

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: November 13, 2014

TO: Planning Commission

FROM: Chrissy McNally, Planner *Chrissy McNally*
Community Development Department

FILE NO.: USE2014 0014

PROPOSAL: Conditional Use to allow commercial hydroponic vegetable farm in the D5 zoning district.

GENERAL INFORMATION

Applicant: Allen Butner

Property Owner: Allen and Gerri Butner

Property Address: 9220 Lee Smith Drive

Legal Description: Airport Acres Block C Lot 8

Parcel Code Number: 5-B16-0-105-005-0

Site Size: 0.22 Acres

Comprehensive Plan Future Land Use Designation: Urban Low Density Residential (ULDR)

Zoning: D5

Utilities: City water & sewer

Access: Lee Smith Drive

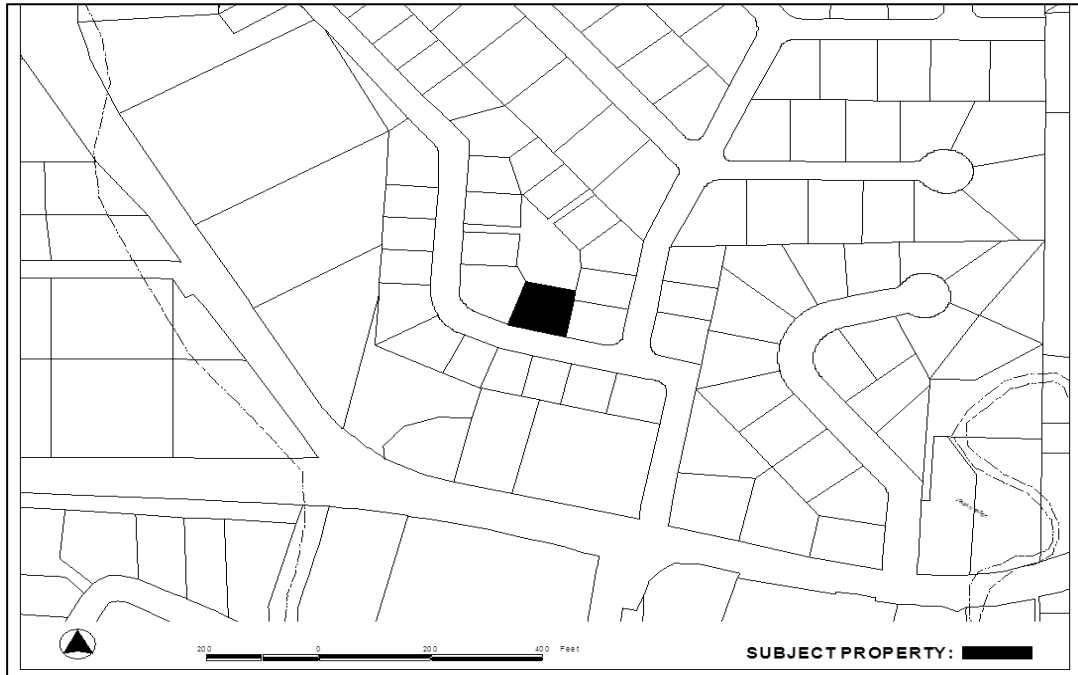
Existing Land Use: Single Family/Day Care

Surrounding Land Use:

North	-	D-5/Vacant
South	-	Light Commercial/Lee Smith Drive
East	-	D-5/Duplex
West	-	D-5/Duplex



VICINITY MAP



ATTACHMENTS

- Attachment A: Conditional Use Permit Application
- Attachment B: Plat
- Attachment C: Zoning map
- Attachment D: Site plan
- Attachment E: Vicinity aerial
- Attachment F: Public comment
- Attachment G: Public notice

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a commercial hydroponic vegetable farm in the D5 zoning district. The proposal includes the placement of six containers on the site. According to CBJ 49.25.300 Section 14.200 *Table of Permissible Uses*, commercial agricultural operations are allowed in the D5 zoning district with a Conditional Use Permit.

The applicant is also seeking a Variance (VAR2014 0025) to the rear yard setback of 20 feet to zero feet for the placement of the containers.

BACKGROUND

The property located at 9220 Lee Smith Drive was platted in 1955 (Attachment B). The residence was built in 1962. It has been used as a residence and professional office for several decades. The

Community Development Department records indicate a Conditional Use permit was granted in 1983 for the operation of an accounting firm out of the residence.

According to the applicant an insurance company operated out of the residence for several years. Ownership then transferred to Boy Scouts of America which managed their Southeast Alaska operations from the site. CDD does not have a record of these uses.

The current owner purchased the property from the Boys Scouts of America in 2009. The owners have operated a day care for up to 8 children for the last few years, which is a permissible use in the D5 zoning district. The applicant stated that they intend to continue operating the day care until the hydroponic farm is profitable.

ANALYSIS

Project Site – The subject site is 9,806 square feet and is located in the D5 zoning district. The Light Commercial zoning district is located on the southern side of Lee Smith Drive (Attachment C). A 2,244 square foot single family residence was built on the site in 1962. Much of the property is paved or is covered in gravel (Attachment D).

The recorded plat identifies the undeveloped lot to the north as a recreation area (Attachment B). This lot is owned by CBJ Lands and Resources. CBJ Lands and Resources has no objection to the proposed use. During a site visit staff confirmed that the land is heavily forested and inundated with water.

There is a duplex on the lot to the west and to the east. A church is located directly to the north. The church operates a guesthouse which is adjacent to the subject property to the northeast (Attachment E). These properties are located in the D5 zoning district. Several commercial businesses lie directly to the south in the Light Commercial zoning district including the Travel Lodge motel and two dental clinics.

Project Design – The applicant proposes placement of six insulated containers to house the hydroponic growing operation. The containers will be purchased from Urban Container Farm, a company that converts shipping containers into hydroponic grow farms. The produce harvested from this operation will be sold to area stores. The containers are 53 feet long 8 feet high and 8 feet wide. The proposal is to stack the containers with three on the bottom and three on top (Attachment D). Therefore the structures would occupy 1,272 square feet and be 16 feet high. The accessory structure height allowance in the D5 zoning district is 25 feet. The applicant is undecided as to whether he will place a shelter over the containers. However, this shelter cannot exceed the 25 foot height limit. A small deck to access the second story of containers is also part of the proposal.

The eastern side of the house is an approximately 300 square foot converted garage. The applicant intends to use this space for packaging and staging of the produce prior to loading it into the delivery truck. The applicant stated that delivery times will be determined by the purchasing stores.

Therefore, the times of day and days of the week for deliveries have not been determined yet. However, the applicant does not anticipate excessive noise from packaging and loading for a delivery. The lettuce will be harvested inside the containers and moved to the indoor packaging room and finally loaded into the truck. The applicant intends to operate the business without employees so there will not be noise from employees arriving or departing.

Lot Coverage. The D-5 zoning district allows for 50 percent lot coverage. The lot is 9,806 square feet. Therefore, structures may occupy 4,903 square feet. The containers will encumber 1,272 square feet in addition to the existing structures. Besides the dwelling, there are three storage sheds totaling 256 square feet. The containers, residence, and sheds would occupy 3,772 square feet which is 38 percent lot coverage.

Minimum Vegetative Cover. According to CBJ 49.50.300 *Minimum vegetative cover*, there is a 20 percent vegetative cover requirement in the D5 zoning district. Therefore, 1,961 square feet of the lot must have vegetative cover. The applicant states that 27 percent of the lot has vegetative cover. However, review of aerial imagery and a site visit confirm that the vegetative cover of the lot does not meet the 20 percent minimum.

There is significant moss on the pavement covering the property. However, the pavement is still an impervious cover and doesn't support surface water management, which is one reason for requiring vegetative cover. The applicant stated that during heavy rainfall the adjacent CBJ property fills with water and floods a portion of his lot. The containers will cause further suppression of the already impervious ground worsening the already poor drainage. The applicant has space where the day care play area currently is to install vegetation. The eastern side of the lot could also have further vegetation installed to help with drainage, but also act as a screening buffer. Further, rooftop vegetation could be installed on top of the containers. Staff recommends a vegetative cover plan be submitted indicating where new vegetation will be installed. Staff recommends the following condition:

In addition to the landscaped areas shown on the site plan submitted with the project application, a detailed vegetative cover plan shall be provided indicating how the 20 percent minimum is met, and shown on a site plan reviewed and approved by CDD staff prior to issuance of a building permit for the proposed structures.

Staff further recommends that an expansion of the business to include an additional container beyond the proposed six require a new Conditional Use Permit to properly evaluate the effect of an additional container to lot coverage and vegetative cover.

Visibility. The containers would not be visible from the street since they would be shielded by the residence. They would be visible to the three neighboring residences on the west, east and northeast. The applicant stated he had spoken to the lessee of the residence to the west and there were no objections to the placement of the containers. The applicant also stated he spoken with the owner of the residence to the east and similarly there were no objections to the use. At the writing of this

report, staff had not received any public comment opposing the proposal.

The containers are most visible from this eastern property. Many of the trees that would serve to screen the containers are deciduous and therefore, offer screening only during the summer months. To protect future residents, staff recommends a vegetative screening buffer be installed along the east property line. Staff recommends the following condition:

A vegetative screening buffer shall be installed along the eastern property line.

Water Management. The containers will contain 100 to 150 gallons of water that will be completely or partially replaced on a monthly basis. The applicant intends to install a French drain near the containers to dispose of water. This commercial use will also require the installation of a commercial water meter.

Traffic – The applicant's proposal includes a single delivery truck to be operated by the owner/operator. As previously stated delivery times have not yet been determined. However, the owner expects deliveries to occur every few days. A day care for eight children currently operates out of the residence. Each child attending the day care generates two trips per day. Therefore, the average daily trips associated with the day care are more than what is anticipated by the commercial hydroponic lettuce farm.

Parking and Circulation – The property has five parking spaces in front of the residence. The residence requires two parking spaces. A sixth stacked parking space is also available on the eastern side of the house. There is no parking requirement for the day care. However, there is ample parking space for the residence, the day care, and a delivery truck.

The site has sufficient space for the packaging and loading of the produce. The delivery vehicle is able to stage adjacent to the packaging room. The truck would be able to back into the driveway, allowing for safe exiting once the truck is loaded with produce.

Noise – The only noise resulting from the proposal anticipated by the applicant will be from the delivery truck. This site is located in close proximity to other commercial uses which generate significant traffic such as the motel and the Juneau International Airport. Even if deliveries occur twice a day it is unlikely that the loading and departing of a single delivery truck would generate noise that is unusual for the neighborhood.

However, expansion of the business may require more frequent deliveries than anticipated and necessitate the hiring of employees. Staff recommends that these parameters trigger a new Conditional Use Permit to properly evaluate how an expansion beyond the current proposal would affect the neighborhood.

Public Health or Safety – The applicant has provided the chemical composition of the fertilizer supplied by the developer of the hydroponic growing containers. If consumed in a concentrated form,

it could be harmful to someone if ingested. However, once diluted and added to the growing water of the lettuce the product is not harmful. Further, the plants will absorb the nutrients during the growing cycle. Therefore, the water that is eventually disposed of will have little to no concentration of the fertilizer.

Staff received letters from the public in support of the proposal due to the need for fresh produce (Attachment F). Locally grown food would have beneficial health impacts to the community.

Habitat – The site is in a densely developed area of the Mendenhall Valley. Moreover, no eagle nests, anadromous fish streams, wetlands, or other sensitive areas are known to exist on the subject site.

Property Value or Neighborhood Harmony – Identifying the neighborhood is challenging given the variety of uses and zoning boundaries (Attachment C). The subject property is in the D5 zoning district and is bordered by the Light Commercial zoning district. A large hotel and two dental clinics are directly across the street from the subject lot (Attachment E). There are two duplexes adjacent to the subject site. The lot to the northeast contains a church. As previously stated the rear of the lot is adjacent to a vacant CBJ parcel that is highly susceptible to flooding. The area is also in close proximity to the airport.

There is a clear line between the commercial area and the residential area. Zoning is intended to ensure that similar uses are located near one another. There was an intention when the zoning maps were adopted to separate the residential neighborhood from commercial uses. However, several professional offices have existed on the subject site over the years. However, this commercial use is more intense than previous uses, adding infrastructure and product delivery. There is also the potential for the operation to grow based on product demand.

The intent of the hydroponic farm is to be a supplier of fresh produce to the major Juneau grocery stores. If demand increases beyond the supply offered by the six containers, the applicant will need to apply for an additional Conditional Use Permit to expand the operation on the site. The applicant could also choose to buy or lease a property in a more suitable location. The applicant did inquire with CBJ Lands and Resources regarding the sale of the adjacent CBJ owned lot. It should be noted that the proposed development does not need to be at the owner/operator's residence. This use would be allowed outright in the Rural Reserve and D1 zoning districts.

Conformity with Adopted Plans – This property is designated as Urban Low Density Residential (ULDR) on the 2013 Comprehensive Plan Land Use Map G. The ULDR land use designation is for lands;

“...characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow house, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in

the Table of Permissible Uses (CBJ49.25.300).

With appropriate conditions, this commercial development may be deemed to be of a scale consistent with a single-family residential neighborhood.

The 2013 *Comprehensive Plan* Chapter 2 specifically supports the development of local commercial food production. There is a need for fresh food for health reasons, but local production provides for food and economic security.

POLICY 2.1 TO BUILD A SUSTAINABLE COMMUNITY THAT ENDURES OVER GENERATIONS AND IS SUFFICIENTLY FAR-SEEING AND FLEXIBLE TO MAINTAIN THE VITAL AND ROBUST NATURE OF ITS ECONOMIC, SOCIAL, AND ENVIRONMENTAL SUPPORT SYSTEMS.

Implementing Action 2.1 – IA10 Support the individual and commercial production of foods locally grown with careful evaluation of environmental impacts.

Hydroponic food production is a low impact form of growing. Normal fertilizers will be used in the water and be absorbed by the plants prior to any disposal of the water.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
- and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
- or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 14.200 for the D5 zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the November 14, 2014 and November 24, 2014 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

4. Will the proposed development materially endanger the public health or safety?

No. Based on the preceding staff analysis, this proposed development will not materially endanger public health or safety.

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

No. There is no evidence to suggest the development would substantially decrease the value of property in the neighboring area. Both residences adjacent to the property are rental units. Rental rates in Juneau remain high due to the lack of supply of housing. Similarly, the use is not out of harmony with the section of the neighborhood that lies within the Light Commercial zoning district. The dental clinics and hotel generate significant daily traffic. Given the convergence of commercial and residential uses in such a small area it is unlikely the proposed use would affect neighboring property values.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. Based on the preceding staff analysis, the proposed development is in general conformity with the 2013 *Comprehensive Plan*.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

N/A.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of commercial hydroponic vegetable farm in the D5 zoning district. The approval is subject to the following conditions:

1. Prior to a Certificate of Occupancy a commercial water meter shall be installed.
2. CBJ property will not be used to access the site.
3. CBJ property will not be used for storage of supplies or equipment related to this urban agricultural use.
4. Containers used for growing hydroponic vegetables will be temporarily placed on the applicant's property and will be removed if the vegetable growing operation is discontinued.
5. In addition to the landscaped areas shown on the site plan submitted with the project application, a detailed vegetative cover plan shall be provided indicating how the 20 percent minimum is met, and shown on a site plan reviewed and approved by CDD staff prior to issuance of a building permit for the proposed structures.
6. A vegetative screening buffer shall be installed along the eastern property line.
7. The following metrics for business expansion will necessitate a new Conditional Use Permit
 - a) Hiring of employees beyond that required for the six containers
 - b) The addition of delivery vehicles beyond the one proposed
 - c) The addition of a container van beyond the six proposed

TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>9/26/14</u>
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description To place up to six 53 ft container vans on the rear of the property to be used as a commercial hydroponic farm with a variance to the setback so that they may be placed on the back of the property		
	PROPERTY LOCATION		
	Street Address 9220 Lee Smith Dr	City/Zip Juneau AK 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Airport Acres BL C LT 8		
	Assessor's Parcel Number(s) 5B1601050050		
	LANDOWNER/ LESSEE		
	Property Owner's Name Allen and Gerri Butner	Contact Person: Allen Butner	Work Phone: (907) 723-7829
	Mailing Address 9220 Lee Smith Dr, Juneau AK 99801	Home Phone: (907) 789-9492	Fax Number:
	E-mail Address butner2272@gmail.com	Other Contact Phone Number(s): (907) 957-4847	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:			
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.			
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X			<u>9/26/14</u> Date
Landowner/Lessee Signature			
X			
Landowner/Lessee Signature			
Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name Same		Contact Person:	Work Phone:
Mailing Address		Home Phone:	Fax Number:
E-mail Address		Other Contact Phone Number(s):	
X		<u>9/26/14</u> Date of Application	
Applicant's Signature			

-----OFFICE USE ONLY BELOW THIS LINE-----					
STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	X	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<u>9/26/14</u>	<u>USE20140014</u>
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments:				Permit Intake Initials

Frontier Farms

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Juneau Alaska

RECEIVED

SEP 26 2014

PERMIT CENTER/CDD

ATTACHMENT A

Conditional Use Permit

Project Description: A detailed letter or narrative describing the project.

We are looking to place up to six 53 ft. insulated container vans that have been modified to serve as hydroponic grow facility for leafy greens of various types and with the option to grow any manner of plant matter as dictated by the market. We may or may not place a concrete pad under the vans. Water, sewer and electric will be run underground to the vans. If we put in more than three, they will be stacked two high. This will still conform within the CBJ height maximum of 25 ft. We may or may not put one of the plastic fabric covered garage structures over the entire farm site. They will be placed side by side, three wide. They will be placed on the asphalt area of the backyard, so as not to remove any vegetation from the property to conform to CBJ requirement of 20% vegetative cover. We are currently at approximately 27%. Access will be from the southern end of the property. There will be no significant foot traffic in this area. There will be no additional external lighting. No delivery vehicles will be going back there, beyond our vehicles occasionally. This is not anticipated to be needed other than rare occasion. I will be hand carrying boxes of product to the packaging room on the eastern side of our house, packaging it for delivery and loading it into the vehicle at the existing front parking area. We anticipate the hours of operation will be limited to 8am to 8pm as a general rule. Actual operation of the farm will only require a few hours a day, but we reserve the right to accommodate emergency orders or the needs of our customers. There will be no retail sales on site. The property is currently being utilized as a state licensed child care facility with the plan being that once the farm is solidly established, we will close the childcare facility. A French drain will be installed to control rain water drainage and dispose of the wastewater from the farm. Containers will be painted in a manner that will not be garish or loud, unless they are covered with plastic tarp garage or metal building. Every attempt will be made to get them to blend in. If needed for screening, additional vegetation may be added. Property is already very secluded. Back of property is CBJ property, an unused swamp full of trees with very little drainage, so it is not used at all by even wildlife. To the west are storage sheds that are approximately 15 ft. tall, with a six ft. fence behind it, partitioning it from the neighboring rental unit. To the east, it is fairly treed for the back part of the property. Originally there was a dilapidated wood fence there that was removed and eventually will be replaced. There is a rental unit beside the property to the west and to the east. There is a church to the northeast, shielded from the property with trees.

Plans: All plans are to be drawn to scale and clearly show the items listed below:

A. Site plan, floor plan and elevation views of existing and proposed structures

See attached

B. Existing and proposed parking areas, including dimensions of the spaces, isle width and driveway entrances

See Attached Photos

C. Proposed traffic circulation within the site including access/egress points and traffic control devices

There should be no increase in traffic in the region due to this project. There will be no retail sales, so the traffic will be limited to me taking deliveries to the stores occasionally. If anything, once this business is up and running, we will be closing the child care in our home, so traffic should decrease due to this project...

D. Existing and proposed lighting (including cut sheets for each type of lighting)

We will not be adding any additional external lighting

E. Existing and proposed vegetation with location, area, height and type of plantings

See attached photos. Daughter is about 6 ft. for scale.

F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Drainage is currently gravity fed from house to the back of the property. We will be installing a French drain to capture this rainwater runoff. There are no eagle trees, hazards or salmon streams involved in this project.

Variance Request

Project Description: A detailed letter or narrative describing the hardship and/or practical difficulties that is the result of an extraordinary situation or unique physical feature affecting a specific parcel of land or structure. Also include how the proposed project meets the variance criteria listed on the attached sheet.

It is approximately 45 ft. from the back of the house to the back of the property. To meet the current demand from just 3 of the 5 stores in town that we have talked to, we will need to have three vans. Once we talk to the other two, it is very likely we will need all six. The plan is to put three vans, side by side along the property line. This will leave approximately 15 ft. between the vans and the house. The current 20 ft. setback would only leave us 25 ft., effectively restricting us to 2 vans maximum, with them crammed up against the house. While technically feasible, this would certainly not be ideal, and would not even meet the demand of the stores we have contacted, let alone the needs of the rest of Juneau.

Locating the vans on the property line will have no impact on the neighborhood. Behind our property is city land that has been left undeveloped. It is the low spot and has little to no drainage so has become a swamp. It is wet enough we have not even seen wildlife using it, other than an occasional duck. There is ample vegetation between our property and the church to the Northeast. There is a fair amount of screening between us and the rental units to the East, and we anticipate putting in a 6 ft. wooden fence eventually, replacing the fence that rotted and was removed. To the West, there are three storage sheds and a six foot fence between us and that rental unit.

Plans: A site plan, drawn to scale, is required for all Variance Applications. The site plan should include the following information:

See attached

- A. The location of existing and proposed structures (i.e. buildings, fences, signs, parking areas, etc.); and**

See attached Photos

- B. The location of existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).**

Drainage is currently gravity fed from house to the back of the property. We will be installing a French drain to capture this rainwater runoff. There are no eagle trees, hazards or salmon streams involved in this project.



the Marlybury society than we are the property of the property owners and deeded houses and that we Marlybury belong the place of residents with the first owners, and therefore all residents, citizens, with, 2012 and other town squares in public or private and in deed.

[illegible]

heavy with but a few rightward prominent sub-epidermal papillae (Fig. 10). The papillae represent the hairy cells, but in order to draw attention, and that of crowded and often single or tripartite, to the base of the papillae.

L. B. Remy
Lieut. & Master, U.S. Navy

[illegible]

ATTORNEY: Robert L. Smith
Clerk: James H. Smith
Agent: James H. Smith



AIRPORT ACRES

SUBDIVISION OF A FRACTION OF

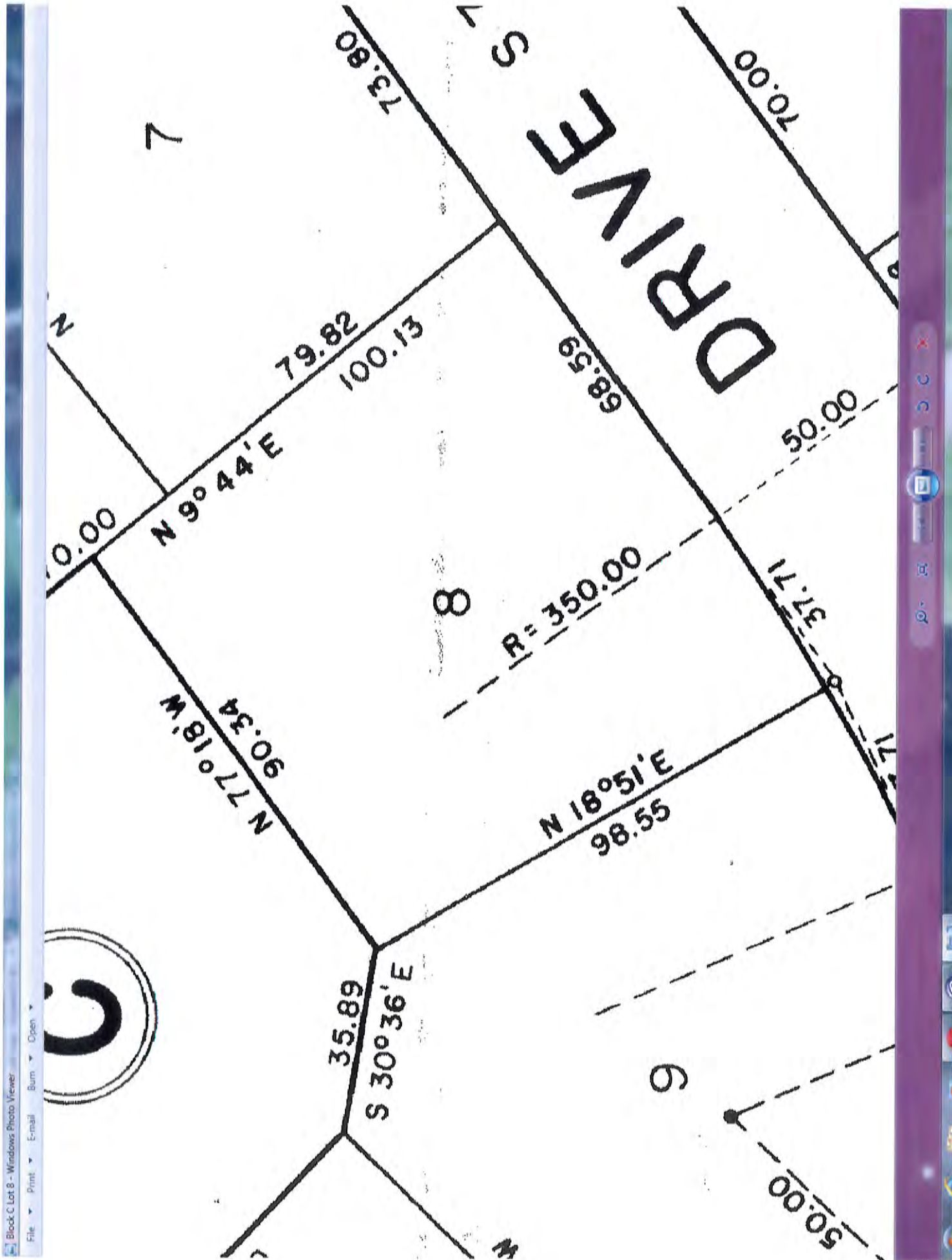
U.S. SURVEY 381

SCALE: 1" = 50'

DECEMBER, 1964

FD-302a (Rev. 11-29-60)

DUMREANU, AL. A. S. C. I.



ATTACHMENT A





Northern Property Border, Showing Property Elevation and Vegetation



Northeast Corner of Property Showing Elevation
and Vegetation



ATTACHMENT A

Western Property Line Showing Elevation, Vegetation,
Storage Sheds and Rental Unit to the West of Property



Site Plan



Site plan showing the expected placement of the container vans on the property



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Lettuce Nutrient Formulation

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Formulated by one of the world's top horticultural chemists, this two-part Evolution Solution formula is designed for all Lettuce types and other closely related hydroponic vegetables. Using the highest quality elements, your lettuce will never look or taste better.

AmHydro nutrients are designed to mix in entirety, see video on mixing 2 part nutrient powders.

Starting at \$69.95

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20 kg's of Part A plus
 20 kg's of Part B plus
 1 Gallon of Water plus
 1 Gallon of Working Solution at 20 kg's / 44 lbs

Stock Solution - Unbuffered solution made with blends of minerals with weak acids. It is a strong solution without any buffer. It is recommended to use this solution for the first 2 weeks of growing.

Working Solution - The solution that you use to grow your plants. It is a balanced solution with a buffer and a stock solution. It is recommended to use this solution for the rest of the growing cycle.

Related Items

[GroMagnon Growth
Nutrient Formulation](#)
[Water Analysis and
Custom Formulation](#)
[Pepper Nutrient
Formulation](#)
[Tomato Nutrient
Formulation](#)

Material Safety Data Sheet

American Hydroponics
286 South G Street
Arcata CA 95521

Lettuce Ozone™ #100 (10-4-21)

Lettuce Ozone™ Hydroponic Nutrient	
------------------------------------	--

Section I

American Hydroponics	707.822.5777 - phone
286 South G Street, Arcata CA. 95521	707.822.4718 - fax
	11/01/2002 – date created

Section II - Hazard Ingredients/Identity Information

Hazardous Components (Specific Chemical Identity; Common Name(s))	OSHA PEL	ACGIH TLV	Other Limits Recommended	% (optional)
Calcium Nitrate	Ca(NO ₃) ₂	n/a		
Potassium Nitrate	KNO ₃	n/a		
Potassium Phosphate	KH ₂ PO ₄	n/a		
Magnesium Sulphate	MgSO ₄	n/a		
Iron Chelate	Fe	n/a		
Manganese Sulphate	MnSO ₄	n/a		
Boric Acid	H ₃ BO ₃	n/a		
Copper Sulphate	CuSO ₄	n/a		
Zinc Sulphate	ZnSO ₄	n/a		
Sodium Molybdate	(NH ₄) ₆	n/a		

Section III - Physical/Chemical Characteristics

Boiling Point	Not applicable	Specific Gravity (H ₂ O = 1)	1.4
Vapor Pressure (mm Hg.)	Not applicable	Melting Point	171c
Vapor Density (AIR = 1)	Not applicable	Evaporation Rate (Butyl Acetate = 1)	Not applicable Not applicable
Solubility in Water - Yes			

Appearance and Odor – White and brown, power and granular
--

Section IV - Fire and Explosion Hazard Data

Flash Point (Method Used) Not applicable	Flammable Limits Not applicable	LEL Not applicable	UEL Not applicable
Extinguishing Media - Not applicable			
Special Fire Fighting Procedures - Not applicable			
Unusual Fire and Explosion Hazards - Not applicable			

Section V - Reactivity Data

Stability	Unstable		Conditions to Avoid
	Stable	X	Not applicable
Incompatibility (<i>Materials to Avoid</i>) Not applicable			
Hazardous Decomposition or Byproducts			
Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur	X	Not applicable

Section VI - Health Hazard Data

Route(s) of Entry: Ingestion, eyes, lungs	Inhalation? Yes	Skin? No	Ingestion? Yes
Health Hazards (<i>Acute and Chronic</i>) Irritant to eyes, nose, throat and lungs. Toxic if swallowed. No long term effects.			
Carcinogenicity:	NTP?	IARC Monographs?	OSHA Regulated?

Not applicable
Signs and Symptoms of Exposure
Eye irritation, mucous membrane irritation, respiratory irritation, dry skin, weakness, abdominal pain, vomiting and diarrhea
Medical Conditions
Generally Aggravated by Exposure
CAUTION! May cause irritation, harmful if swallowed or absorbed through damaged skin.
Emergency and First Aid Procedures
Eyes: Flush eyes immediately with water for 15 minutes. If irritation persists, consult a physician Skin: Wash with mild soap and water. Inhalation: Remove to fresh air. Ingestion: Drink plenty of water.

Section VII - Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled
Shovel or sweep up into a container and reclaim for salvage value or dispose of in accordance with federal, state and local regulations. If permitted, wash to an industrial sewer.
Waste Disposal Method
Dispose of in accordance with federal, state and local regulations.
Precautions to Be taken in Handling and Storing
Store in air tight, waterproof container.
Other Precautions

Section VIII - Control Measures

Respiratory Protection (<i>Specify Type</i>)	
Ventilation – Use local exhaust and general ventilation techniques. Personnel must use a personal respirator if dust concentration exceeds exposure limit.	
Protective Gloves – Ordinary work gloves	Eye Protection – Safety glasses or vented safety glasses
Other Protective Clothing or Equipment – Use NIOSH/MSHA approved dust and mist respirator if dust concentration exceeds exposure limit and up to 50 mg/m3.	

Work/Hygienic Practices – **Wear easily washable clothing. Change daily. Wash clothing before reuse.**

Section IX - Special Precautions

Precautions to be taken in Handling and Storing - **Store in air tight, waterproof container.**

Other Precautions

Reviewed by _____ Reviewed by _____

Revision date _____ Revision date _____



ATTACHMENT A

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with our free consent, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

January 4, 1955

Witnessed by:

L. H. Walker

By Anna B. O'Day

L. H. Walker

By Blair J. Smith

CERTIFICATE OF REGISTERED ENGINEER

I hereby certify that I am a registered professional civil engineer, and that this Plan represents the survey made by me or under my direct supervision, and that all dimensional and other details are correct, to the best of my knowledge.

January 11, 1955

Louis D. Risher
Louis D. Risher, Registered Engineer

CERTIFICATE OF APPROVAL BY THE BOARD

I hereby certify that the Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the Juneau District Planning Board, and that said Plat has been approved by the Board by Plat Resolution No. 2, dated JAN. 4, 1955, and that the Plat shown hereon has been approved for recording in the office of the United States Commissioner, as official Recorder, Juneau.

January 11, 1955

D. H. C. Co.
Chairman
Juneau District Planning Board

ATTEST:

By

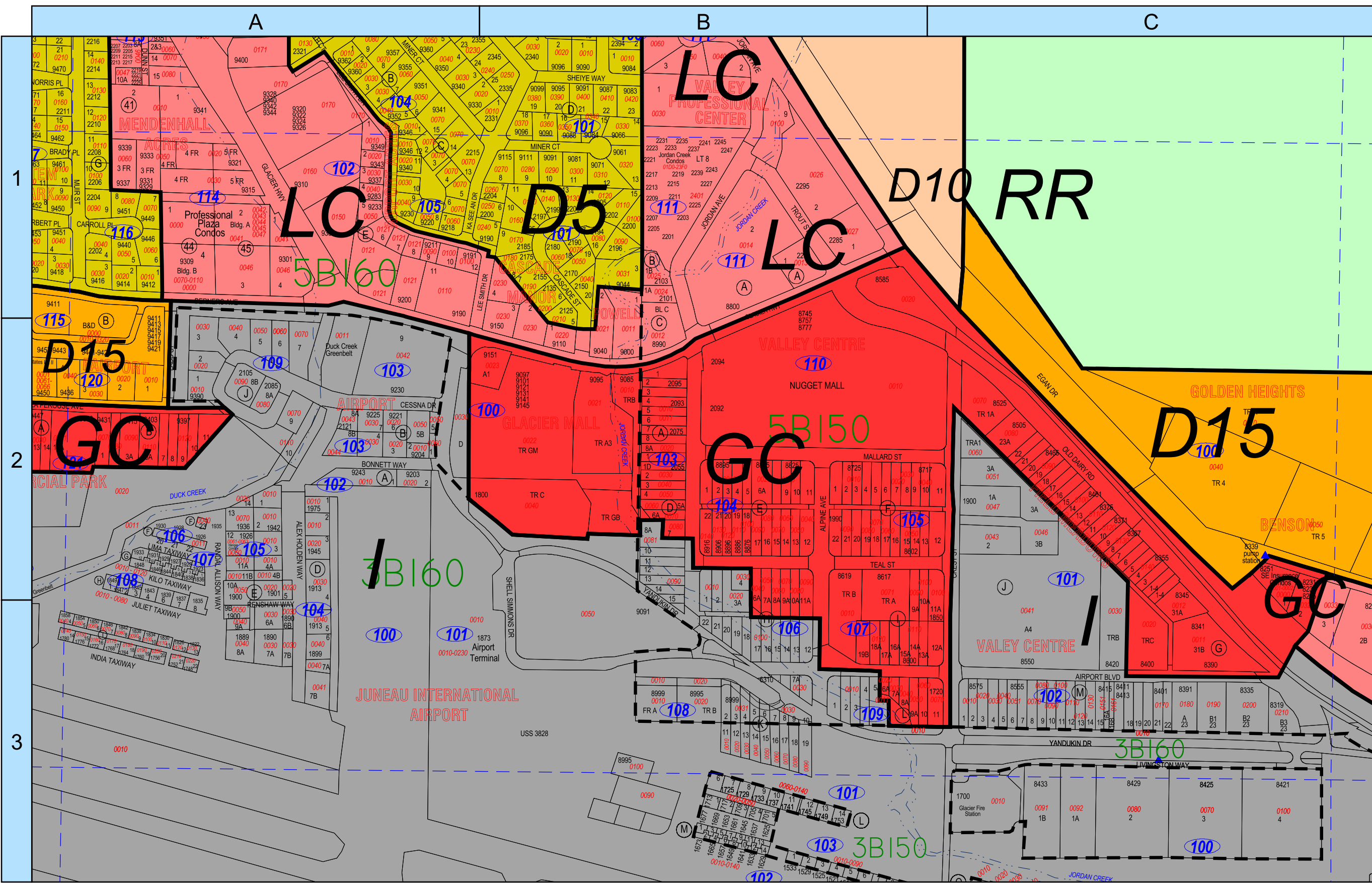


TERRITORY OF ALASKA
 JUNEAU, ALASKA
 The within instrument was filed for record
 at 11:15 A.M. on January 11, 1955
 and has been recorded in book Plat No. 201
 on page 1 of the record of said District.
 District Recorder
 Filed for \$ 1.00
 Recorded by C. E. Co.

AIRPORT ACRES
 SUBDIVISION
 OF A FRACTION OF
U. S. SURVEY 381

SCALE: 1" = 50' DECEMBER, 1954
 FELIX J. TONER, REGISTERED ENGINEER JUNEAU, ALASKA

PLAT NO 201

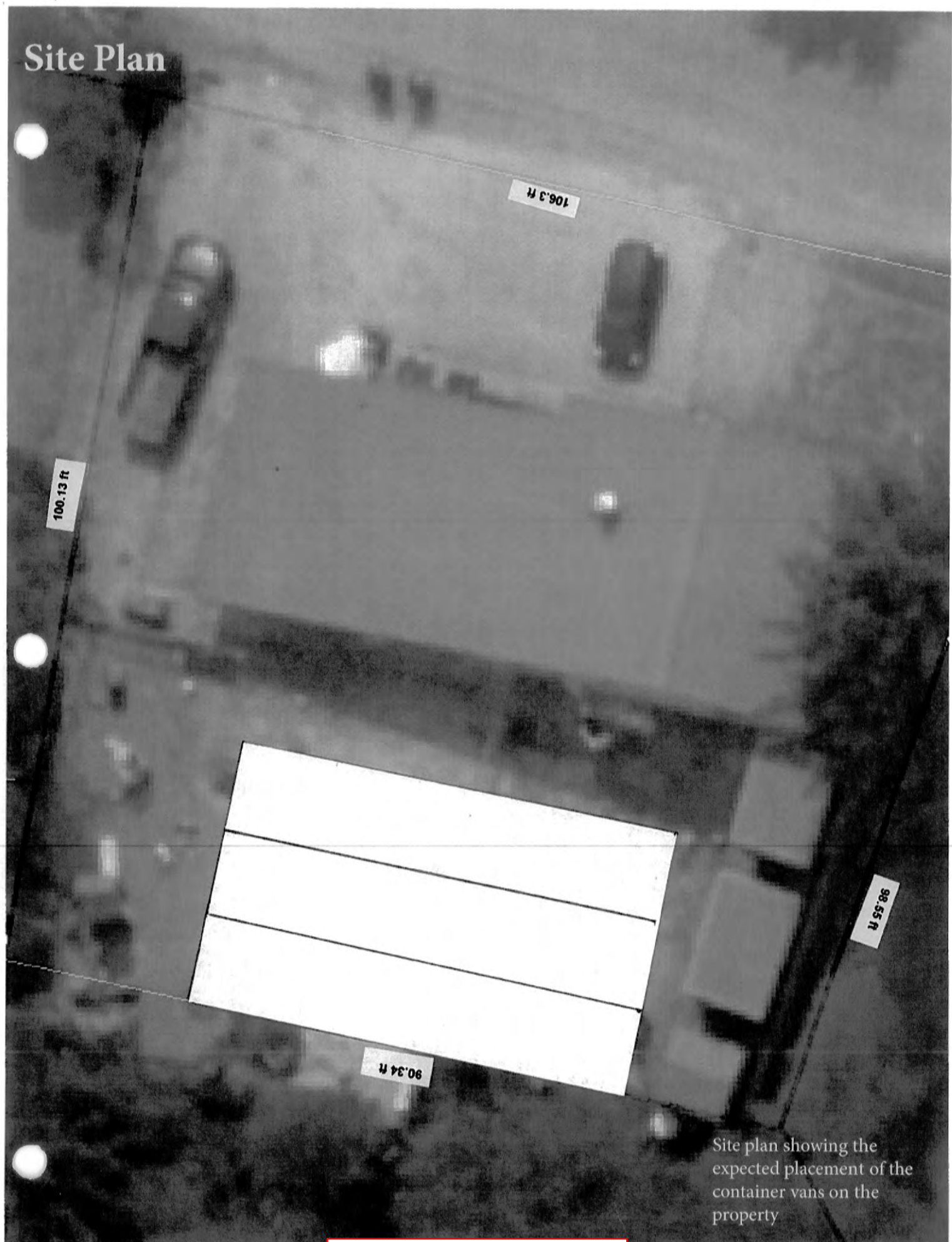


Assessor Tax Number Code

6D090	102	0030
Parcel Code Prefix	Block Number	Lot Number



Site Plan



Site plan showing the expected placement of the container vans on the property



ATTACHMENT E

Holly Kveum

From: Linda Shaw <linda.rose.shaw@gmail.com>
Sent: Wednesday, November 12, 2014 8:34 AM
To: Christine McNally
Cc: butner2272@gmail.com
Subject: Re: Support for Allen Butner Fresh Produce Business

With Signature block this time!

To whom it may concern:

Please allow me this opportunity to support permitting of Allen Butner's fresh produce business idea. Allen's proposed business would be a great asset to Juneau, and Juneau's food security. As a consumer of healthy fresh vegetables, my husband and I are constantly challenged to find fresh affordable produce in Juneau. Much of the produce in our grocery stores is already past its prime by the time it hits the shelves, and must be used immediately before spoiling. We have wasted more food and money on spoiling vegetables than I would care to admit. This issue is also a problem with the Full Circle Farm boxes that we used to get, which are shipped from Washington State. Unfortunately a higher percentage than you might expect of items in these boxes has also begun to spoil by the time it is received. For this reason we stopped purchasing the boxes.

There is no substitute for locally grown vegetables in terms of freshness and having this option will no doubt be a boon to those Juneau residents seeking a healthy diet. Locally grown produce will also cut transport costs, improve Juneau's food security, and support the local economy. I urge you to support Allen's business to the benefit of us all.

Thank you for the opportunity to comment.

Linda Shaw
9684 Moraine Way
Juneau, AK 99801

On Wed, Nov 12, 2014 at 8:30 AM, Linda Shaw <linda.rose.shaw@gmail.com> wrote:

To whom it may concern:

Please allow me this opportunity to support permitting of Allen Butner's fresh produce business idea. Allen's proposed business would be a great asset to Juneau, and Juneau's food security. As a consumer of healthy fresh vegetables, my husband and I are constantly challenged to find fresh affordable produce in Juneau. Much of the produce in our grocery stores is already past its prime by the time it hits the shelves, and must be used immediately before spoiling. We have wasted more food and money on spoiling vegetables than I would care to admit. This issue is also a problem with the Full Circle Farm boxes that we used to get, which are shipped from Washington State. Unfortunately a higher percentage than you might expect of items in these boxes has also begun to spoil by the time it is received. For this reason we stopped purchasing the boxes.

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Thank you for the opportunity to comment.

Linda Shaw
9684 Moraine Way

Holly Kveum

From: Jonathan Morford <completewarriormma@gmail.com>
Sent: Monday, November 10, 2014 4:22 PM
To: Christine McNally
Subject: Allen Butner proposal

Hello Christine! I am very excited about Allen's hydroponic lettuce business and hope that it will soon be another option for organic, local food in Juneau.

Sincerely,

Harmony and Jonathan Morford



TO WHOM IT MAY CONCERN

I have had conversations with Allen Butner concerning his possible new business venture growing fresh produce in Juneau.

I am the Food Service Manager for NMS at the Juneau Pioneer Home, and am very excited at the possibility of purchasing fresh produce grown locally.

I serve approximately 1000 meals a week, and serving more fresh vegetables is a goal of ours. Currently all of our produce is ordered through Seattle, put on a barge, and shipped to me weekly. So by the time I receive it, it is at least 2 weeks old, and not always as fresh as we would prefer.

I am hoping this new business will start soon, as we want to be one of the first customers, and our Elders will enjoy much fresher and healthier produce for all of their meals.

Thanks

Mark Jimmerson, CDM, CFPP
GM, Nana Management Services
Juneau Pioneer Home
Phone: (907) 780-6806
Cell: (907) 209-8124
Fax: (866) 268-5780

Holly Kveum

From: Heather and Bob Mitchell <whitecap@gci.net>
Sent: Saturday, November 01, 2014 6:57 AM
To: Christine McNally
Cc: 'Allen Butner'
Subject: Written Testimony Regarding File Number USE2014 0014 & VAR2014 0025

Ms. McNally,

I would like to write in support of the proposal put forth by Allen and Gerri Butner for a conditional use permit for their property, as well as a variance to reduce the rear yard setback from 25 feet to 0 feet, to allow for the operation of a commercial hydroponic vegetable farm. I am supportive of this initiative for the following reasons:

- Juneau residents will benefit from the increased availability of fresh, locally grown lettuce through area stores.
- Juneau retailers will benefit from access to higher-quality produce at lower cost, better reliability of delivery and reduced storage requirements. The reduction in wholesale cost, storage costs, and spoilage costs will directly benefit retailers and may indirectly benefit the public to the extent that these savings are reflected in lower retail prices.
- The local economy will benefit from the creation of local jobs.

For these reasons, I recommend the planning commission approve the application put forth by Allen and Gerri Butner for a conditional use permit and variance. Thank you.

Sincerely,
Bob Mitchell
8525 E Valley Court
Juneau, AK 99801

Holly Kveum

From: Mike and Nancy Norton <mikennancy@gci.net>
Sent: Friday, October 31, 2014 2:55 PM
To: Christine McNally
Subject: Allen and Gerri Butner's conditional use permit

Hi, Christine. We are writing on behalf of Allen and Gerri Butner and their conditional use permit to allow hydroponic vegetable farming on their property.

Allen and Gerri have a true belief in eating food that's good for you. In today's society, you just never know if the products you are eating are laden with pesticides or what, unless you eat organic. And we know how expensive that is. The Butner's are enthusiastic about this business venture and bringing produce to our town that will be grown without pesticides or the like. Because it's local, it will be fresher and better for us and ideally cheaper as there won't be freight attached.

As a customer, we, too, are enthusiastic of the possibility of getting produce that is fresh, not weeks old, when we purchase it at the store or when dining at a local restaurant. And not just during the summer growing months, but all year long. It's also reassuring to know that during a natural disaster, when transportation in and out of Juneau might be difficult, that we have a source for fresh produce right here at our finger tips. We're hopeful that this conditional use permit will be granted to the Butners and gratefully appreciate your consideration of this business venture.

Mike and Nancy Norton
9391 Long Run Drive
Juneau
957-1697

Holly Kveum

From: Mukhya Khalsa <mukhya@gmail.com>
Sent: Friday, October 31, 2014 10:31 AM
To: Christine McNally
Subject: hydroponic farm

When I moved from California to Anchorage 35 years ago, I noticed how much older the fresh vegetables were in the grocery stores. As time passed, I stopped noticing and it was only brought to my attention when guests from the lower 48 would come to visit and notice that the zucchini was bitter and the tomatoes were tasteless.

Twelve years later, I moved to Juneau and realized the vegetables were really old compared to Anchorage. It is difficult to store "fresh" food here for more than a few days without it going bad. As Juneau residents, you may think this is normal, but I have been assured by distant friends and relatives that it is not.

I am very excited to hear that we have an opportunity to have a quantity of locally grown food that will be attainable through our grocery stores within days of picking. I hope you will approve Allen and Gerri Butner's Conditional Use permit and Setback Variance applications.

Best Regards,

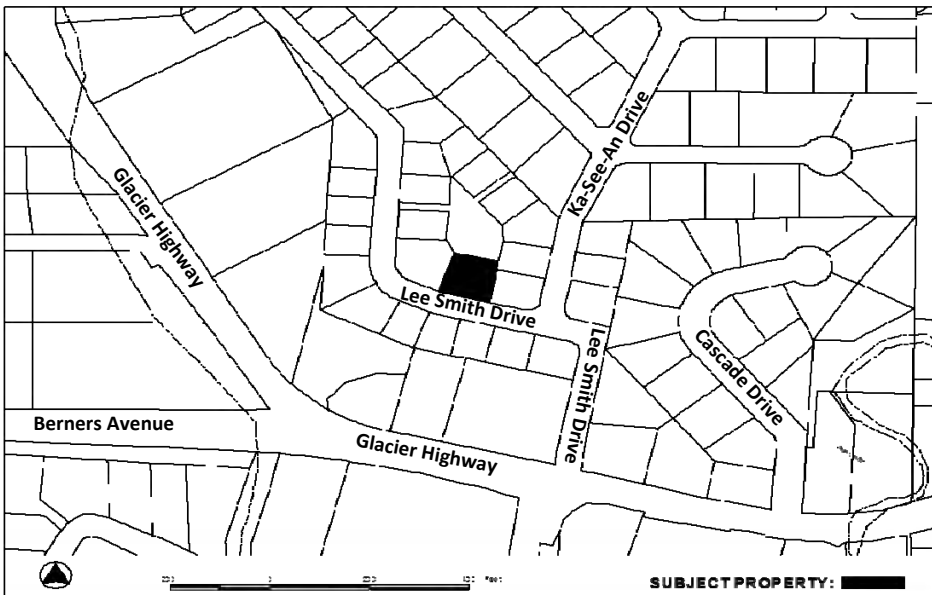
Mukhya Khalsa

Hari Dev Khalsa

And their extended Juneau Family



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: Conditional Use to allow commercial hydroponic vegetable farm in the D5 zoning district.
Variance to reduce the rear yard setback from 25 feet to 0 feet to place three shipping containers for a commercial hydroponic farm.

File No:	USE2014 0014 & VAR2014 0025	Applicant:	Allen & Gerri Butner
To:	Adjacent Property Owners	Property PCN:	5-B16-0-105-005-0
Hearing Date:	November 25, 2014	Owner:	Allen & Gerri Butner
Hearing Time:	7:00pm	Size:	9,806 Square Foot / 0.23 Acre
Place:	Assembly Chambers	Zoned:	D5
	Municipal Building	Site Address:	9220 Lee Smith Drive
	155 South Seward Street	Accessed Via:	Glacier Highway
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.



If you have questions, please contact Chrissy McNally at Christine.McNally@juneau.org or at 907.586.0761

Planning Commission
www.juneau.org/planning

ATTACHMENT G

Meeting Results can be viewed at