

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

Date: February 13, 2013

File No.: SMP2012 0002

R & S Construction LLC  
PO Box 210194  
Juneau, AK 99821

Application For: Major subdivision resulting in 5 new lots.  
Legal Description: Lot Y USS 2391  
Property Address: 12100 Mendenhall Loop Road  
Parcel Code No.: 4-B27-0-101-002-0  
Hearing Date: February 12, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 8, 2013, and approved the preliminary plat to be conducted as described in the project description and project drawings submitted with the application, and with the following conditions:

1. Add new plat note stating "Parts of this subdivision may contain wetlands. Consultation with appropriate regulatory agencies is required prior to filling wetlands."
2. Prior to Final Plat approval, the applicant shall designate all wetlands on the plat derived from a wetland delineation.
3. Prior to recording of the subdivision plat, the applicant shall remove, or bond for the removal of, the garage shown in Attachment C.
4. Prior to construction of the subdivision improvements, the applicant shall submit a detailed drainage management plan consistent with CBJ §49.35.510, including a bioswale.
5. Prior to Final Plat Approval, the applicant shall submit a document having the identification, location and elevation of the benchmark used to establish vertical control.
6. ~~Prior to Final Plat Approval, the applicant shall submit the results of a soils test to the Community Development Department.~~ **Removed by Planning Commission**
7. Prior to Final Plat Approval, the applicant shall add the address of the owner in the Plat title block.
8. Prior to Final Plat Approval, the applicant shall submit an HOA agreement establishing the maintenance and responsibilities of all common areas, including the driveway.

9. Prior to construction, the applicant shall note the contour interval on a topographic plan for Community Development Department acceptance.
10. Prior to construction, the applicant shall submit detailed drawings of the proposed utilities and driveway meeting all applicable CBJ Engineering standards.
11. Prior to Final Plat approval, the applicant shall designate on the plat a ten foot drainage and no disturbance easement along the entire northeast border of the subdivision. This will allow for a natural filtration of stormwater runoff prior to entering the 18" cross culvert on back loop.
12. Prior to construction approval, the applicant shall make a note on the construction drawings stating: The centerline of the driveway shall meander to match the flowline of the ditch to the toe of existing slope. This will maintain the integrity of the existing slope. In addition the ditch shall be widened to 8ft to allow for a bio swale meeting the intention of the CBJ Stormwater Program.
- ~~13. Prior to Final Plat approval, the applicant shall construct a pedestrian pathway at least five feet wide that is accessible by all lots and connects to Back Loop Road. **Removed by Planning Commission**~~

VAR2012-29 Permit Conditions:

1. Prior to final plat recording, the developer shall provide for a homeowner's association whose responsibility will be to ensure that the property owners will provide for the continued maintenance of the shared driveway.
2. Documents creating the homeowner's association shall be recorded concurrently with the final plat.
3. Fire apparatus access and turn-around must be provided and shall be constructed to International Fire Code Standards prior to issuance of any Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO) for dwellings on the property.

Attachment: February 8, 2013 memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding SMP2012 0002

This Notice of Decision does not authorize any construction. 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 to 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

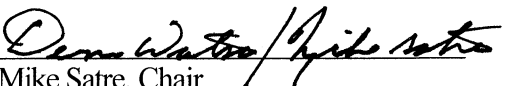
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(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Commission, February 12, 2013.

Expiration Date: The permit will expire 18 months after the effective date, or August 12, 2014, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the subdivision permit was authorized or no final plat has been approved. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:   
Eric Feldt, Planner  
Community Development Department

  
Mike Satre, Chair  
Planning Commission

  
Filed With City Clerk Date 2/15/13

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this subdivision. 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.