITY

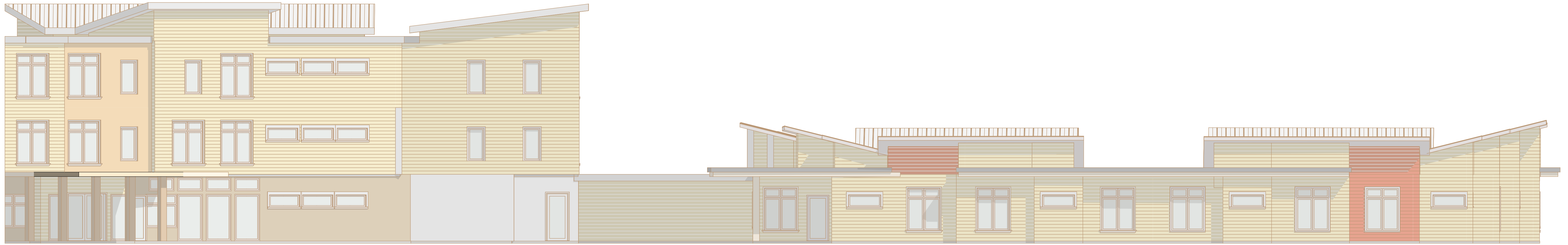
PRELIMINARY 3-11-17 REVIEW

RIVERVIEW
SENIOR COMMUNITY

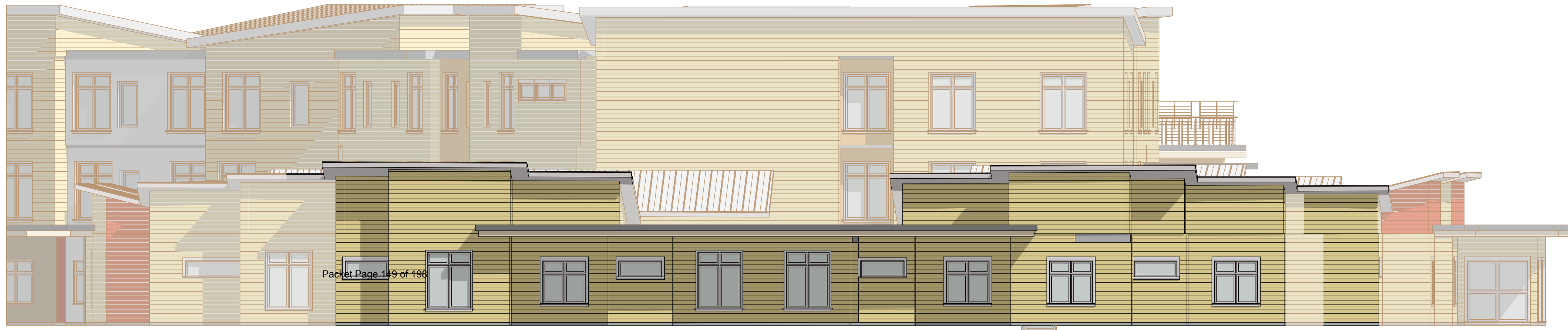
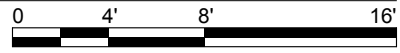
Marathon Development, Inc.

LRS
ARCHITECTS

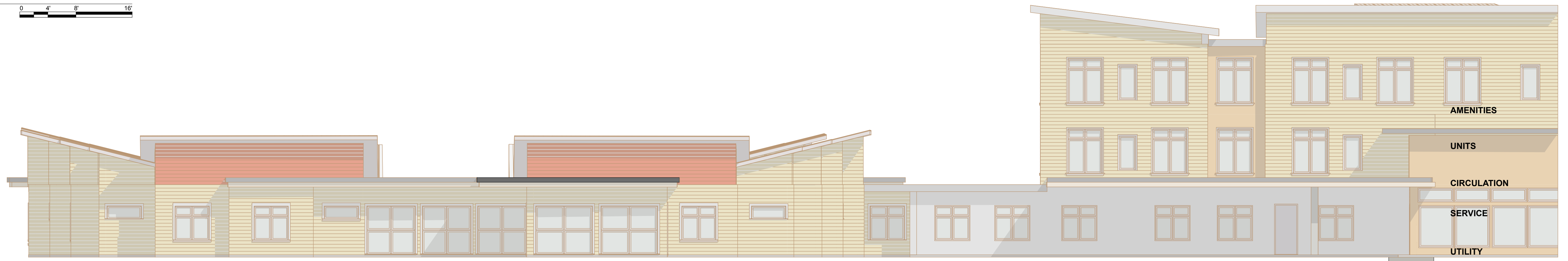
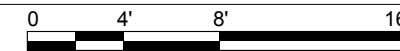
NorthWind
Architects, LLC



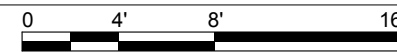
1 SOUTH ELEVATIONS - MEMORY CARE
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION - MEMORY CARE
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION - MEMORY CARE/CENTER PROGRAM
SCALE: 1/8" = 1'-0"

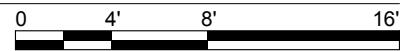


PRELIMINARY 3-11-17 REVIEW

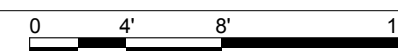
RIVERVIEW
SENIOR COMMUNITY



1 NORTH ELEVATION - ASSISTED LIVING/CENTER PROGRAM
 SCALE: 1/8" = 1'-0"



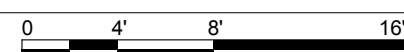
3 WEST ELEVATION - ASSISTED LIVING
 SCALE: 1/8" = 1'-0"



Packet Page 150 of 198



2 SOUTH ELEVATION - ASSISTED LIVING/CENTER PROGRAM
 SCALE: 1/8" = 1'-0"

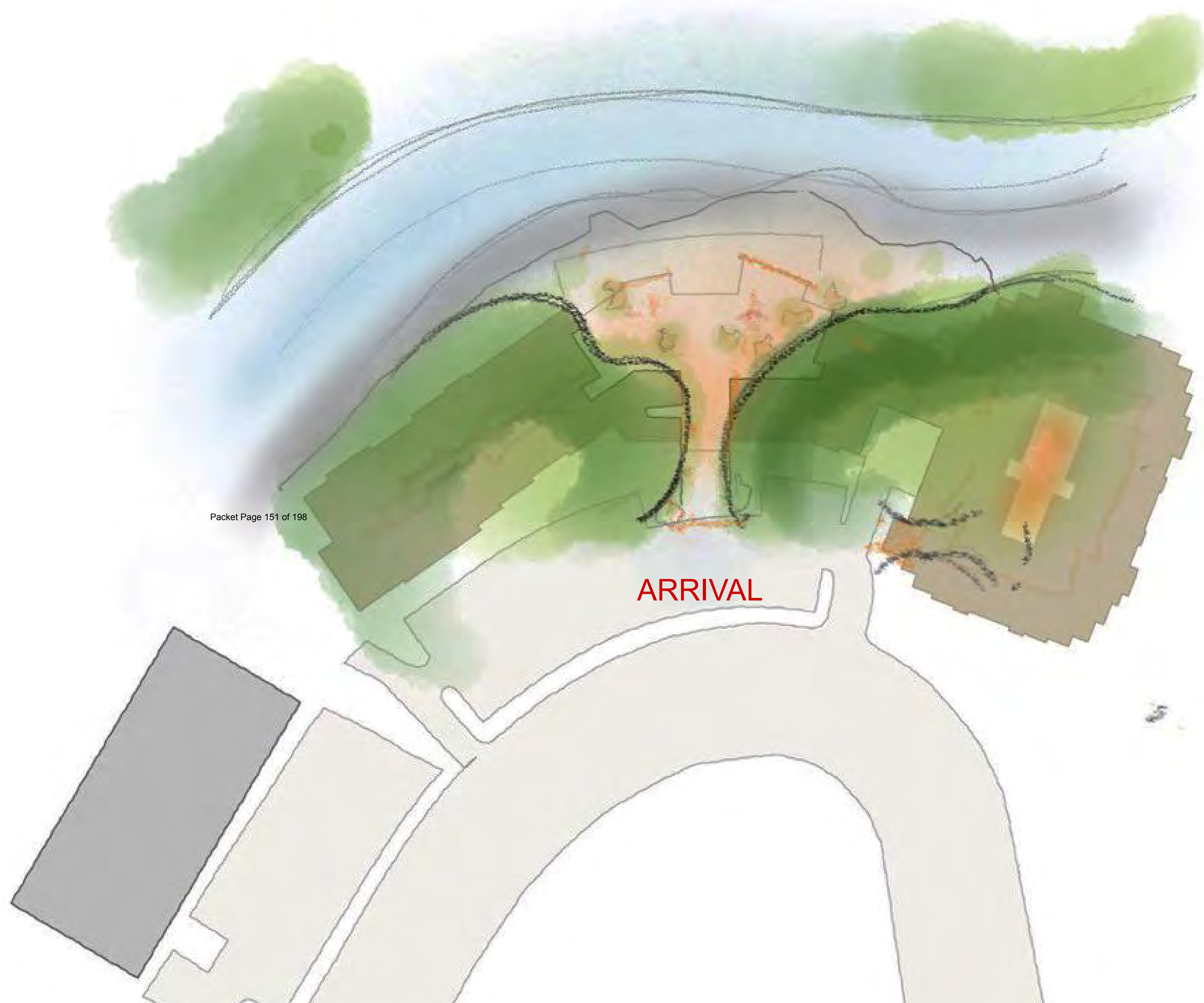


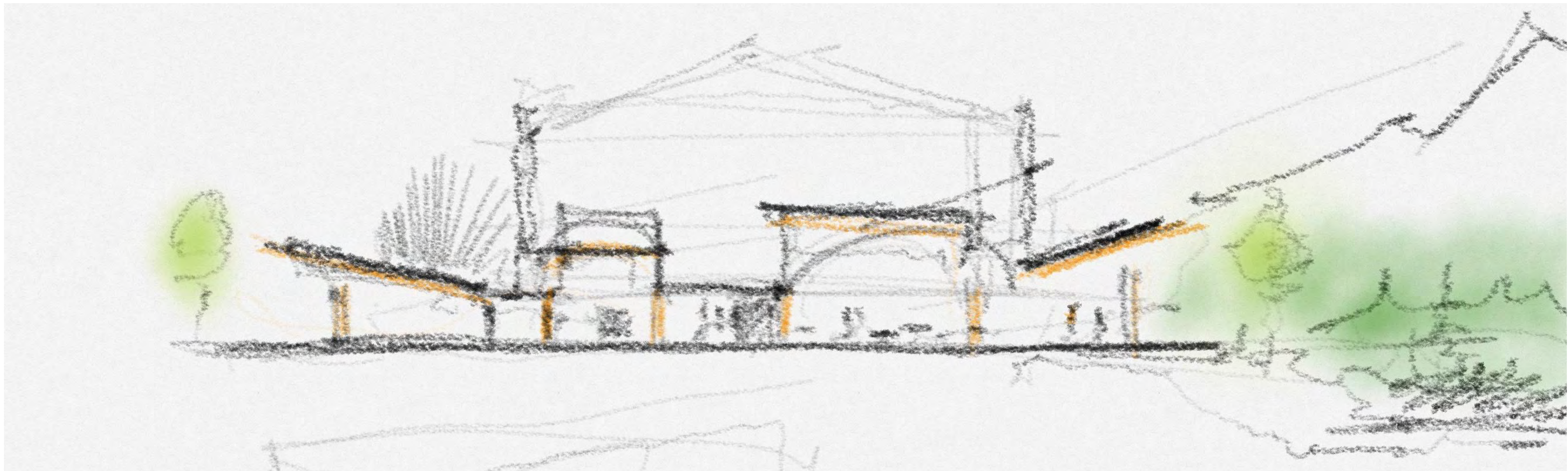
PRELIMINARY 3-11-17 REVIEW

RIVERVIEW
 SENIOR COMMUNITY



DISTANCE VIEW





1
Site Section
 SCALE: 1:1.28

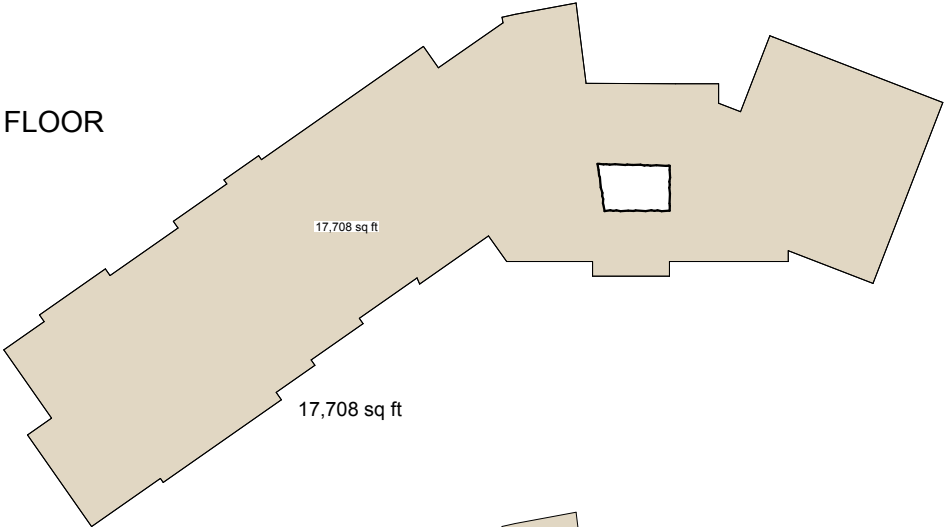
Packet Page 152 of 198

- AMENITIES
- UNITS
- CIRCULATION
- SERVICE
- UTILITY

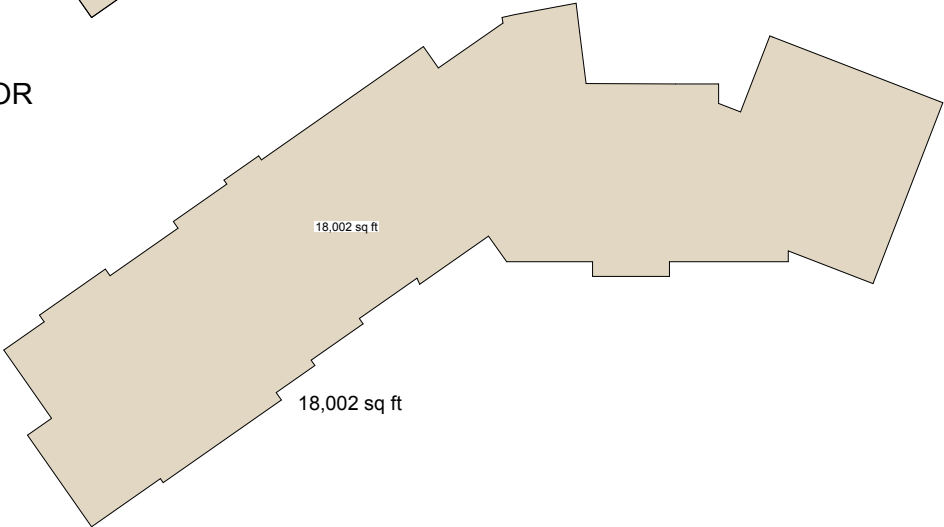
PRELIMINARY 3-11-17 REVIEW



GROUND FLOOR

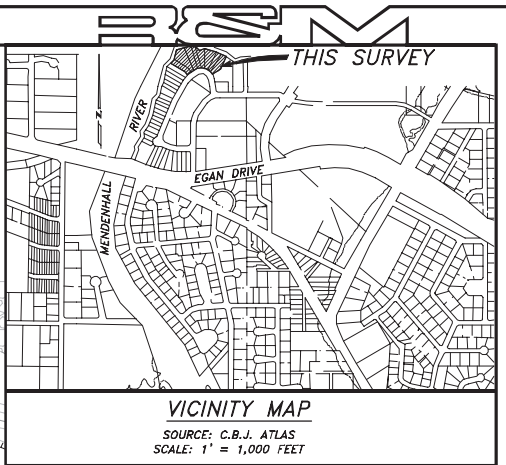
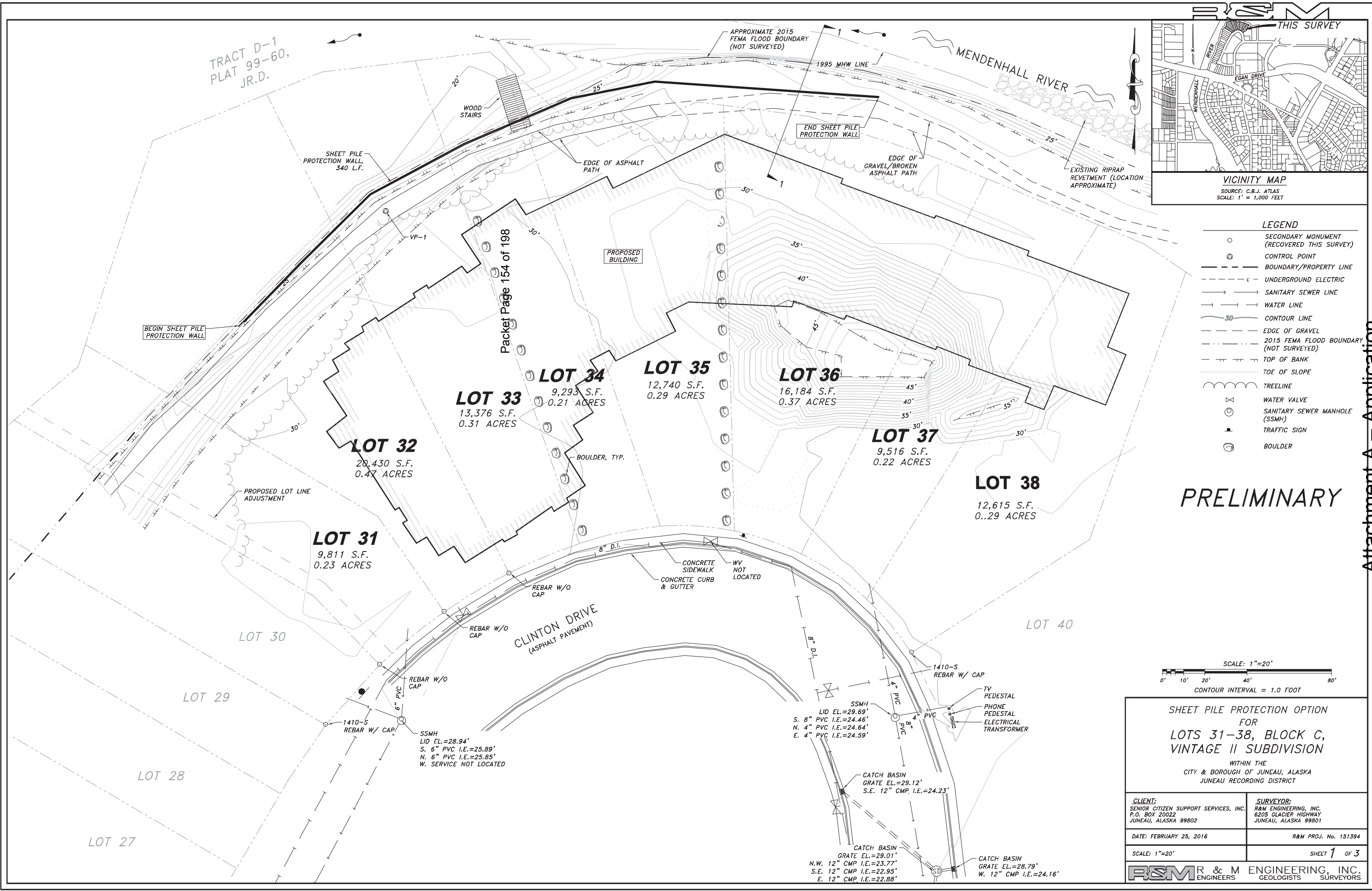


2ND FLOOR



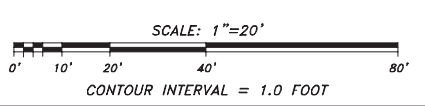
3RD FLOOR

1/1, 2015 151394, Site Plan.dwg PLOT: February 25, 2016 dt: 3:19pm



- LEGEND**
- SECONDARY MONUMENT (RECOVERED THIS SURVEY)
 - CONTROL POINT
 - BOUNDARY/PROPERTY LINE
 - - - - - UNDERGROUND ELECTRIC
 - → → SANITARY SEWER LINE
 - — — WATER LINE
 - 30' CONTOUR LINE
 - - - - - EDGE OF GRAVEL
 - - - - - 2015 FEMA FLOOD BOUNDARY (NOT SURVEYED)
 - - - - - TOP OF BANK
 - - - - - TOE OF SLOPE
 - ~ ~ ~ TREELINE
 - ⊗ WATER VALVE
 - ⊙ SANITARY SEWER MANHOLE (SSMH)
 - ▲ TRAFFIC SIGN
 - BOULDER

PRELIMINARY



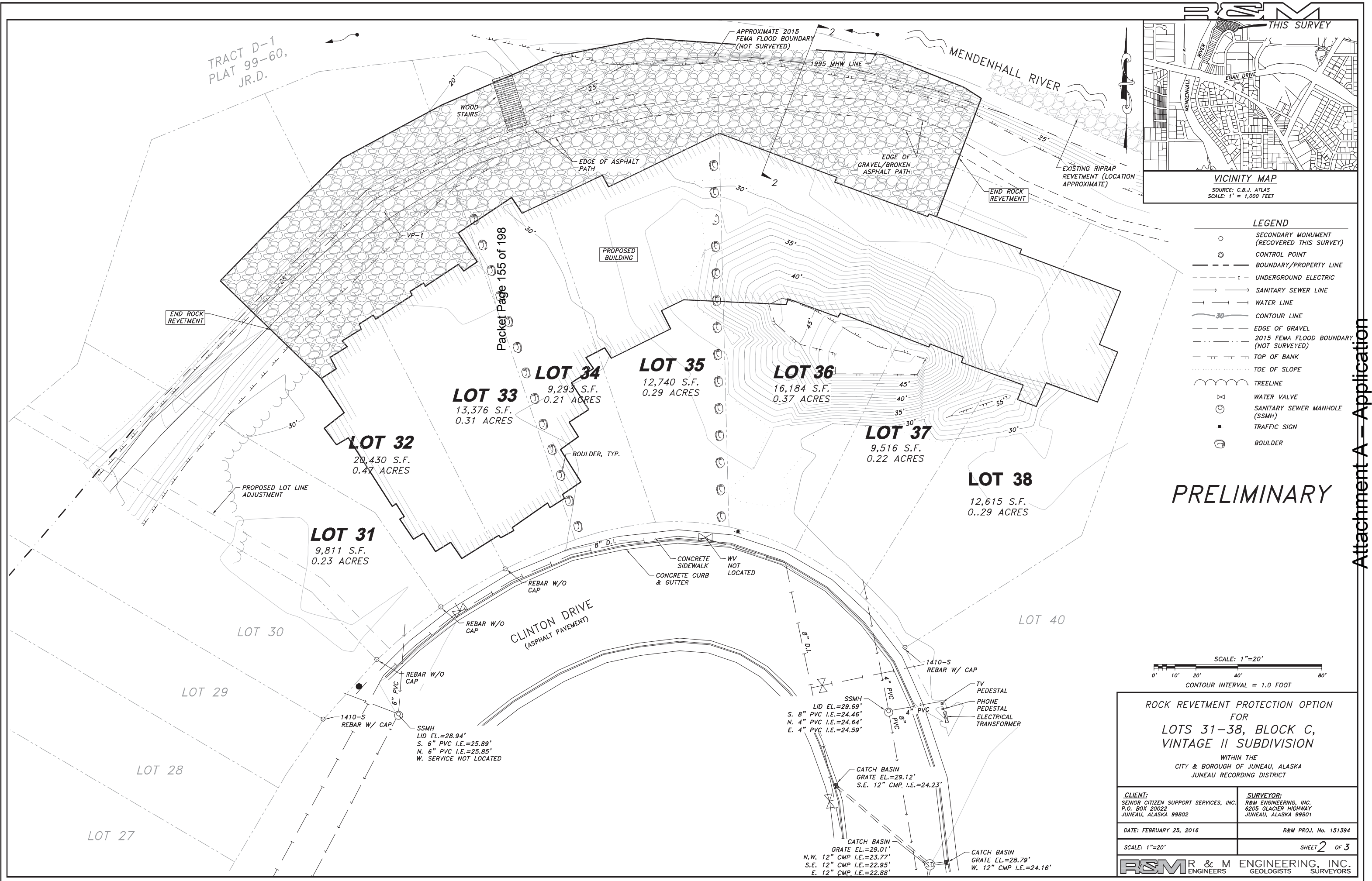
**SHEET PILE PROTECTION OPTION
FOR
LOTS 31-38, BLOCK C,
VINTAGE II SUBDIVISION**

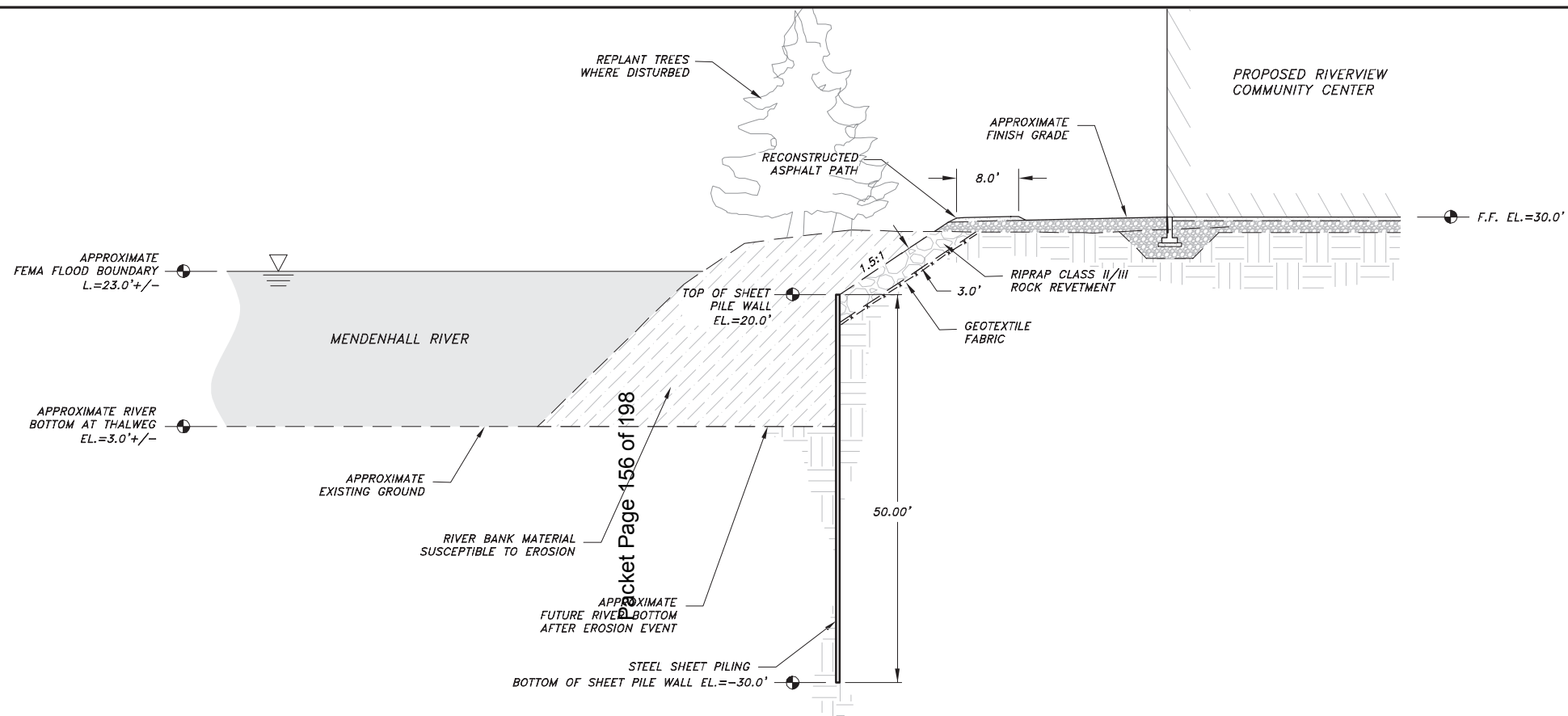
WITHIN THE
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

CLIENT: SENIOR CITIZEN SUPPORT SERVICES, INC. P.O. BOX 20022 JUNEAU, ALASKA 99802	SURVEYOR: R&M ENGINEERING, INC. 6205 GLACIER HIGHWAY JUNEAU, ALASKA 99801
DATE: FEBRUARY 25, 2016	R&M PROJ. No. 151394
SCALE: 1"=20'	SHEET 1 OF 3

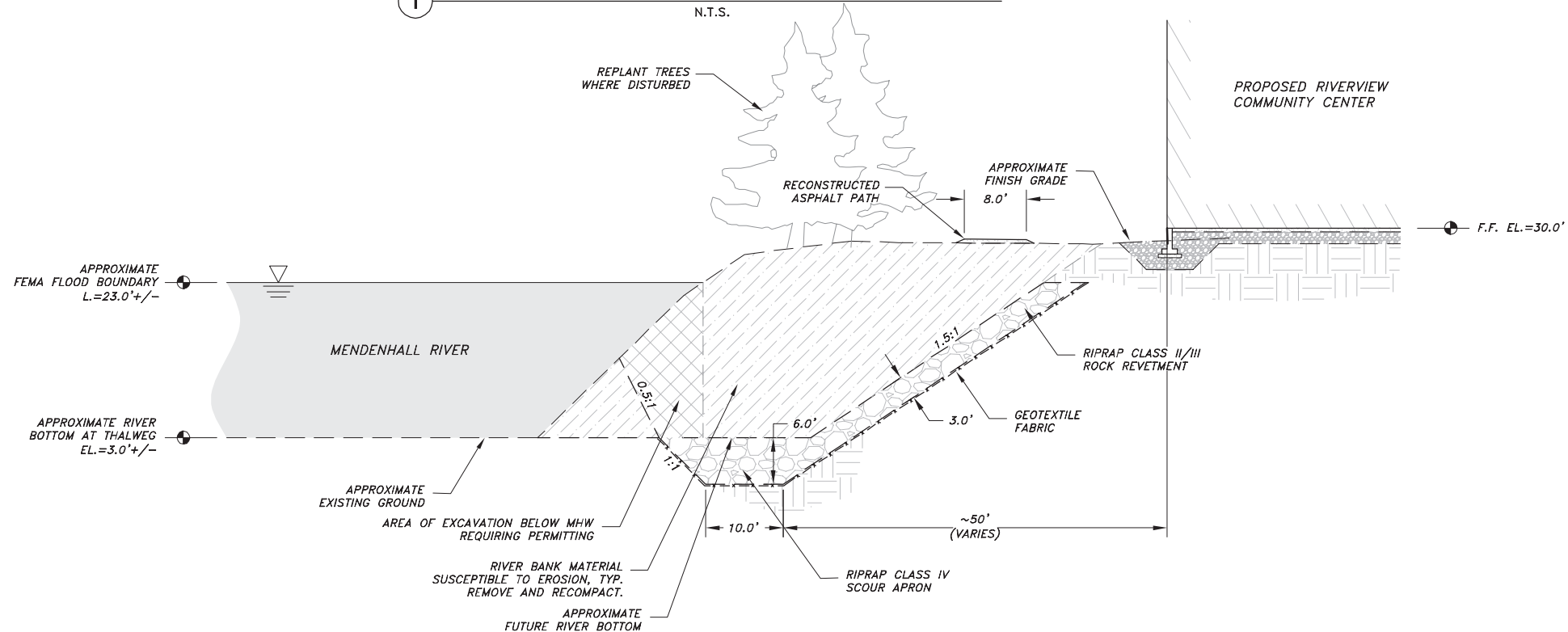
R&M ENGINEERS **R & M ENGINEERING, INC.**
ENGINEERS GEOLOGISTS SURVEYORS

Attachment A - Application





1 SHEET PILING - TYPICAL SECTION
N.T.S.



2 ROCK REVETMENT - TYPICAL SECTION
N.T.S.

BANK PROTECTION TYPICAL SECTIONS
FOR
LOTS 31-38, BLOCK C,
VINTAGE II SUBDIVISION
WITHIN THE
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

CLIENT: SENIOR CITIZEN SUPPORT SERVICES, INC. P.O. BOX 20022 JUNEAU, ALASKA 99802	SURVEYOR: R&M ENGINEERING, INC. 6205 GLACIER HIGHWAY JUNEAU, ALASKA 99801
---	---

DATE: FEBRUARY 25, 2016	R&M PROJ. No. 151394
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SCALE: 1"=20'	SHEET 3 OF 3
---------------	--------------

R&M R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS



**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: April 12, 2016

File No.: AME2016 0008

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Application For: Planning Commission Recommendation to the City and Borough Assembly regarding a Rezone Request for 14 lots, 4.19 acres, in the Vintage Park neighborhood from LC - Light Commercial to MU - Mixed-Use.

Legal Description: Vintage II, Block C, Lots 26 through 38, and 40A

Property Address: Lots on Clinton Drive and 2797 Postal Way

Hearing Date: April 12th, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 14th, 2016, and recommended that the City and Borough Assembly adopt staff's recommendation for approval of the Rezone Request for 14 lots, 4.19 acres, in the Vintage Park neighborhood from LC - Light Commercial to MU - Mixed-Use.

Attachments: March 14, 2016 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding AME2016 0008.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020 (b).

Project Planner: Jonathan Lange
Jonathan Lange, Planner
Community Development Department

Ben Haight
Ben Haight, Chair
Planning Commission

Elizabeth M. Evers
Filed With City Clerk

4/18/2016
Date

cc: Plan Review

Attachment B – AME2016-08 NOR

155 So. Seward Street, Juneau, Alaska 99801-1397

City and Borough of Juneau Assembly

File No.: AME2016 0008

April 12, 2016

Page 2 of 2

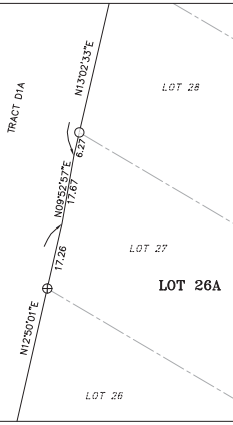
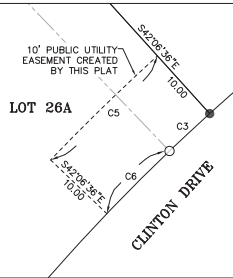
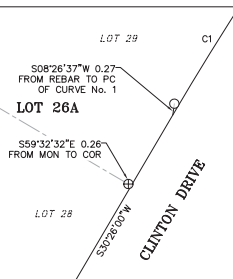
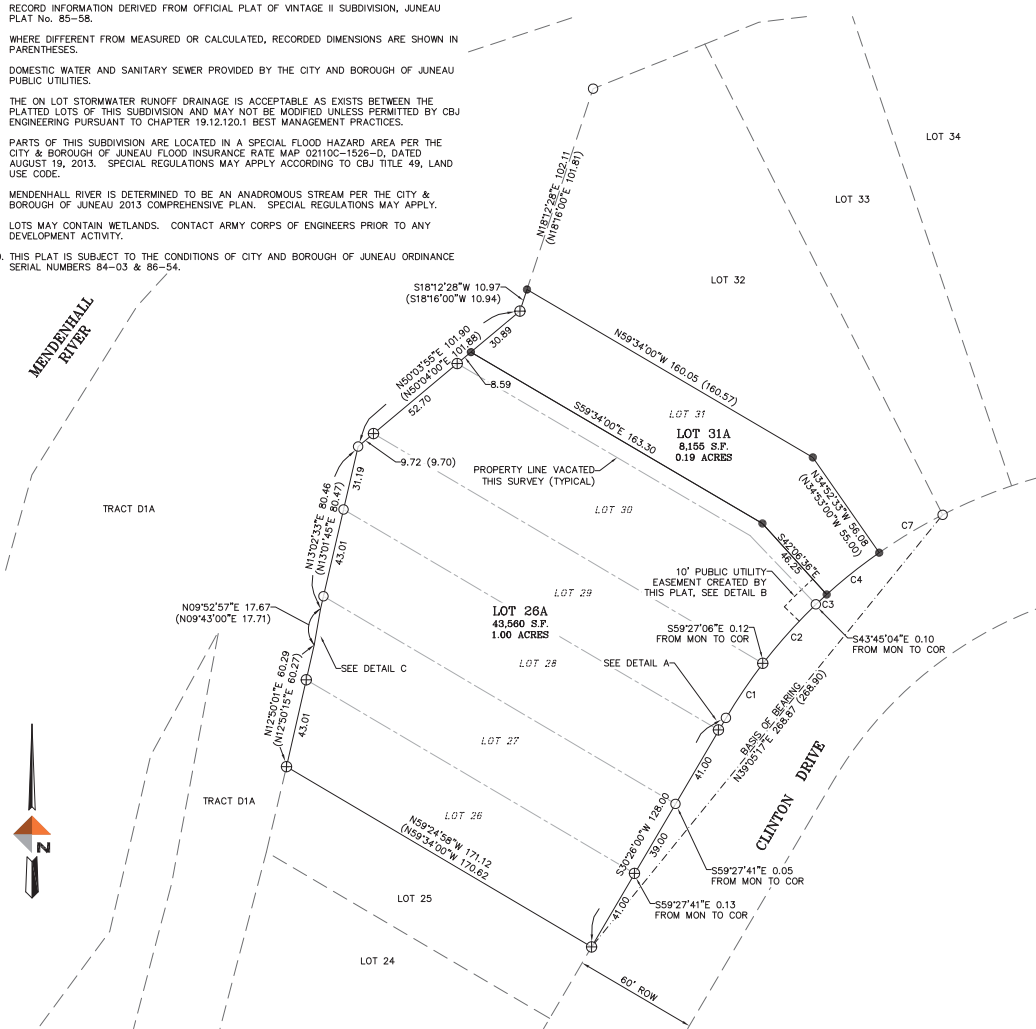
NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the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

NOTES

1. THIS SURVEY CLOSES WITHIN A LIMIT OF ERROR OF ONE FOOT IN 10,000 FEET AS REQUIRED BY TITLE 49.15.452.
2. ALL DISTANCES ARE MEASURED IN U.S. SURVEY FEET.
3. RECORD INFORMATION DERIVED FROM OFFICIAL PLAT OF VINTAGE II SUBDIVISION, JUNEAU PLAT No. 85-58.
4. WHERE DIFFERENT FROM MEASURED OR CALCULATED, RECORDED DIMENSIONS ARE SHOWN IN PARENTHESES.
5. DOMESTIC WATER AND SANITARY SEWER PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES.
6. THE ON LOT STORMWATER RUNOFF DRAINAGE IS ACCEPTABLE AS EXISTS BETWEEN THE PLATTED LOTS OF THIS SUBDIVISION AND MAY NOT BE MODIFIED UNLESS PERMITTED BY CBJ ENGINEERING PURSUANT TO CHAPTER 19.12.120.1 BEST MANAGEMENT PRACTICES.
7. PARTS OF THIS SUBDIVISION ARE LOCATED IN A SPECIAL FLOOD HAZARD AREA PER THE CITY & BOROUGH OF JUNEAU FLOOD INSURANCE RATE MAP 02110C-1526-D, DATED AUGUST 19, 2013. SPECIAL REGULATIONS MAY APPLY ACCORDING TO CBJ TITLE 49, LAND USE CODE.
8. MENDENHALL RIVER IS DETERMINED TO BE AN ANADROMOUS STREAM PER THE CITY & BOROUGH OF JUNEAU 2013 COMPREHENSIVE PLAN. SPECIAL REGULATIONS MAY APPLY.
9. LOTS MAY CONTAIN WETLANDS. CONTACT ARMY CORPS OF ENGINEERS PRIOR TO ANY DEVELOPMENT ACTIVITY.
10. THIS PLAT IS SUBJECT TO THE CONDITIONS OF CITY AND BOROUGH OF JUNEAU ORDINANCE SERIAL NUMBERS 84-03 & 86-54.

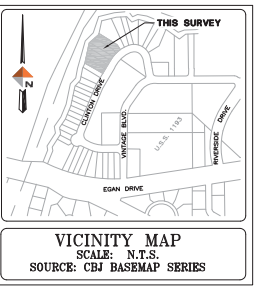
BASIS OF BEARING

THE BASIS OF BEARING FOR THIS PLAT IS THE CALCULATED RECORD BEARING OF N39°05'17"E BETWEEN FOUND SECONDARY PROPERTY CORNER MONUMENTS LOCATED AT THE EAST CORNER OF LOT 25 AND THE SOUTH CORNER OF LOT 33, VINTAGE II SUBDIVISION, JUNEAU PLAT No. 85-58 RECORDED MAY 5TH, 1985.



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 } ss.
FIRST JUDICIAL DISTRICT }

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2016, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED WILLIAM JAMES BAUER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED. WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

CURVE TABLE

CURVE No.	DELTA	RADIUS	LENGTH	CHORD BEARING & DISTANCE
1	07°12'13"	255.00	32.06	S34°02'07"W 32.04
2	08°36'44"	255.00	38.33	S41°56'35"W 38.29
3	01°58'51"	255.00	7.06	S47°02'29"W 7.05
4	07°17'24"	255.00	32.44	NS1°28'45"E 32.42
5	04°08'47"	265.00	19.18	S45°45'47"W 19.17
6	2°33'33"	255.00	11.39	S44°58'10"W 11.39
7	08°01'47"	255.00	35.74	N59°08'21"E 35.71



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:
CLERK
CITY AND BOROUGH OF JUNEAU

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

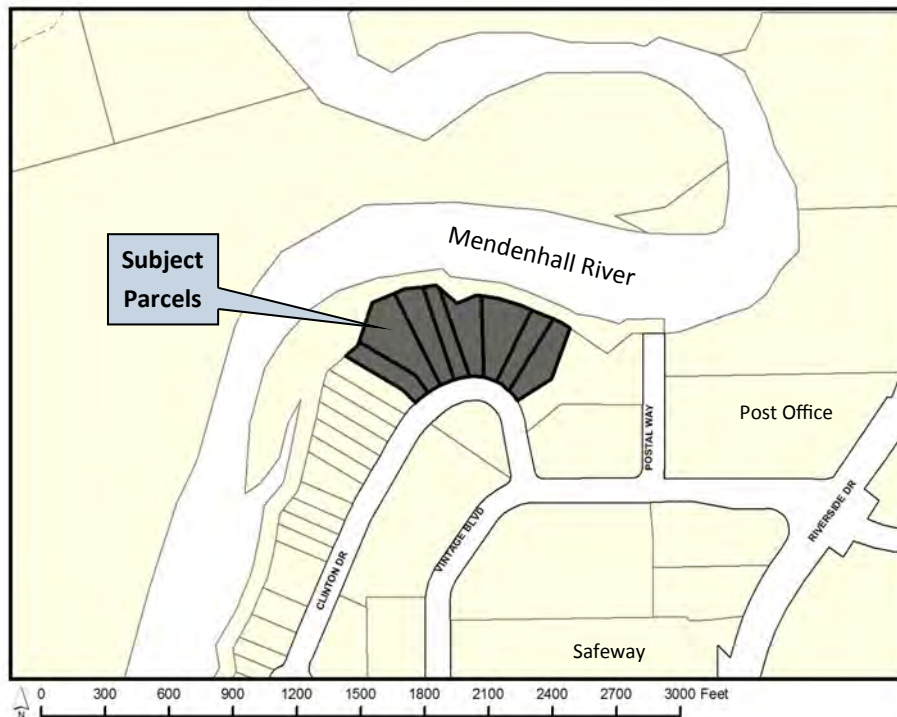
DOWL
CIVIL ENGINEERING—LAND SURVEYING—CONSTRUCTION MANAGEMENT
5368 COMMERCIAL BOULEVARD
JUNEAU ALASKA 99801 907-780-3533

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



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Conditional Use Permit for an Assisted Living Facility.

File No:	USE2016 0015	Applicant:	MARATHON DEVELOPMENT INC
To:	Adjacent Property Owners	Property PCNs:	5-B16-0-144-031-0, -032-0, -033-0, -034-0, -035-0, -036-0, -037-0, -038-0
Hearing Date:	June 28, 2016	Owner:	WILLIAM BAUER LIVING TRUST
Hearing Time:	7:00 PM	Size:	Approximately 2.5 acres
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	Mixed Use (MU)
		Site Address:	Clinton Drive
		Accessed Via:	Clinton Drive

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>

Date notice was printed: May 25, 2016



Community Development

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

PLANNING COMMISSION NOTICE OF DECISION

Date: June 30, 2016

File No.: USE2016 0015

Marathon Development, Inc
12600 SE 38th Street, Suite 210
Bellevue, WA 98006

Proposal: Conditional Use Permit for an Assisted Living Facility
Legal Description: Vintage II Block C Lot 31, 32, 33, 34, 35, 36, 37, 38
Property Address: 3039 Clinton Drive
Parcel Code No.: 5-B16-0-144-031-0; 5-B16-0-144-032-0; 5-B16-0-144-033-0;
5-B16-0-144-034-0; 5-B16-0-144-035-0; 5-B16-0-144-036-0;
5-B16-0-144-037-0; 5-B16-0-144-038-0;
Hearing Date: June 28, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 14, 2016, and approved the Riverview Senior Community assisted living facility to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Director of Community Development, according to the requirements at CBJ 49.40.230(d).
2. The lots will be consolidated into one lot, including Lot 31A.
3. All runoff from outside the paved areas, including roof drains, will be directed to the Mendenhall River drainage system.
4. Stormwater run-off within the paved areas will be collected and directed into an oil/water separator immediately prior to connecting into the Clinton Drive existing storm drain system.
5. A 12" CPP will be allowed from the oil/water separator to the catch basin in Clinton Drive.

6. The catch basin in Clinton Drive will be replaced prior to the project connection.

7. The river bank will be restored and vegetated, if needed.

Attachments: June 14, 2016, memorandum from Jill Maclean, Senior Planner, Community Development, to the CBJ Planning Commission regarding USE2016 0015.

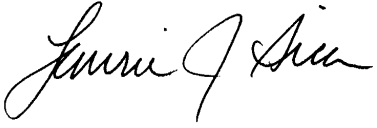
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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

Effective Date: The permit is effective upon approval by the Commission, June 28, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or December 28, 2017, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:  
 Jill Maclean, Senior Planner
 Community Development Department
 Paul Voelckers, Vice Chair
 Planning Commission

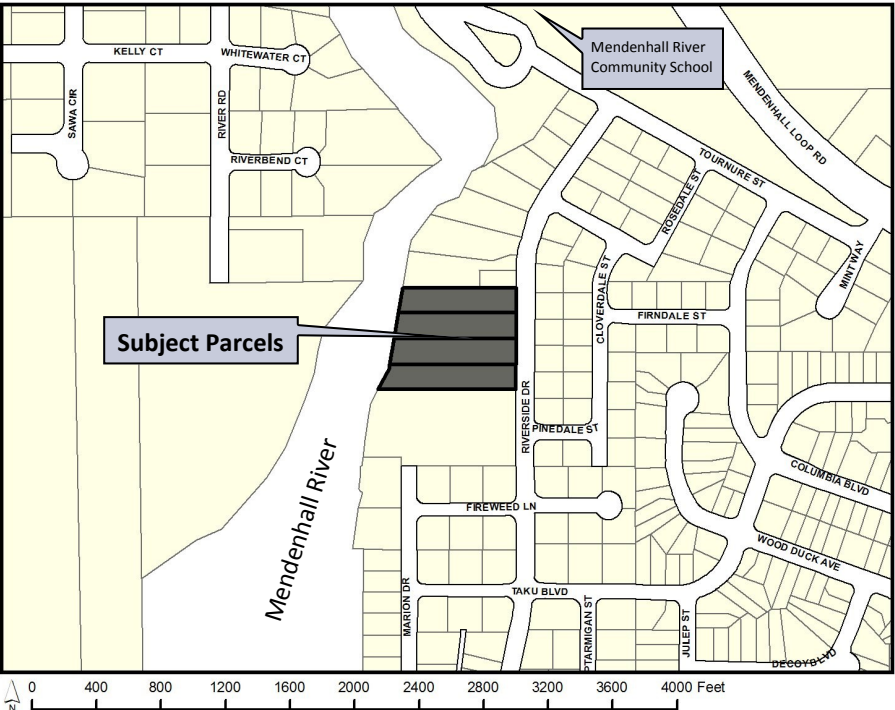
 July 11, 2016
 Filed With City Clerk Date

cc: Plan Review

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



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 a multifamily condominium development.

File No:	USE2016 0018	Applicant:	JUNEAU CONDOS LLC
To:	Adjacent Property Owners	Property PCNs:	5-B25-0-151-007-0, 5-B25-0-151-006-0, 5-B25-0-151-005-0, 5-B25-0-151-004-0
Hearing Date:	June 28, 2016	Owner:	Juneau Condos LLC
Hearing Time:	7:00 PM	Size:	3.04 Acres (132,461 square feet)
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	D-15
		Site Address:	Lots 9, 10, 11, & 12 Riverview Acres
		Accessed Via:	Riverside Drive

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 Eric Feldt at eric.feldt@juneau.org or 586-0764



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

DATE: June 16, 2016

TO: Planning Commission

FROM: Eric Feldt, Planner, AICP, CFM
Community Development Department

FILE NO.: USE2016 0018

PROPOSAL: A Conditional Use Permit for a multifamily development.

GENERAL INFORMATION

Applicant: Juneau Condos LLC
Property Owner: Juneau Condos LLC
Property Address: N/A (Vacant property)
Legal Description: Riverview Acres Lots 9, 10, 11, and 12
Parcel Code Number: 5-B25-0-151-007-0, 5-B25-0-151-006-0, 5-B25-0-151-005-0, and 5-B25-0-151-004-0

Site Sizes: Total: 3.04 Acres (132,461 square feet)
Lot 9 = 0.71 Acres (31,102 Square Feet)
Lot 10 = 0.74 Acres (32,286 Square Feet)
Lot 11 = 0.77 Acres (33,652 Square Feet)
Lot 12 = 0.81 Acres (35,421 Square Feet)

Comprehensive Plan Future Land Use Designation: Medium Density Residential (MDR)

Zoning: D-15
Utilities: City Water & Sewer
Access: Riverside Drive

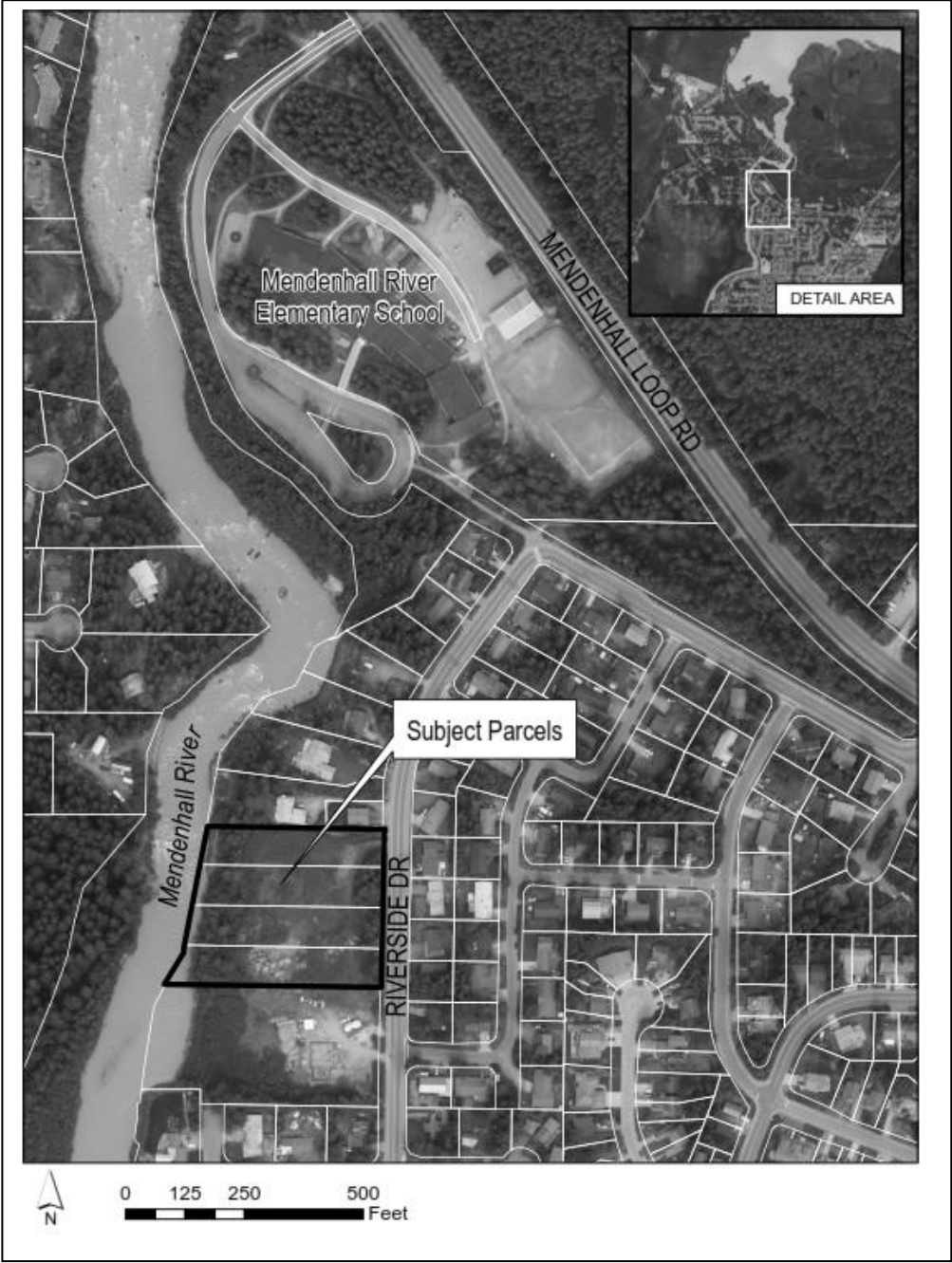
Existing Land Use: Vacant

Surrounding Land Use:

North	- Two-unit Dwelling; D-15; Riverside Dr.
South	- Bethany Baptist Church; D-15; Riverside Dr.
East	- Single Family home; D-15; Riverside Dr.
West	- Mendenhall River; Vacant CBJ land

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Vicinity Map



Planning Commission
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ATTACHMENTS

Attachment A - Project Narrative
Attachment B - Site Plans
Attachment C - Building Plans
Attachment D - Buffer Area Locations
Attachment E - Subdivision Plat
Attachment F - Bresee St. Condo Pictures
Attachment G - Public Comment
Attachment H - Density Bonus Plan
Attachment I - Public Notice

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to allow a condominium development along the north end of Riverside Drive in the Mendenhall Valley in the D-15 zoning district. If approved, the applicant can construct 46 units. However, the applicant is also seeking a density bonus to allow a maximum of 51 units, an increase of five units. Further, the applicant will also file a minor subdivision permit to consolidate the four lots into one lot. The project narrative is provided in Attachment A, site plans are provided in Attachment B, and building plans are provided in Attachment C.

BACKGROUND

The project area involves Lots 9, 10, 11, and 12 of Riverview Acres. These are the remaining vacant lots along the west and north end of Riverside Drive. The lots were platted in 1977. The plat is provided in Attachment E. The applicant recently purchased the lots in anticipation of building the subject project.

ANALYSIS

Project Site

As indicated earlier, the site comprises four vacant lots along the east bank of the Mendenhall River. All lots front on Riverside Drive. All lots are relatively flat. There are groupings of trees along the riverbank and street sides, while the middle section consists of grasses and low-lying bushes. There is one existing driveway on the site, located on Lot 9.

The site is located along the Mendenhall River where recent record flooding has occurred. The property was not flooded during those events. The applicant has indicated a desire to armor the bank sometime in the future to lessen any erosion. Furthermore, the mapped 100-year and 500-year flood risk areas are mostly contained within the banks of the river. The floodway

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shown on the subdivision plat is outdated and has been superseded by the current flood map. None of the developed areas will be in the high risk flood zone.

Project Design

The project consists of eight, 3-story condominium buildings. All buildings will look the same and will each contain six units; each unit consisting of two bedrooms, two bathrooms, living and dining rooms, balconies/ porches, and carports. Each unit will have independent exterior access, some accessible via exterior stairs while other units will be at ground level.

The developer recently constructed a similar condominium project at 3235 Bresee Street. The proposed project will look very similar to that project. Pictures of the condominiums at Bresee Street are provided in Attachment F.

Four buildings will be located near and face Riverside Drive, while the other four will be close to and face the Mendenhall River. A surface parking lot will be provided in the middle of the site. This site layout can be seen in the attached site plans (Attachment B). The building's exterior views and floor plans are provided in Attachment C. Except for Building H, all buildings have six dwelling units. Building H will only have four units because the buildings are prebuilt and the maximum allowed dwelling units leaves one building (Building H) containing four units. Because of this, the applicant will provide common rooms in Building H for the condominium association. However, if the applicant's density bonus is approved, the applicant can have 51 units and Building H will consist of six units (the same as the other buildings). If the bonus is denied but the subject Conditional Use permit is approved, the applicant can only have 46 units and Building H will consist of only four units. Staff's review supports the density bonus, which is explained in detail on page 11.

The D-15 zoning district allows up to 15 dwelling units per acre. The surrounding D-15 zoned area is developed primarily with single family houses and duplexes. The D-15 district permits multifamily dwellings, which the project is considered. As stated earlier, the project area consists of four parcels with a combined size of 3.04 acres. Therefore, a maximum of 46 units, rounded up from 45.6, is allowed for the project. The applicant is seeking a density bonus to allow a total of 51 units. The density bonus increases the overall density from 15 units/ acre to 16.77 units/ acre.

The yard setbacks of the D-15 district are detailed below. The density bonus will not change the D-15 yard setbacks. Yard setbacks require buildings to be set back from a specific property line. The applicant's site plan (Attachment B) shows all setback lines.

Yard Setbacks

- Front (Riverside Drive ROW line): 20 feet
- Both Sides (North & South): 5 feet

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- Rear: 20 feet [This is superseded by the 50-foot streamside setback from Mendenhall River (Anadromous Stream)]

The maximum allowed building height in the D-15 zoning district is 35 feet. This allows for a typical three-story building. On a gabled or pitched roof, the height is measured from grade up to the midpoint of the roof line. Therefore, the tip of the gable can be taller than 35 feet (49.25.420). All of the proposed buildings will have a roof midpoint height of 35 feet, and a gable tip height of 38 feet. Therefore, all buildings comply with the maximum allowed height.

The D-15 district requires a minimum of 30% of the property to be maintained as vegetative cover, such as grass, trees, bushes, or other live vegetation. The applicant's submitted vegetative plan (Attachment B) shows a total of 49% of the site to be held as vegetation. Therefore, the project meets this requirement. The applicant's density bonus increases the vegetative cover from 30% (39,726 square feet) to 45% (59,590 square feet). The applicant's plan meets this requirement. Staff recommends as a condition of approval that prior to issuance of a Certificate of Occupancy of the last dwelling unit, the applicant coordinate with CDD staff for a site inspection to verify that the vegetative cover requirement is met. Another recommended condition of approval is to ensure maintenance of the vegetative cover.

The applicant will provide minimal exterior lighting to minimize off-site glare. The only planned exterior lighting at this time is ceiling lights in the carports. The applicant says there will be no lighting in the parking lot, because it would interfere with snow plowing and is not needed. If the applicant does install lighting on the buildings or in the parking lot, it shall be a downward directed light fixture. Staff recommends as a condition of approval 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 and located to minimize offsite glare.

Traffic

Vehicular

Cars will access the site through a new driveway (see Attachment B). The existing driveway will be abandoned. The new driveway will be located in the middle of the site to provide efficient site circulation to all buildings. Locating the driveway in the middle of the site will cause it to be in line with an existing vegetated retaining wall along the east side of Riverside Drive. Coincidentally, vehicle headlights will be blocked by this wall and minimize headlight nuisance towards the adjacent homes. A photo of this wall is provided in Figure 1. Since this retaining wall and vegetation is located on private property, the homeowner may preserve or enhance it.

The proposal of 46 two-bedroom units has a forecasted vehicle trip volume of 267 average daily trips (ADT). If the density bonus is approved, the applicant's 51 unit count increases the ADT to 296. This was calculated by multiplying the number of units by 5.81 (average daily trips per

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unit). Staff determined the project's ADT by using the 2012 Institute of Transportation Engineers (ITE) Trip Generation Manual 9th Edition Volume 2; Land Use: 230 Residential Condominium/ Townhouse. According to 49.40.300 (a)(3), developments having an ADT between 250 and 500 may require the developer to submit a traffic impact analysis (TIA) to determine the project's impact to existing traffic volume. The CDD director determined that the existing traffic volume of Riverside Drive will not be negatively affected, and the road can adequately capture this additional traffic load.

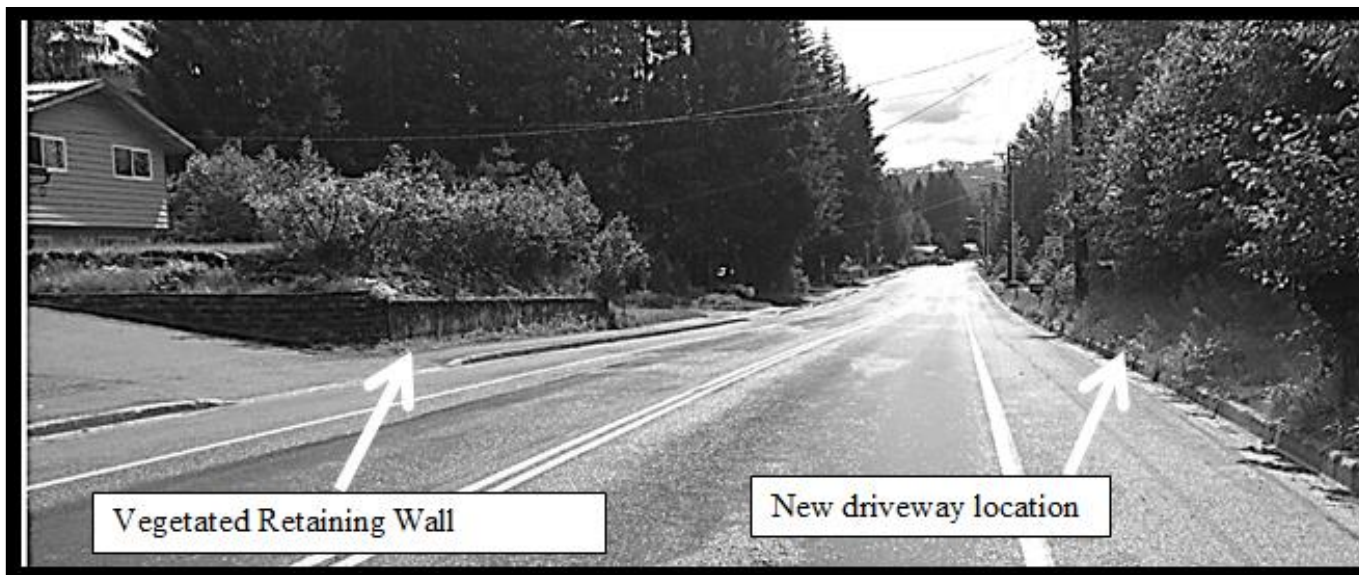


Figure 1. Looking south along Riverside Drive. The project site is to the right. The future driveway will be in line with the vegetated retaining wall left of the street. Picture taken by CDD staff 6/7/16.

Pedestrian

The site is near Mendenhall River Community School, Melvin Park, and other attractions along Riverside Drive. The tenants and guests of the condominium will likely travel to those destinations by foot or bicycle. Ensuring a safe and connected pedestrian network for the development is a goal of the CBJ. To ensure this connection is provided, the applicant will construct a raised pedestrian sidewalk alongside the driveway's entrance within the project site. This sidewalk will then connect to a new sidewalk along the west side of Riverside Drive. The sidewalk will then run southward to the Bethany Baptist Church's driveway and then connect to a new crosswalk at the Pinedale Street and Riverside Drive intersection. The location of the new sidewalk and crosswalk is shown in Figure 2. The new sidewalk and crosswalk is part of the requirement for a density bonus that the applicant is fulfilling. Details of the density bonus are provided on page 11. Pinedale Street is the closet intersection to the project, which is why the applicant chose to install the sidewalk to the south. The crosswalk design will conform to the Alaska Traffic Manual standards. In general, the crosswalk will have two white lines across the whole street and two pedestrian crossings signs, north and south facing. The purpose of the crosswalk is to safely guide pedestrians to an existing sidewalk along the east

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side of Riverside Drive. Staff notes that a sidewalk north from the project site to Mendenhall River Community School is a needed long-term investment and could be funded through the CBJ Capital Improvement Program or other funding sources.

An additional pedestrian feature of the project is a paved connection to the southern site, where the Bethany Baptist Church is located. This will provide easy pedestrian access for any condominium tenants who may attend or work at the church. This, too, is a density bonus feature.



Figure 2. At the intersection of Pinedale St (Right) and Riverside Drive looking north. The Bethany Baptist Church is shown on the left. The solid arrow line represents the new sidewalk location and the dashed line represents the new crosswalk.

Parking and Circulation

As indicated earlier, the parking lot is located in the center of the site, with parking spaces facing the back of the buildings. Each building will have carports, and each unit will have one assigned carport space and one uncovered space. All parking and circulation areas will be paved and striped. The parking requirement for 46 units is 81 spaces and for 51 units is 89 spaces (density bonus). The applicant's plan shows 100 parking spaces. Therefore, the parking requirement is met. See parking calculation, below.

Parking Requirement Calculation

49.40.210 (a) *Table of minimum parking standards. All other Geographic Areas (Not Downtown Juneau or Douglas)*

- Requirement: 1.75 Spaces per two bedrooms

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- Proposal: 46 units (2 bedroom units)
- 1.75 (2-bedroom unit) X 46 (total no. of units)
 = 80.5 round up to **81 required spaces for 46 units**
- 1.75 (2-bedroom unit) X 51 (total no. of units)
 = 89.25 round down to **89 required spaces for 51 units (density bonus)**
- **Project provides 100 spaces**

49.40.210 (b)(3)(A) *Accessible parking spaces.*

- 4 accessible parking spaces for a parking requirement between 75-100 spaces
- Project requires 81 or 89 spaces = **4 accessible spaces required**
- **Project provides 8 accessible spaces**

To reduce glare from the parking lot toward neighbors to the south and north, sight-obscuring buffers at the north and south ends of the parking lot will be installed. This will also lessen the views from adjoining properties of the large parking lot, which can be a negative aesthetic value in a residential neighborhood. The applicant will install either vegetation or a fence as the buffer element. CDD notes that fences tend to provide better blockage of views but are less appealing than vegetation. CDD recommends as a condition of approval that the applicant install a buffer along the north and side ends of the parking lot. The buffer shall be six feet tall, consisting of a sight-obscuring section from 0 to four feet tall and a non-sight-obscuring (porous) section from four to six feet. This design ensures headlight blockage while providing flexibility to encourage tall vegetation or different fence designs. A six-foot tall, sight-obscuring buffer is also permissible, if desired by the applicant. The buffer shall be installed prior to the final inspection of the parking lot or last dwelling unit, whichever comes first. If vegetation is planned during the winter, the applicant may submit a bond for the vegetation and installation to comply with the above condition. This is a typical policy for meeting the vegetative requirement. The bond is released to the applicant once the vegetation is planted.

Snow storage, Drainage, Trash, and Mail

Snow storage and trash containers are planned between the ends of the buildings. Since snow plowing can pick up toxic automobile fluids in parking lots such as oils, coolants, etc., it is critical to prevent snow melting directly into the Mendenhall River. Because the developed areas, including the snow storage areas, are outside of the 50-foot streamside setback, snow melt towards the river will be minimized. Staff recommends as a condition of approval that if snow melt or surface drainage flows toward the river, the project incorporate Best Management Practices (BMP) from the Manual of Stormwater Best Management Practices, produced by the CBJ in partnership with the US Forest & Wildlife Service.

Snow plowing and garbage pick-up typically occur early in the morning and can create headlight glare and nuisance to residences across the street. To minimize this, staff recommends as a condition of approval that a buffer be installed in front of the snow storage or garbage

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container areas. The buffer shall be consistent in design with the parking lot buffer. No buffer is needed if snow storage is located between the back buildings.

Mail boxes for the condominium will be located adjacent to the parking lot, near Riverside Drive.

Surface drainage may be directed in three areas: 1) toward Riverside Drive, 2) toward Mendenhall River, first through a filtration section by using BMPs, and 3) downward drainage with a pervious pavement parking lot element with imported drain rock underneath. Although pervious pavement is rarely used in Juneau, the applicant has found it to be successful in a similar project elsewhere in the Valley. During the winter, water run-off and snow melt from the parking lot will be directed toward the street or the river. Staff recommends as a condition of approval that the applicant use BMP for on-site drainage management, to ensure no toxins are entering any drainage areas.

Noise

With the density bonus resulting in 51 units, the expected project's noise levels will be similar to an apartment/ condominium complex. Most noise generated by the site will be from traffic and general circulation. Noise from deliveries or maintenance such as trash pickup, snow plow, and mail will be typical of apartment/ condominium complexes. As indicated earlier, much of the vehicular noise will be contained within the site because of the centrally-located parking area. The recommended buffers will lessen noise impacts to neighbors. There is no significant difference in noise levels between the 46 and 51 unit proposal because of the recommended conditions of approval.

Public Health or Safety

The health and safety of the public will be preserved with the approval of this project by meeting local building and safety codes during the required building permit process. Each building will provide automatic sprinkler systems for fire suppression. The new sidewalk and crosswalk will safely guide pedestrians across Riverside Drive to an existing sidewalk because the street has low traffic speeds between 20 mph and 25 mph, and the striping and signage will conform to the Alaska Traffic Manual to inform drivers of pedestrians. According to CBJ Engineering, the existing water and sewer lines can accommodate the additional demand from the project.

Habitat

The applicant will preserve habitat by complying with the 50-foot streamside setback along the Mendenhall River. Further, to gain additional density bonus points, the applicant is providing additional land adjacent to the 50-foot setback. This is shown on Attachment H.

To ensure that no construction debris, mud, or other elements during construction enters this

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no-development setback, CDD recommends as a condition of approval that the applicant install a silt fence at the 50-foot setback line prior to issuance of a Building permit for the project. The fence shall remain in place until construction is complete.

There are no other mapped habitats protected by the Land Use Code that could be affected by this project.

Property Value or Neighborhood Harmony

Property value and neighborhood harmony will be preserved with recommended conditions, the applicant's placement of buffers along both ends of the parking lot, locating the driveway to face an existing vegetated retaining wall, designing the project into smaller condominium buildings instead of one large building, and locating the buildings along the street to block headlight glare and traffic noise. Although the majority of the neighborhood consists of single-family homes, it is zoned D-15, and, therefore, can have multiple units on the parcels. All condominium buildings will have the maximum allowed building height (35 feet) as the single-family homes, despite the homes designed as 1- and 2-story buildings.

Public Comment

Staff was contacted by an adjacent property owner with concerns about impacts to the existing sewer line, traffic, aesthetics of the large condominium buildings, balconies facing adjacent homes, public access to the river from the street, drainage, and aesthetics of the parking lot. As addressed earlier, the existing sewer line is expected to accommodate the proposed use. The additional trips can be accommodated by existing street conditions of Riverside Street. The location of the driveway and buffers around the parking lot will minimize headlight glare and visual impacts of the parking lot to adjacent homes.

Staff was also contacted by another homeowner with concerns about access along the Mendenhall River shoreline. Below the Ordinary High Water mark (OHW), the shoreline is owned by the State and, therefore, access by the public is managed by the State. Above the OHW, private property owners control access.

Conformity with Adopted Plans

Comprehensive Plan

The CBJ 2013 Comprehensive Plan provides a 20-year visionary outlook of how the community should grow or be preserved for the future. Neighborhoods are broken into land use designations which guide density and land use for future zoning regulations. The subject lots and neighborhood are located in a Medium Density Residential (MDR) land use designation. In summary, this designation is defined as urban lands for multifamily dwellings with a density of 5-20 units per acre, and commercial uses in scale consistent with a residential neighborhood. The D-15 zoning district allows a maximum density of 15 units per acre, which is the density of the proposal. Therefore, the proposal is consistent with the MDR land use designation and the

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2013 Comprehensive Plan. The density bonus allows 51 units, which results in the site having an overall density of 16.77 dwelling units/ acre. This is consistent with the MDR density range.

The Comprehensive Plan provides policies to encourage the development of more housing. The following policies are germane to the proposal:

Policy 4.8. 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.

Policy 10.1. To facilitate availability of sufficient land with adequate public facilities and services for a range of housing types and densities to enable the public and private sectors to provide affordable housing opportunities for all Juneau residents.

Policy 10.3. To facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.

Non-Motorized Transportation Plan

The Juneau Non-Motorized Transportation Plan recommends improvements to pedestrian and bicycle infrastructure to ensure those travelers have a safe and connected means of travel. Along North Riverside Drive, the plan recommends sidewalk improvements. The new sidewalk along the west side of the street and the crosswalk at Pinedale Street will provide safe pedestrian connections to the existing sidewalk along the east side of Riverside Drive. Therefore, the crosswalk and sidewalk along the driveway meet the goal of this plan.

Safe Routes to School Program

Although the Safe Routes to School Program wasn't adopted as a regulatory tool, it does provide recommendations for planning issues around schools such as safe walking conditions for students. The Mendenhall River Community School participated in this program. The school concluded that children walk along Riverside Drive to access the school as well as along areas where no sidewalks exist. The new sidewalk and crosswalk will provide a safer pedestrian connection for the neighborhood.

Lot Consolidation

As stated earlier, the applicant will consolidate all four lots (Lots 9-12) into one to facilitate the project. CDD requires this because the project would otherwise cross multiple property lines. Due to the timing of the project and the value of each lot, the applicant will wait until the subject Conditional Use permit is approved to file the lot consolidation. Staff's preliminary review of consolidating Lots 9-12 results in no change in the allowed use, maximum allowed density, impacts to the neighborhood, or affects to traffic levels. The only change would result in a new legal name and description. Removing the interior property line is only a plat change to the 1977 subdivision plat; it does not require physical changes to the lot. Only the project

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results in physical changes to the lot, and the impacts caused by the proposal have been addressed in the subject memorandum.

Density Bonus

Per 49.60.140, an applicant of a major development may receive a 10% increase to the maximum allowed density when additional, non-required project features are provided. The Planning Commission shall award the bonus if those features are found to be appropriate. The applicant must provide enough bonus features to accrue a minimum of seven bonus points.

The applicant will provide three features to accrue the needed points:

1) **49.60.200 Sensitive Area, Section 1** states: "Bonus points for interests in land which protect additional land within or adjacent to such sensitive areas beyond that which is required in chapter 49.70". This feature is referenced to **Title 04 020.010(a)(1)**.

Title 04 020.010(a)(1) states "Bonus points for the conveyance, dedication or reservation of interests in land which protect additional land within or adjacent to such sensitive areas beyond that which is required in chapter 49.70."

Staff analysis

To meet this criterion, the applicant will preserve the area between the 50-foot streamside setback and the back of the four buildings facing the Mendenhall River. This area is shown as diagonal dashed lines in Attachment H. This area is nearly the width of the site (320' approximately) and varies in depth between 16 feet and 40 feet, for an approximate size of 10,000 square feet. A small jog between Buildings C and B is to accommodate a small pavilion for the condominium association. The pavilion is not proposed at this time and is only a future idea of the applicant. Development would not be permitted in the preserved area. The applicant shall record a no-development easement to ensure this expectation is met. Staff finds the proposed feature meets this criterion. Attachment H and a report stating how the sensitive area will be preserved shall be added to the Homeowner Association (HOA) documents as a condition of approval. Further, the HOA documents shall be submitted to the CDD prior to issuing a Certificate of Occupancy for the first dwelling unit.

04 CBJ 020.010 (b) (1) allows a maximum of 4 points. Staff supports only 2 points due to the relatively small area to be preserved.

Bonus points accrued: 2

2) **49.60.210 Non-vehicular Transportation** states: "A development in the urban service area may be awarded bonus points for pedestrian paths, sidewalks, bike paths, and other pedestrian improvements beyond that required." This feature is referenced to **Title 04**

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025.010 (a).

Title 04 025.010 (a) states “A development in the urban service area may be awarded bonus points for pedestrian paths, sidewalks, bike paths, and other pedestrian improvements beyond that required.” Staff notes that the project is located in the mapped urban service area.

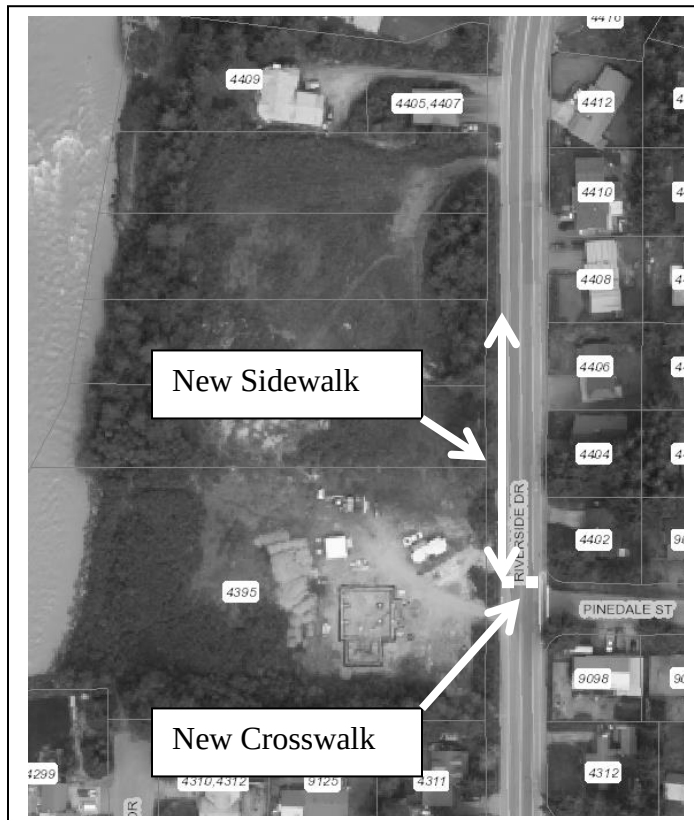


Figure 3. The white, double-headed arrow represents new sidewalk connecting the future condo's driveway to the Bethany Baptist Church driveway, then to a new crosswalk (dashed white line). The aerial photo dates to spring of 2013. The church was under construction at the time of photo.

Staff Analysis

To meet this criterion, the applicant will provide two pedestrian features to earn more points. These two features are shown on Figures 2 and 3.

1) A new pedestrian connection to the adjacent property to the south where the Bethany Baptist Church is located. This will provide quick, easy access for future church patrons or workers. This pathway is shown in Attachment H. The connection shall be a minimum four-foot wide pathway and consist of a durable walking surface material other than soil or dirt. To ensure this criterion is met, Attachment H and a maintenance report of the pathway

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shall be added to the Homeowner Association (HOA) documents. A final site inspection coordinated by the applicant and CDD shall be made to ensure this condition is met.

2) 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. The sidewalk and crosswalk will exist entirely within the City & Borough of Juneau right-of-way. Both elements will be built according to CBJ street standards. This feature will increase pedestrian connectivity and safety in the area.

04 CBJ 025.010 (b) allows a maximum of 5 points. Staff supports the maximum points: 2 points for the connection to the church site and 3 points for the extra-long sidewalk and crosswalk.

Bonus points accrued: 5

3) **49.60.280 Vegetative Cover** states: "Multifamily, industrial and commercial development maintaining more than the minimum required percentage of a site in vegetation may be awarded bonus points." This feature is referenced to **Title 04 045.020 (a)**.

Title 04 045.020 (a) state "Multifamily, commercial, industrial development maintaining more than the minimum required percentage of a site in vegetation may be awarded bonus points." The following subsection (Title 04 045.020 (b)), allows areas including easements, sensitive areas, and open space, retained in natural landscape to be counted toward meeting the additional vegetative requirement. Therefore, the area preserved under density bonus feature #1 is not considered double counting for this density bonus feature.

Staff's Analysis

To meet this criterion, the applicant will maintain 150% of the minimum required vegetative area. This is an increase from 30% (39,726 square feet) to 45% (59,590 square feet). The vegetation may consist of grass, bushes, trees or other live vegetation. This area is shown on Attachment H. If any part of this area is to be disturbed during construction, a re-vegetation plan shall be submitted to CDD prior to issuance of a building permit. Furthermore, a vegetation bond covering the expense of replanting vegetation shall also be submitted to CDD. To ensure this criterion is met, Attachment H and a maintenance report of the vegetated areas shall be added to the Homeowner Association (HOA) documents. The entire HOA document shall be provided to the CDD prior to issuance of a Certificate of Occupancy for the first dwelling unit.

04 CBJ 045.020 (b) allows an automatic 2 points. Staff finds this bonus feature is met, and therefore, gains 2 points.

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Bonus points accrued: 2 for preserving 45% of the site for vegetation.

Total Bonus Point Accrual

#1: 49.60.200 Sensitive Area, Section 1:	2 Points
#2: 49.60.200 Sensitive Area, Section 2:	5 Points
#3: 49.60.280 Vegetative Cover:	<u>2 Points</u>
Total	9 Points

The minimum needed to reach the density bonus is 7, and the applicant's features gain a total of 9 points. The 10% density bonus is met. Staff recommends the Planning Commission approve the density bonus. This results in an increase project dwelling count from 46 to 51 units.

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 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?***

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Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submitted 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 1.300 for the D-15 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the June 17th and 27th 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 public health or safety?

No. With staff's recommended conditions, the public's health and safety will be preserved with the approval of the project by constructing buildings, parking areas, and pedestrian features in compliance with local building, engineering codes, and traffic codes.

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

No. With staff's recommended conditions, property value and neighborhood harmony will be preserved.

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

Yes. The proposed conforms to the Comprehensive Plan and the Non-Motorized Transportation 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. With staff's recommended conditions, the proposed developed areas will comply with the

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streamside setback of the Mendenhall River and, with staff's recommended condition, minimize harmful vehicle fluids from entering the river.

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 non-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.

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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 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.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>CL 16-018</i>	Date Received <i>5/13/16</i>																																			
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: _____ ***An Accessory Apartment Application will also be required.																																						
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. <i>46 unit Condo development on 3+ acres in DIS</i>																																						
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES - Case # _____																																						
CURRENT USE OF LAND OR BUILDING(S): <i>Vacant</i>																																						
PROPOSED USE OF LAND OR BUILDING(S): <i>Condos</i>																																						
UTILITIES PROPOSED: WATER: ☒ Public ☐ On Site SEWER: ☒ Public ☐ On Site																																						
SITE AND BUILDING SPECIFICS: Total Area of Lot <i>132,461</i> square feet Total Area of Existing Structure(s) <i>0</i> square feet Total Area of Proposed Structure(s) <i>28,800</i> square feet																																						
EXTERNAL LIGHTING: Existing to remain ☒ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed ☒ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST: ☒ Site Plan ☒ Floor Plan of proposed buildings ☒ Elevation view of existing and proposed buildings ☒ Proposed Vegetative Cover ☒ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ☒ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)																																						
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">ALLOWABLE/CONDITIONAL USE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: right;">\$ <i>1,000</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Admin. of Guarantee</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Fee</td> <td style="text-align: right;">\$ <i>50.00</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Deposit</td> <td style="text-align: right;">\$ <i>100.00</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Fee</td> <td style="text-align: right;">\$ <i>1,150.00</i></td> <td><i>068086</i></td> <td><i>0808085</i></td> <td><i>5/13/16</i></td> </tr> </tbody> </table>		ALLOWABLE/CONDITIONAL USE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ <i>1,000</i>	_____	_____	_____	Admin. of Guarantee	\$ _____	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Pub. Not. Sign Fee	\$ <i>50.00</i>	_____	_____	_____	Pub. Not. Sign Deposit	\$ <i>100.00</i>	_____	_____	_____	Total Fee	\$ <i>1,150.00</i>	<i>068086</i>	<i>0808085</i>	<i>5/13/16</i>
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NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

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

PROJECT / APPLICANT INFORMATION	Project Description <u>46 unit condo development</u>		
	PROPERTY LOCATION		
	Street Address <u>Riverside Drive</u>	City/Zip <u>Juneau Ak 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Riverview Acres Lots 9-12 Riverview Acres Lt 9, 10, 11, 12</u>		
	Assessor's Parcel Number(s) <u>SB 250151007000; SB 2501510060; SB 2501510050; SB 2501510040</u>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <u>Juneau Condos LLC</u>	Contact Person: <u>Travis</u>	Work Phone: <u>321 3118</u>
	Mailing Address <u>10840 Lilac Drive</u>	Home Phone: <u>321 3118</u>	Fax Number:
	E-mail Address <u>constellation-dev@hotmail.com</u>	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>[Signature]</u> Landowner/Lessee Signature	<u>5/13/16</u> Date	
X	<u>[Signature]</u> Landowner/Lessee Signature	<u>5/13/16</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:	
Mailing Address		Home Phone:	
E-mail Address		Other Contact Phone Number(s):	
X	<u>[Signature]</u> Applicant's Signature	<u>5/13/16</u> Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE		
	☒	Permit Type	**SIGN
		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>5/13/16</u>
		Variance Case (De Minimis and all other Variance case types)	<u>Use 16-018</u>
	Wetlands Permits		
	Zone Change Application		
	Other (Describe)		
Comments:			Permit Intake Initials <u>ESF</u>

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

5/30/16 Email from Applicant to CDD Staff

Re: Condos on Riverside Drive.

The anticipated layout will have two rows of four buildings paralleling Riverside Drive. The decks and view windows for four buildings will face Mendenhall River and four buildings will face Riverside Drive. Thus from Riverside Drive the condominiums will appear as four buildings at a similar spacing as to the surrounding residences. Building access, carports and additional parking will be located between the two rows of buildings. This will screen the neighborhood from seeing the parking as well as contain the light from the vehicle headlights. The north and south ends of the parking lot will be screened along the property line to minimize headlights shining in those directions. The screening will likely be either a fence or shrubbery. Centering the driveway between the middle two buildings will align the driveway with a retaining wall and tall shrubbery across Riverside Drive. This will minimize headlights shining into neighboring homes as the vehicles leave the property.

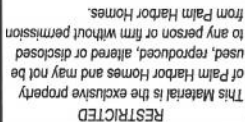
We anticipate building 2 bedroom units which require 1.75 parking spaces / unit. We will provide each unit with one covered carport space with the remaining additional parking located in two rows between the two rows of buildings. With construction of 46 units, there would be 81 required parking spaces. We anticipate providing 100 parking spaces. Two parking spaces for each unit plus 8 ADA van accessible handicap parking spaces.

A raised sidewalk will parallel the driveway. It will likely be located on the north side of the driveway to avoid the utility pole. I anticipate placing the mailboxes along the sidewalk. The mail person could then deliver the mail off of Riverside Drive and the residents could collect their mail from the sidewalk. The mailbox location is subject to approval by the US Postmaster and will need to fall within the USPS limitations.

Site lighting is anticipated to be located between to two rows of buildings. Similar to previous projects, each carport space will be lighted with a LED recessed can light below the carport roof. The entries and stair will be lighted with a building mounted fixture on each level. The fixtures will provide sufficient light for the residents while trying to minimize brightening the neighborhood.

Trash collection will be in the form of several dumpsters spaced around the site between buildings to provide easy access for the residents. Trash collection would occur from within the additional parking area between the buildings, away from Riverside Drive.

Snow storage will occur in a number of areas. Ample area will be provided between the buildings and carports to store piled snow. The row of buildings along the river will be located well back of the no development zone. As such, additional area could be used to store the snow by pushing the snow further between the buildings. To minimize the impacts of drainage, provide rainwater infiltration, snow melt infiltration, we anticipate again utilizing pervious concrete pavement. While providing a hard parking and use structure, the pervious pavement accepts and controls runoff instead of creating additional areas of reduced infiltration. The pervious pavement will provide infiltration capacity as opposed to draining the runoff directly towards the Mendenhall River.



Architectural drawing of the rear view of a house. The drawing shows a two-story structure with a gabled roof and a brick chimney on the left side. The exterior walls are finished with horizontal siding. The rear facade features several windows: a large double door with a transom at the bottom center, flanked by windows, and a large window with a transom above the door. The roofline is marked with a 10' 0" rise and a 12' 0" run. The overall width of the house is 36' 0".

RECEIVED MAY 11 2011 PERMIT C-1

Deck
35.17/25.08 with 72.00 500 with 35.17/24.12 alone

Kitchen/Dining
30.17/25.08
18.19 square feet to be added to kitchen at entry stairs
18.19 square feet to be added to kitchen at entry stairs

Bath 1
30.17/25.08
12.1/12.1

Bath 2
12.1/12.1

Master Bedroom
177.43 sq. ft.

Living Room
273.78 sq. ft.

Bedroom 2
134.58 sq. ft.

Bedroom 1
121.36 sq. ft.

Front Porch
12.1/12.1

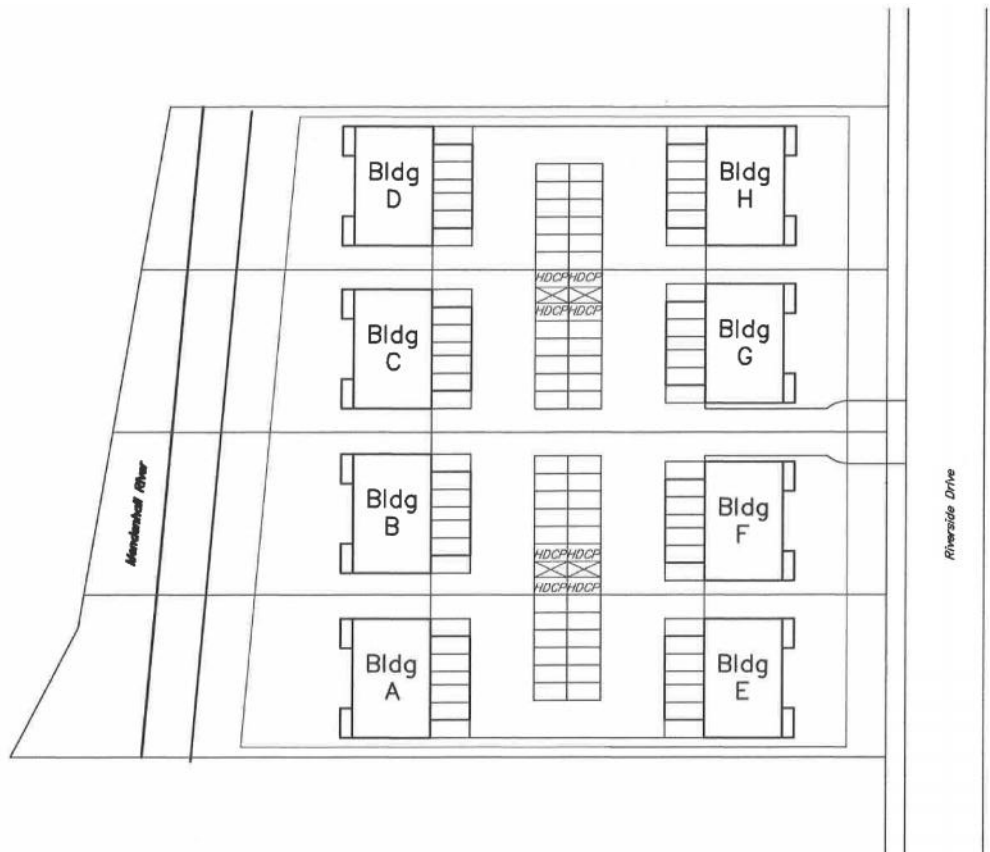
Rear Porch
12.1/12.1

Dimensions:
Overall width: 40'-0" (12'-0" + 12'-0" + 16'-0")
Overall depth: 35'-0" (12'-0" + 12'-0" + 11'-0")
Overall area: 1400 sq. ft.

Notes:
1. All dimensions are in feet and inches.
2. All dimensions are to the centerline of the wall.
3. All dimensions are to the centerline of the door.
4. All dimensions are to the centerline of the window.

[illegible]

Attachment C



SITE PLAN
1/64" = 1'-0"



NOTES:

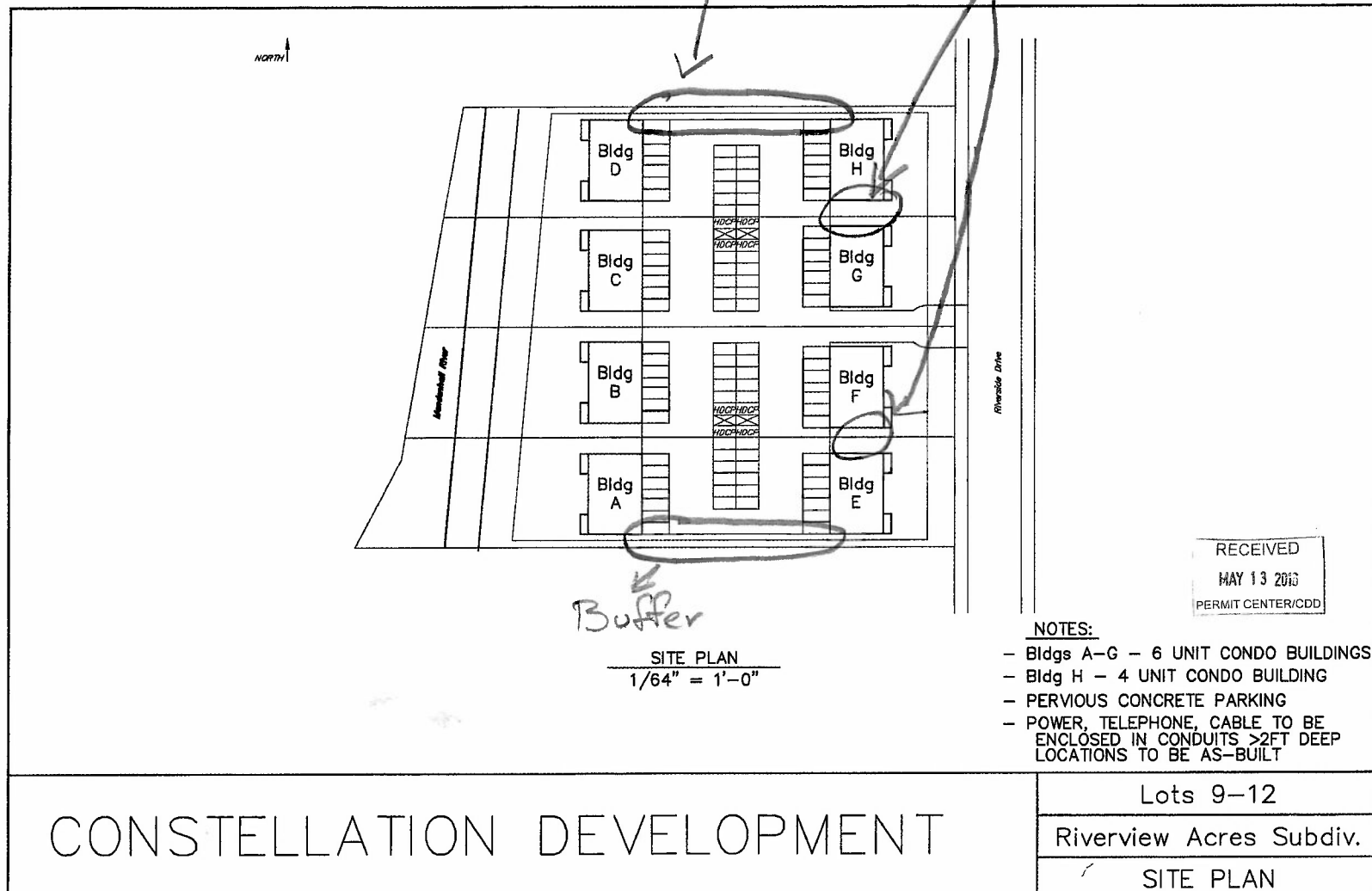
- Bldgs A-G - 6 UNIT CONDO BUILDINGS
- Bldg H - 4 UNIT CONDO BUILDING
- PERVIOUS CONCRETE PARKING
- POWER, TELEPHONE, CABLE TO BE ENCLOSED IN CONDUITS >2FT DEEP LOCATIONS TO BE AS-BUILT

CONSTELLATION DEVELOPMENT

Lots 9-12

Riverview Acres Subdiv

SITE PLAN



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE 11-23-76 REGISTRATION NO. 1410-S

REGISTERED LAND SURVEYOR

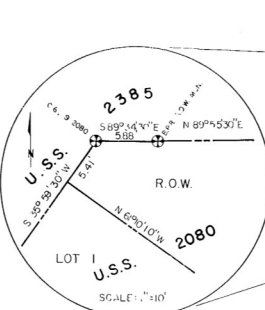
TABLE OF ORIGINAL MEANDERS
U.S. SURVEY 2080

1	S 58° 00' W	- 165.00'
2	S 33° 45' W	- 402.60'
3	S 14° 00' W	- 442.20'
4	S 31° 30' W	- 244.20'
5	EAST	- 49.96'

ORIGINAL MEANDER NOT ADJUSTED FOR CURVATURE

SYMBOLS

- PRIMARY MONUMENT (RECOVERED THIS SURVEY)
- PRIMARY MONUMENT (ESTABLISHED THIS SURVEY)
- SECONDARY MONUMENT (ESTABLISHED THIS SURVEY)
- BOUNDARY / RIGHT-OF-WAY LINE
- "X" IN ROCK



RIVER

MENDENHALL

RIVerview ACRES
A SUBDIVISION OF TRACT "D"
RIVERDALE HEIGHTS SUBDIVISION
A FRACTION OF U.S. SURVEY NO. 2080
WITHIN THE CITY & BOROUGH OF
JUNEAU, ALASKA

SCALE: 1" = 100'

RIGHT-OF-WAY EXTENSION OF TURN 14

U.S.S. 2385

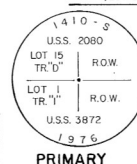
TABLE OF CHORDS ALONG CURVATURE OF RIVERSIDE DRIVE	
(A) N 3°03'50" E - 64.46'	
(B) N 10°04'15" E - 82.93'	
(C) N 17°57'28" E - 82.93'	
(D) N 25°50'39" E - 82.93'	
(E) N 32°52'38" E - 65.00'	

NOTES

1. THE ORIGINAL MEANDER LINE OF U.S.S. 2080 NO LONGER IS VALID DUE TO COURSE REVISIONS OF MENDENHALL RIVER (ACCRETION & EROSION).
2. MENDENHALL RIVER FLOODWAY IS "AS-SCALED" FROM MAPS FURNISHED BY THE CITY & BOROUGH PLANNING DEPARTMENT.
3. DISTANCES & BEARINGS SHOWN IN PARENTHESES THRUOUT (IN 3" 30' E - 244.20' W) DENOTE RECOVERED MEASUREMENTS WHILE THOSE SHOWN WITHOUT PARENTHESES DENOTE MEASURED OR COMPUTED BEARINGS & DISTANCES BY THIS SURVEY.
4. POSITIONS OF RECOVERED MONUMENTS WERE HELD AS CORRECT WITH COMPASS METHOD OF ADJUSTMENTS MADE BETWEEN THE RECOVERED MONUMENTS.

LEGAL DESCRIPTION

A TRACT OF LAND LYING AND BEING SITUATE WITHIN PROTRACTED SECTION 18, T40S, R66E, BEING DESCRIBED AS FOLLOWS:
BEGINNING AT WITNESS CORNER MEANDER CORNER NO. 1, U.S.S. 2080, SAID MONUMENT BEING WEST - 840.39' FROM MONUMENT CORNER NO. 2, U.S.S. 2080, THENCE ALONG THE COMMON BOUNDARY OF U.S.S. 2080 & U.S.S. 3872, N 89°54'45" E - 450.39' TO THE SOUTHEAST CORNER OF TRACT "D", U.S.S. 2080, WHICH IS COMMON TO THE WESTERLY RIGHT-OF-WAY OF NORTH RIVERSIDE DRIVE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, NORTH - 999.0' TO A POINT OF CURVATURE, THENCE ALONG 9°30'06" CURVE TO THE RIGHT (RADIUS = 603.00'), THROUGH AN ARC OF 35°58'00" AN ARC LENGTH OF 378.52' TO THE POINT OF TANGENCY (CHORD = N 17°59'00" E - 372.34'); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, N 35°58'00" E - 344.65' TO THE NORTHEAST CORNER OF TRACT "D", U.S.S. 2080, WHICH IS ON THE COMMON BOUNDARY LINE OF U.S.S. 2080 & U.S.S. 2385, THENCE ALONG SAID COMMON BOUNDARY LINE, WEST - 30.89' TO AN EXISTING B.P.R. RIGHT-OF-WAY MONUMENT; THENCE CONTINUING ALONG SAID COMMON BOUNDARY LINE, S 89°55'30" W - 10.43' TO AN EXISTING B.P.R. RIGHT-OF-WAY MONUMENT; THENCE CONTINUING ALONG SAID COMMON BOUNDARY LINE, N 89°34'30" W - 5.88' TO CORNER NO. 6, U.S.S. 2080, COMMON TO CORNER NO. 5, U.S.S. 2385, AN EXISTING B.L.M. LAND MONUMENT, BEING THE NORTHWESTERLY CORNER OF TRACT "D", U.S.S. 2080, THENCE S 30°59'30" W - 214.50' TO CORNER NO. 7, U.S.S. 2080, COMMON TO CORNER NO. 6, U.S.S. 2385; THENCE CONTINUING ALONG SAID COMMON BOUNDARY LINE, S 63°05'00" W - 218.16' TO A POINT ON THE MEANDER LINE OF MENDENHALL RIVER; THENCE ALONG MEANDERS OF MENDENHALL RIVER, S 67°30'00" W - 234.5', S 34°50'00" W - 73.00', S 67°30'00" W - 71.00', S 36°50'00" W - 140.50', S 9°45'00" W - 426.00', S 27°30'00" W - 133.00', S 8°15'00" W - 200.00' TO A MEANDER CORNER OF TRACT "D", U.S.S. 2080, A POINT ON THE COMMON BOUNDARY LINE OF U.S.S. 2080 & U.S.S. 3872, THENCE ALONG SAID COMMON BOUNDARY LINE, S 89°59'50" E - 53.00' TO WITNESS CORNER MEANDER CORNER NO. 1, U.S.S. 2080, THE TRUE POINT AND PLACE OF BEGINNING.
CONTAINING 9.67 ACRES

TYPICAL MONUMENTS
(ESTABLISHED THIS SURVEY)

PRIMARY

SECONDARY

MENZIES

R.L.S. 1410

1 1/2" Ø PLASTIC SERV-CAP

ON 3/8" Ø RE-BAR (LENGTH VARIES)

VARIABLES

VARIABLES

VARIABLES

VARIABLES

VARIABLES

VARIABLES

VARIABLES

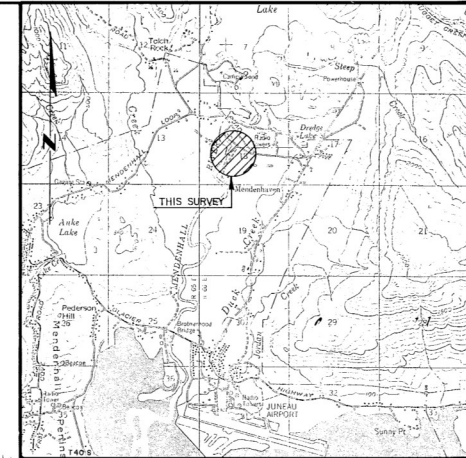
VARIABLES

VARIABLES

VARIABLES

VARIABLES

VARIABLES



VICINITY MAP

SOURCE: U.S.G.S. QUADRANGLE JUNEAU 8-2

JUNEAU, ALASKA

SCALE: 1" = 63,360

DATE: 1962 REV: 1966

STATEMENT OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:

DATE Nov 23 1976
Malcolm C. Menzies OWNER
Shirley A. Menzies OWNER
Shirley A. Menzies OWNER

NOTARY ACKNOWLEDGEMENT

Barbara E. Johnson
 My commission expires August 31, 1978
 STATE OF ALASKA
 Florence E. Johnson
 NOTARY PUBLIC

CERTIFICATION OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA AND THAT SAID PLAT HAS BEEN APPROVED BY THE PLATTING BOARD BY PLAT RESOLUTION NO. 479 DATED March 8 1976 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.

DATED May 2 1977
Robert H. Smith
 CHAIRMAN
 CITY AND BOROUGH OF JUNEAU
 PLATTING BOARD

ATTEST:
Malcolm C. Menzies
 CLERK
 CITY AND BOROUGH OF JUNEAU
 PLATTING BOARD

DRAWN BY: MAJ		DATE: 11/10/75	PROJECT NO. 537058
CHECKED BY: MAM		SCALE: 1" = 100'	SHEET 1 OF 1

Packet Page 188 of 196

Pictures of similar condominium project
Taken by CBJ Staff 6/8/16
Location: 3235 Bresee Street



Left: Front View

Right: Rear View.

Balconies will be
provided on this side
for the Riverside Dr.
project.



To: Juneau Planning Commission

From: Michael & Kay Knapp, 4410 Riverside Drive, Juneau

File No.: USE 2016 0018

Applicant: Juneau Condos LLC

Site: Riverview Acres, Lots 9-12

We present the following concerns regarding the proposed development of the subject property.

FALSE EXPECTATIONS. The CBJ's notion that high density "infilling" of previously undeveloped property will lead to a happy, walkable, "livable" neighborhood is flawed. The picturesque high density developments of "down south" are built on a large scale, and incorporate shops and coffee houses and other attractions within reasonable walking distances from residences to be "livable". The proposed high density development is too far away from any sort of commerce attractions to produce much pedestrian activity. Perhaps you see that with the higher density developments near the Mendenhall Mall, but you will not see that at this location. Most people will drive.

Granted, the proposed development would be near an elementary school, and a bus line. But the benefit of being close to a school is short-lived, especially for a home layout that appears to be designed for a 1-child family?! The 2-bedroom layout would be tight for any family with more than one child. Consider also that the residences will not include garage space and that 2nd bedroom must also serve as utility space. Where does the family store their kid toys? Or bicycles? Or hang a wet rain coat to dry? The logic that this small layout serves families is flawed. This might be the only housing a low income family can afford, but that does not mean it suits their needs. And if you are promoting such developments for low-income benefits, these areas become neighborhoods to move away from, not move to.

Again, this will not lead to the trendy, walkable community you see down south. Most will drive – to the store, to the library, to the swimming pool, to the athletic club...especially so in winter. This location is more suited to the single family home layout. NONE of the residents already living here believe that this proposed development will improve the "livability" of our neighborhood.

If CBJ truly wants to provide long-term living options for families, then require 3 bedroom layouts with a closed garage space. Otherwise this becomes a short-term living arrangement for families with more than one child (most) or a long-term living arrangement for single adults without kids (where the benefits of being near an elementary school are null and void).

ACTION: Reduce the allowable density for this site, require a 3-bedroom layout, and require the addition of closed garage space.

SEWER CAPACITY. The 30+ year old sewer line along Riverside Drive is only 12 inch diameter. The proposed development would add 46 units discharging sewage to this old pipe. Can the existing sewer line accommodate this development? An engineering analysis should be completed to verify that the existing sewer line can accommodate the D-15 zone. I would like to review this analysis.

ACTION: Perform an engineering evaluation of sewer capacity and provide us impacted residents an opportunity to review it.

PAST SEWER-RELATED DAMAGE TO 4410 RIVERSIDE DRIVE. Long-time residents along Riverside Drive have informed us that my home experienced sewer-related damage in the early 1990s. Apparently my home was the only one affected and the CBJ apparently paid for the repairs, anecdotally about \$30,000. At the time of writing this, details on what caused the damage were unavailable. I have inquired with CBJ staff and hope to learn more about the incident and whether the proposed development will exacerbate what might be an existing sewer line deficiency.

ACTION: Review CBJ engineering and/or risk management files to determine (1) why the CBJ felt compelled to pay for repairs, and (2) whether the proposed development introduce more risk to my home and liability to the City.

LIGHT & SOUND IMPACTS. The Developer has proposed to locate his road approach across the street (Riverside Drive) from a retaining wall to mitigate light impacts. Unfortunately for me and others, the headlight impact is not unidirectional. Vehicles departing the development have to make a turn (to the north or to the south), and the light from these cars will “sweep” across the houses nearest the road approach. My house lacks the benefit of a retaining wall to block the impact of headlights.

None of the houses near the Developer’s proposed road approach would be spared the sound of vehicles accelerating away from the development. Making this impact worse is a proposed crosswalk immediately north of the development driveway entrance at Riverside Drive. This proposed crosswalk would contribute to the noise impact, due to motorists stopping for pedestrian traffic and then accelerating to recommence their travel.

Moving the location of the access might improve the situation for me, but would shift the problem to a different homeowner. There is no remedy to this impact. If the proposed development was single family homes, then the impact would be similar to any other location along our street. But at 46 new dwellings, the light and sound impact will be substantial. In addition to reducing our quality of life, it will reduce the market value of our homes.

ACTION: Compensate owners of affected residences for the negative effect on the value of our homes.

PRESCRIPTIVE RIGHT-OF-ACCESS TO THE MENDENHALL RIVER, EMERGENCY SERVICES ACCESS. The Mendenhall River is a navigable waterway, according to the State of Alaska. The ownership of the river bed between the ordinary high water boundaries belongs to the state. The last rapids along the river

occur at the subject properties. At low water, there is a gravel bar on the east bank that is a popular recreational resource for the neighborhood.

Access to the river across this private property has been open and notorious for many years. I believe there are grounds for a prescriptive right-of-access that could be threatened by this development. Further, I believe that formalizing an access easement here is in the best interest of the community, the CBJ, and the state.

I have personally accessed the river here for nearly 13 years. Chris Meier, VP for ATA (which operates a commercial rafting business) recently told me commercial rafting operators have accessed the river at this location decades. Raft operators are frequently seen along the side of the road here during summer operations. Similarly, Juneau's kayakers make "laps" along this rapids section of the river, putting in at the Backloop Bridge and taking out at this point of access. Efforts to inform the kayaking community of this potential loss of access are underway.

There is a log across the road approach at this location to deter motorized vehicle access, but no signs of "no trespassing" have ever been put up. I recently showed this access to Eric Feldt, CBJ Planner. During our site visit, we noted an unattended raft tied up to the river bank, furthering my claim that this access location is of frequent use and importance to river users and recreational commerce operations.

If a rafting client falls out of the raft while navigating in the rapids upstream, this reach of river is the first point where they would likely be "fished out". Therefore, this location should be viewed as important to CBJ emergency services operations.

ACTION: Delay approval for this development until this prescriptive right-of-access claim can be "quieted" through the legal process. Alternatively, require as a condition of conditional use approval that the Developer formally locate and identify a public access easement on the plat.

STORM-WATER MANAGEMENT. The setting for this development is a glacier moraine with high silt content in the underlying soils. As someone who has spent time on these vacant lots, I can tell you that the soils are not very "free-draining". Puddles are numerous. The soils do eventually drain, but the infiltration rate is slow.

The Developer has indicated his intent to use "pervious pavement" as a means of managing stormwater. This is a misguided approach given that the underlying soils are poor-draining and high in silt content. Furthermore, leaf litter and the accumulation of silts in the voids will eventually lead to an impervious surface. There is no effective maintenance option.

ACTION: Require percolation tests validate the infiltration-based stormwater management scheme. Better yet, require onsite detention design.

LOSS OF PRIVACY. Compared to the wooded space that exists now, the proposed development will be a dramatic change in scenery. We will now have twelve or more windows and balconies facing our house.

ACTION: Require visual barriers along Riverside Drive to the extent possible. This could include fencing, tall shrubbery between buildings, or other privacy measures. Also, consider reducing the design to 2 levels only.

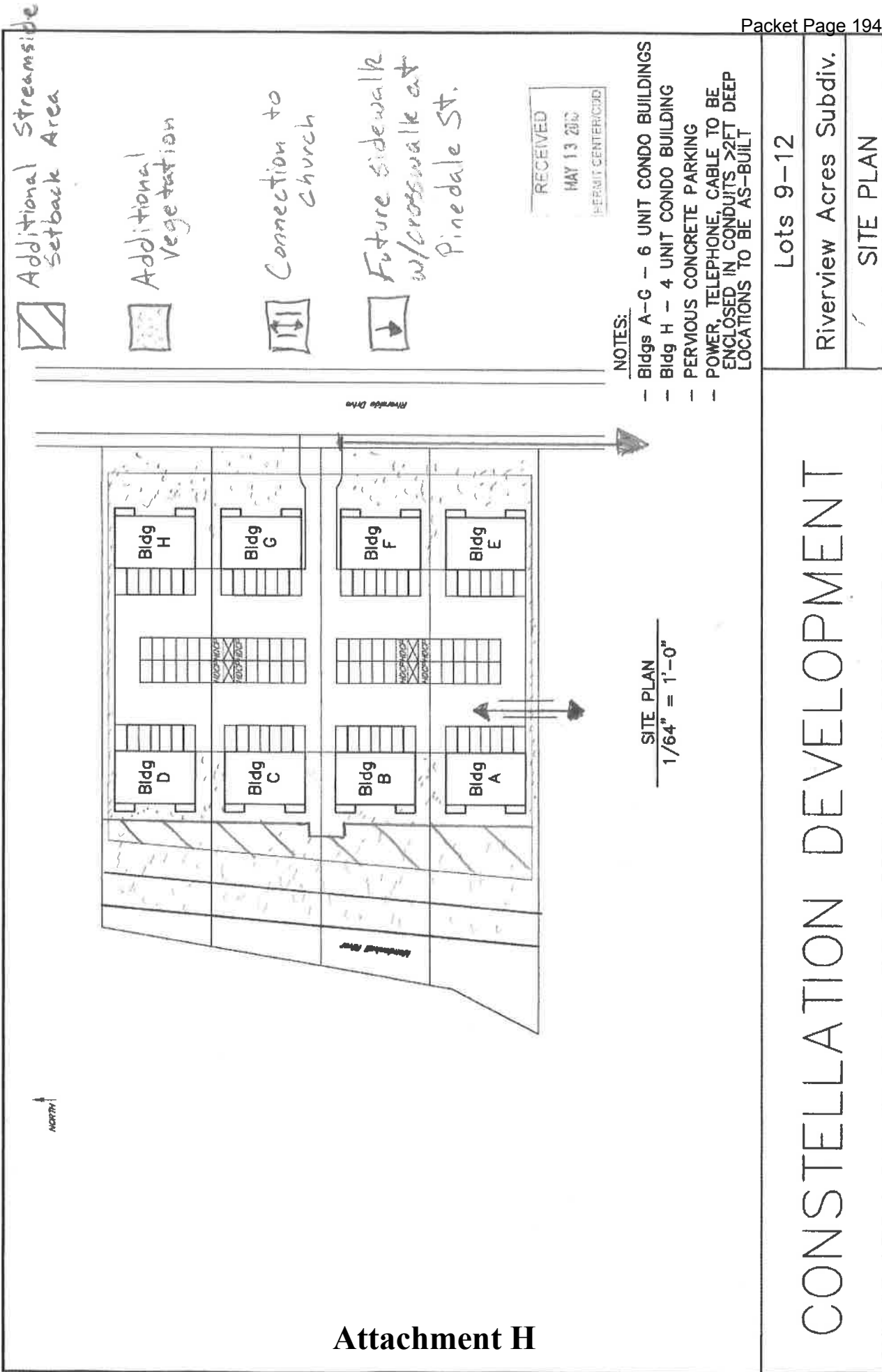
PARKING, INSUFFICIENT. The 2 parking spaces per unit might be more than the minimum required by code, will still be insufficient. There is no on-street parking along Riverside. Periodic overflow parking will occur. Where will people park?

ACTION: Reduce the development density to accommodate the likely demand for overflow parking.

PROPOSED CROSSWALK. Crosswalks should be located where motorists expect to see pedestrians: at road intersections. For much of the year, Juneau's crosswalks are not visible due to snow and paint wear. Therefore, a non-intuitive crosswalk location presents a significant safety risk to pedestrians. Crosswalk can provide pedestrians with a false sense of security and safety.

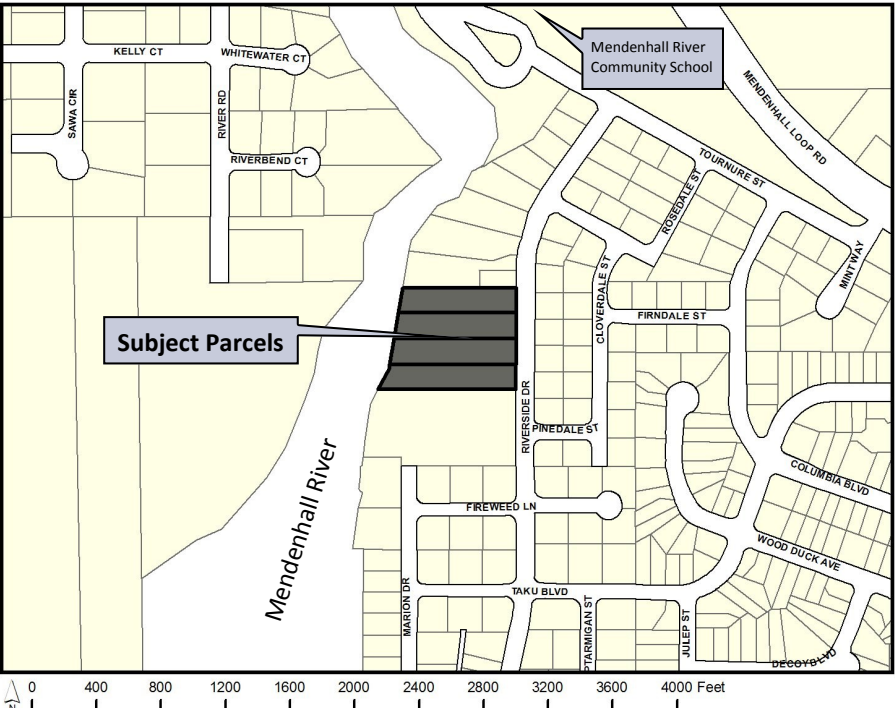
ACTION: Move the proposed crosswalk location to Pinedale Street, where motorists would expect to find pedestrians crossing the road. This location would also serve the church better.

Density Bonus Features





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 a multifamily condominium development.

File No:	USE2016 0018	Applicant:	JUNEAU CONDOS LLC
To:	Adjacent Property Owners	Property PCNs:	5-B25-0-151-007-0, 5-B25-0-151-006-0, 5-B25-0-151-005-0, 5-B25-0-151-004-0
Hearing Date:	June 28, 2016	Owner:	Juneau Condos LLC
Hearing Time:	7:00 PM	Size:	3.04 Acres (132,461 square feet)
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	D-15
		Site Address:	Lots 9, 10, 11, & 12 Riverview Acres
		Accessed Via:	Riverside Drive

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 Eric Feldt at eric.feldt@juneau.org or 586-0764



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: June 30, 2016

File No.: USE2016 0018

Juneau Condos LLC
10840 Lilac Drive
Juneau, Alaska 99801

Application For: A Conditional Use Permit for a multifamily condominium development.

Legal Descriptions: RIVERVIEW ACRES LOTS 9, 10, 11, and 12

Property Address: N/A (Vacant property)

Parcel Code Nos.: 5-B25-0-151-007-0, 5-B25-0-151-006-0, 5-B25-0-151-005-0, 5-B25-0-151-004-0

Hearing Date: June 28, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 16, 2016, and approved the multifamily condominium development to be conducted as described in the project description and project drawings submitted with the application with 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 Community Development Department (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:

Juneau Condos LLC
 File No.: USE2016 0018
 June 30, 2016
 Page 2 of 3

- 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 non-sight-obscuring (porous) fence or vegetation 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 issuance of the final Certificate of Occupancy (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 **48 Units** ~~Units 49—51~~, the applicant shall submit plans and narrative indicating how all conditions will continue to be met. **[Modification to this condition was made by the Planning Commission during the hearing.]**
12. Prior to final CO of the 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 shall 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

Juneau Condos LLC
 File No.: USE2016 0018
 June 30, 2016
 Page 3 of 3

church connecting to the existing sidewalk at Pinedale Street. Both the sidewalk and crosswalk must comply with CBJ street standards.

13) The developer shall ensure dedicated access for the public from Riverside Drive to Mendenhall River. The dedicated access shall satisfy the provisions CBJ code section 49.35.620. [This condition was added by CDD staff immediately prior to the hearing and then was modified by the Planning Commission during the hearing. As written, this condition reflects the Commission's modification.]

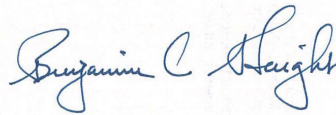
Attachments: June 16, 2016, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2016 0018.

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

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

Effective Date: The permit is effective upon approval by the Commission, June 28, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or December 28, 2017, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

Eric Feldt, Planner
 Community Development Department

Ben Haight, Chair
 Planning Commission



July 11, 2016

Filed With City Clerk

Date

cc: Plan Review

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