



**PLANNING COMMISSION  
NOTICE OF DECISION**

Date: July 9, 2014

File No.: USE2014 0007

Sunny Cape LLC  
Attn: Brad Fluetsch  
5730 N. Douglas Highway #A  
Juneau, AK 99801

Application For: Sunny Cape LLC  
Legal Description: USS 1287 Tract B1 and Tract B3  
Property Address: North Douglas Highway  
Parcel Code No.: 6-D09-0-104-009-0; 007-0  
Hearing Date: July 8, 2014

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 27, 2014, and approved the Conditional Use permit for the development of a floriculture farm on two lots in North Douglas, to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. All clearing of the access easement must be restricted to within the easement boundaries. No clearing outside of the easement limits is allowed without land owner permission.
2. All brush and debris cut by the applicant in the access easement must be removed from the easement.
3. Prior to commencement of any clearing of the access easement a survey outlining the boundary of the access easement shall be completed.
4. Any plans to place fill within the easement, or do work beyond what has been described within the application, must be approved by CBJ Lands and Resources Management prior to the start of work.
5. Permitting for access to the North Douglas Highway must be obtained from the Alaska Department of Transportation (DOT) prior to commercial use of the easement for access.
6. If DOT requires additional work within the CBJ easement as a condition of approval to use the North Douglas Highway for access, approval must be obtained from CBJ Lands and Resources Department prior to the start of work.
7. Prior to clearing of the subject parcel the applicant shall apply for a Grading and Drainage permit through the General Engineering Department.

8. Prior to expansion of farming into mapped wetland on their parcel, the applicant shall apply for a Grading and Drainage permit and submit to the Community Development Department an approved U.S. Army Corps wetland fill permit.

Attachments: June 27, 2014 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding USE2014 0007.

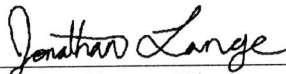
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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).

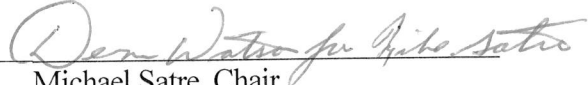
Effective Date: The permit is effective upon approval by the Commission, July 8, 2014.

Expiration Date: The permit will expire 18 months after the effective date, or January 8, 2016, 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.

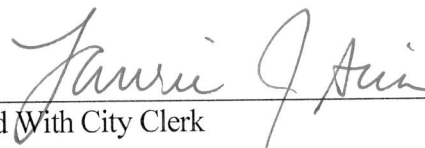
Project Planner:

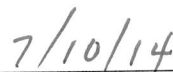
  
Jonathan Lange, Planner

Community Development Department

  
Michael Satre, Chair

Planning Commission

  
Filed With City Clerk

  
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.