

**PLANNING COMMISSION  
NOTICE OF DECISION**

Date: February 13, 2014

File No.: USE2013 0027

David Lendrum  
PO Box 32654  
Juneau, AK 99803

Application For: A Conditional Use Permit for a commercial greenhouse in a D-3 zoning district.  
Legal Description: Bonnie Lot 2 & Lot 3  
Property Address: 11029 & 11031 Mendenhall Loop Road  
Parcel Code No.: 4-B26-0-101-002-2; 002-1  
Hearing Date: February 11<sup>th</sup>, 2014

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 31<sup>st</sup>, 2014, and approved the Conditional Use permit to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The operator of the site shall employ Best Management Practices to protect the adjacent properties from contamination from storm water runoff.
2. Runoff from the site after project completion shall not contribute to the impairment of water quality. Additional water quality mitigation requirements may be placed on the project if the CBJ Engineer finds that this condition has been violated.
3. Prior to any site preparation or construction activity, the applicant shall obtain a grading permit, issued by the Community Development Department.
4. Prior to Certificate of Occupancy improvements to driveway required per DOT Driveway and Approach Road permit are required.
5. The hours of retail operation shall be limited to Tuesday through Saturday 8:00am to 6:00pm (closed Mondays). Sundays 10:00am to 4:00pm. Closed October through March.
6. CBJ-approved signage shall be posted for the accessible parking space and required loading zone prior to commencement of the proposed use.
7. Prior to Certificate of Occupancy water utilities shall be metered.

8. Should USE2013 0027 be approved and the CSP2013 0024 approved, a commercial use agreement with CBJ Lands & Resources shall be required prior to issuance of a building permit, and commencement of commercial operations on the CBJ owned land. In addition, any conditions of approval for CSP2013 0024 shall be implemented.
9. Prior to Certificate of Occupancy that applicant shall improve and maintain the shared driveway to 24 feet in width.

Attachments: January 31<sup>st</sup>, 2014, memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding USE2013 0027.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain a Lease and City Review Permit approval and any required building permits.

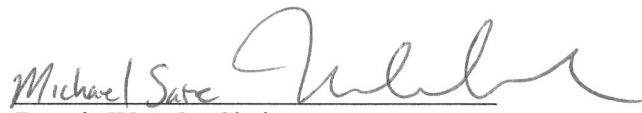
This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (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).

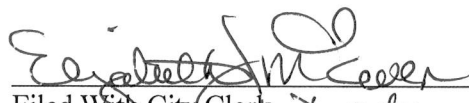
Effective Date: The Conditional Use permit is effective upon approval by the Commission, February 11<sup>th</sup>, 2014.

Expiration Date: The permit will expire 18 months after the effective date, or August 11<sup>th</sup>, 2015, if no City Review Permit or 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:

  
Jonathan Lange, Planner  
Community Development Department

  
Dennis Watson, Chair  
Planning Commission

  
Filed With City Clerk Deputy

  
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.