

**PLANNING COMMISSION**  
**NOTICE OF DECISION**

Date: August 29, 2012

File No.: USE2012 0010

RH Development  
PO Box 32403  
Juneau, AK 99803

Application For: A proposed 22 dwelling unit project at Atlin Drive & Mendenhall Loop Road intersection in the Mendenhall Valley.

Legal Description: Fraction of USS 381

Property Address: 9050 Atlin Street

Parcel Code No.: 5-B16-0-137-001-0

Hearing Date: August 28, 2012

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 21, 2012, and approved the 22 dwelling unit project to be conducted as described in the project description and project drawings submitted with the application.

The Planning Commission instructed the applicant to work with the CBJ Engineering Department to comply with CBJ Code for the construction of a new sidewalk.

The Planning Commission made the following conditions:

1. Through the Foundation Setback Verification form, a surveyor shall confirm the location of buildings to ensure they all meet required yard setbacks.
2. Prior to issuance of Occupancy Permit, the applicant shall submit an as-built survey showing that all buildings adhere to the yard setbacks, or have an approved variance if the setbacks are encroached.
3. Prior to issuance of a Building permit, the applicant shall submit a site plan showing an 8' tall sight-obscuring wooden fence to be installed along the eastern side property line. Where the fence will be within 20' of the travel way of Atlin Drive, it may only be up to 4' high per CBJ § 49.25.430 (4)(L).
4. Prior to issuance of a Certificate of Occupancy, an 8' tall sight-obscuring wooden fence shall be constructed and inspected by CDD staff.
5. Prior to issuance of a Building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting. Exterior lighting shall be designed and located to minimize offsite glare.
6. Prior to removing any trees within the anadromous stream setback during construction, the applicant shall notify CDD staff. Removed trees shall be replanted with similar ones having a minimum height of six feet. All re-planted trees shall be maintained for a minimum of two years; any trees not survived during this period shall be removed and replanted.
7. Snow storage shall not take place within the streamside setback.

8. The site is listed as a Superfund site under the EPA. If this substantially changes the project, the revised project shall be reviewed by the Planning Commission.

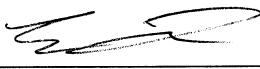
Attachments: August 21, 2012, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2012 0010.

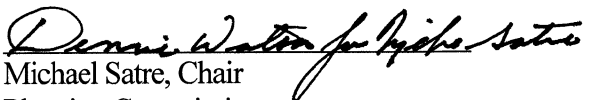
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

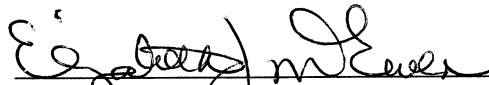
This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030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

Effective Date: The permit is effective upon approval by the Commission, August 28<sup>th</sup>, 2012.

Expiration Date: The permit will expire 18 months after the effective date, or February 28<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

8/30/12  
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.