

**PLANNING COMMISSION  
NOTICE OF DECISION**

Date: August 16, 2012  
File No.: USE2012 0012

Professional Plaza  
9309 Glacier Highway  
Juneau, AK 99801

Application For: To add a new driveway along Berners Avenue for the Professional Plaza office complex in the Mendenhall Valley.

Legal Description: Lots 1 & 4 Block 44 Mendenhall Acres, and Lots 1 - 4 Block 45 Mendenhall Acres

Property Address: 9309 & 9303 Glacier Highway

Parcel Code No.: 5-B16-0-114-000-0; 5B16-0-114-004-1; & 5B16-0-114-004-6

Hearing Date: August 14<sup>th</sup>, 2012

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 9<sup>th</sup>, 2012, and approved a new driveway along Berners Avenue to be conducted as described in the project description and project drawings submitted with the application.

The Commission made the following findings and condition to approve the project:

Findings

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

**No.** Conditions of the neighborhood have dramatically changed since the Commission placed conditions on Professional Plaza, such that the proposed driveway is no longer in conflict with the residential character of the neighborhood given that traffic will be turning toward Glacier Hwy. Further, Berners Avenue is not just a residential neighborhood, it is also a commercial and industrial development. This road serves those uses as well. Therefore, with the recommended condition, the approval of the driveway 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.** Conditions have changed dramatically in the neighborhood since the Commission placed conditions on Professional Plaza. The roads have been reconstructed with signage to discourage traffic going down Berners Ave. and Radcliffe Rd from the proposed driveway. With the recommended condition, traffic will be discouraged

in little traffic in the residential section of Berners Avenue. Therefore, with the recommended condition, the approval of the driveway will be in general conformity with the Land Use Code and Comprehensive Plan.

Condition

- 1) The applicant shall install an EXIT ONLY sign at the proposed driveway at Berners Avenue.

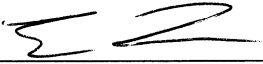
Attachments: August 9<sup>th</sup>, 2012, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2012 0012.

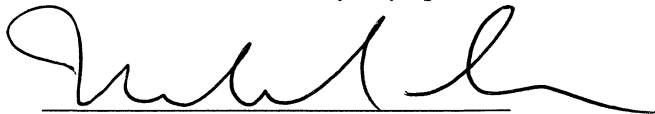
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

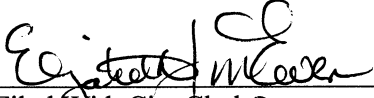
This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030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

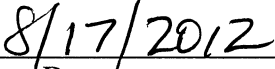
Effective Date: The permit is effective upon approval by the Commission, August 14<sup>th</sup>, 2012.

Expiration Date: The permit will expire 18 months after the effective date, or February 14<sup>th</sup>, 2014, 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

  
Michael Satre, Chair  
Planning Commission

  
Filed With City Clerk *Deputy Clerk*

  
Date 8/17/2012

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.