



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: August 24, 2011

File No.: USE20110015

Murray Walsh
2974 Foster Ave.
Juneau, AK 99801

Application For: A Conditional Use permit for an apartment complex of 4, 2-story buildings

Legal Description: FAITH LUTHERAN LT 1

Property Address: Sunset Drive

Parcel Code No.: 5-B16-0-109-008-1

Hearing Date: August 23, 2011

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 18, 2011, and approved the apartment complex to be conducted as described in the project description and project drawings submitted with the application, and based on additional information presented at the public hearing made the following conditions:

1. Prior to the issuance of a Building permit, the applicant and CDD shall stake a "Do Not Disturb" line along the wetlands or front yard setback (whichever is greater) near the right-of-way of Sunset Drive and Egan Drive. This area shall be preserved and maintained as a vegetated visual screen as long as the land is held in private ownership. Piercing of this screen shall be limited to necessary utility lines, and disturbed areas shall be immediately re-planted with similar vegetation
2. The driveway shall be restricted to the southwest corner of the site, away from the mapped wetlands as shown on the attached site plan. This shall be shown on a future site plan or grading plan prior to the issuance of a Building permit.
3. If the mapped wetlands located in the new parking lot cannot be filled, the applicant shall submit a revised parking and circulation plan to the Community Development Department for further review to determine if a revised Conditional Use permit is required.

Attachments: August 18, 2011, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE20110015.

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.

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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, August 23, 2011.

Expiration Date: The permit will expire 18 months after the effective date, or February 23, 2013, 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


Maria Gladyszewski, Chair
Planning Commission


Filed With City Clerk

8/25/2011
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.