



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2023 0019
HEARING DATE: MARCH 12, 2024**

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: March 5, 2024
TO: Mandy Cole, Chair, Planning Commission
BY: Irene Gallion, Senior Planner
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Conditional Use Permit for marijuana retail, cultivation and on-site consumption.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- This is Juneau's first on-site consumption application that would allow smoking.
- Marijuana retail and cultivation are conditional uses for Industrial Zoning.
- On-site consumption is an endorsement on the retail license.
- Industrially-zoned areas accommodate operations that are noisy or have noxious smells.

| INFORMATION | |
|-------------------------|----------------------------------|
| Property Owner | Alaska on Point Properties LLC |
| Applicant | Casey Wilkins |
| Property Address | 10011 Glacier Highway |
| Legal Description | USS 1041 LT 2 |
| Parcel Number | 4B1701020020 |
| Zoning | I (Industrial) |
| Land Use Designation | Light Industrial |
| Lot Size | 17,534 square feet, 0.4025 acres |
| Water/Sewer | CBJ |
| Access | Glacier Highway/Jensine Street |
| Existing Land Use | Commercial |
| Associated Applications | NA |

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 36.30.035
 - 49.15.330
 - 49.25.240
 - 49.40.210, 300(a)(2)
 - 49.65.1255, 1260
 - 49.80

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



| SURROUNDING ZONING AND LAND USES | |
|---|-----------------|
| North | Glacier Highway |
| South | Jensine Street |
| East (industrial) | Pavitt's Gym |
| West (Industrial) | Equipment |

| SITE FEATURES | |
|--------------------------|----|
| Anadromous | No |
| Flood Zone | No |
| Hazard | No |
| Hillside | No |
| Wetlands | No |
| Parking District | No |
| Historic District | No |
| Overlay Districts | No |

BACKGROUND INFORMATION

Project Description – The applicant proposes (**Attachment A**):

| | |
|---------|---|
| Phase 1 | <ul style="list-style-type: none"> 798 square foot “front-facing” retail. Modification of an existing caretaker residence into 927 square feet of storage. |
| Phase 2 | <ul style="list-style-type: none"> 927 square foot retail support, including offices, staff restrooms, observation areas and mechanical. 685 square foot consumption patio. 465 pet area (lawn). |
| Phase 3 | <ul style="list-style-type: none"> 1,285 square foot indoor cultivation area. |

This is the second time this application has come before the Commission. USE2021 0005 was approved by the Commission but expired due to inactivity. The difference between USE2021 0005 is that, under this application, the upstairs caretaker apartment is instead storage.

This permit requests approval of all three phases. Construction of Phase 1 will be considered “substantial construction progress” for the purposes of evaluating the expiration date of the Notice of Decision. Subsequent phases, conforming to this proposal, could be constructed within 18 months of the last Certificate of Occupancy. If modifications are proposed a modified conditional use permit would be required. If subsequent phases would start after regulatory deadlines a new conditional use permit would be required for those phases.

Background – Alaska passed on-site consumption laws in April of 2019, then updated in March of 2021. Laws require:

- Consumption areas have to be separated from the rest of the property (with a secure door).
- Consumption areas have to have a separate ventilation system or be outdoors.
- Smoke-free areas from which employees can monitor consumption.
- Only product purchased on-site can be consumed.

On-site consumption is an endorsement of retail licensure. Retail Licensure must be re-applied for annually. Cultivation includes harvesting, drying, curing, packaging and labelling marijuana. Manufacture would be required if the application was extracting concentrate or manufacturing a marijuana edible. Marijuana regulations are at the Alaska Department of Commerce, Community and Economic Development's Alcohol & Marijuana Control Office web site: <https://www.commerce.alaska.gov/web/amco/Home.aspx>

The table below summarizes relevant history for the proposed development.

| Item | Summary |
|--------------|--|
| BLD - 10936 | (1977) Residence addition to business. Apparent addition of a wood shop. |
| BLD-0393301 | (1989) Installation of a 1,000 gallon LPG Dispenser |
| SUB-W76-423 | (1976) Subdivision of a fraction of USS 1041 into Lots 1, 2 and 3. |
| SUB-W67-107 | (1967) Subdivision of a fraction of USS 1041 into Lots 1, 2 and 3. Never recorded. |
| CU-02-89 | (1989) Conditional Use Permit for storage and sale of propane fuel. |
| BLD2013 0573 | Replace oil tank and boiler with PL tank and boiler |
| PAC2020 0058 | Pre-application conference for previous project. |
| USE2021 0005 | Approval of marijuana retail, cultivation, and on-site consumption |
| BLD2022 0464 | Remodel of existing space to create new marijuana retail AK Vibes. |
| PAC2023 0046 | Pre-application conference for this project. |
| NCC2023 0054 | Nonconforming certification for lot size (new requirement since last application). |

ZONING REQUIREMENTS

Access from Glacier Highway is considered “front.”

| Standard | | Requirement | Proposed | Existing | Code Reference |
|--|--------------------|--|------------------|----------------------|-----------------------|
| Lot | Size, square feet | 2,000 | No change | 17,534 | 49.25.400 |
| | Width, linear feet | 20 | No change | 90 | 49.25.400 |
| | Depth, linear feet | 60 | No change | ~195.26 ^A | 49.25.400 |
| | | | | | |
| Setbacks, linear feet | Front | 10 | No change | ~52 ^B | 49.25.400 |
| | Rear | N/A | No change | | 49.25.400 |
| | Side, east | 0 | No change | 29.62 ^C | 49.25.400 |
| | Side, west | 0 | 4.7 ^D | 20.12 ^C | 49.25.400 |
| | Street Side | 10 | No change | 38-56 ^B | 49.25.400 |
| | | | | | |
| Lot Coverage Maximum, square feet | | None | 3,785 | 3,229 ^C | 49.25.400 |
| | | | | | |
| Vegetative Cover Minimum | | 5%, 877 sq ft. | 1,145 sq. ft. | ~463 | 49.50.300 |
| | | | | | |
| Height, feet | Permissible | None | Two story | Two story | 49.25.400 |
| | Accessory | None | Two story | Two story | 49.25.400 |
| | | | | | |
| Maximum Dwelling Units (One caretaker unit) | | One | None | Demolish | 49.25.500 |
| | | | | | |
| Use | | 14.240 more than 500 feet of cultivation | | | 49.25.300 |
| | | 2.300 Marijuana retail store | | | 49.25.300 |

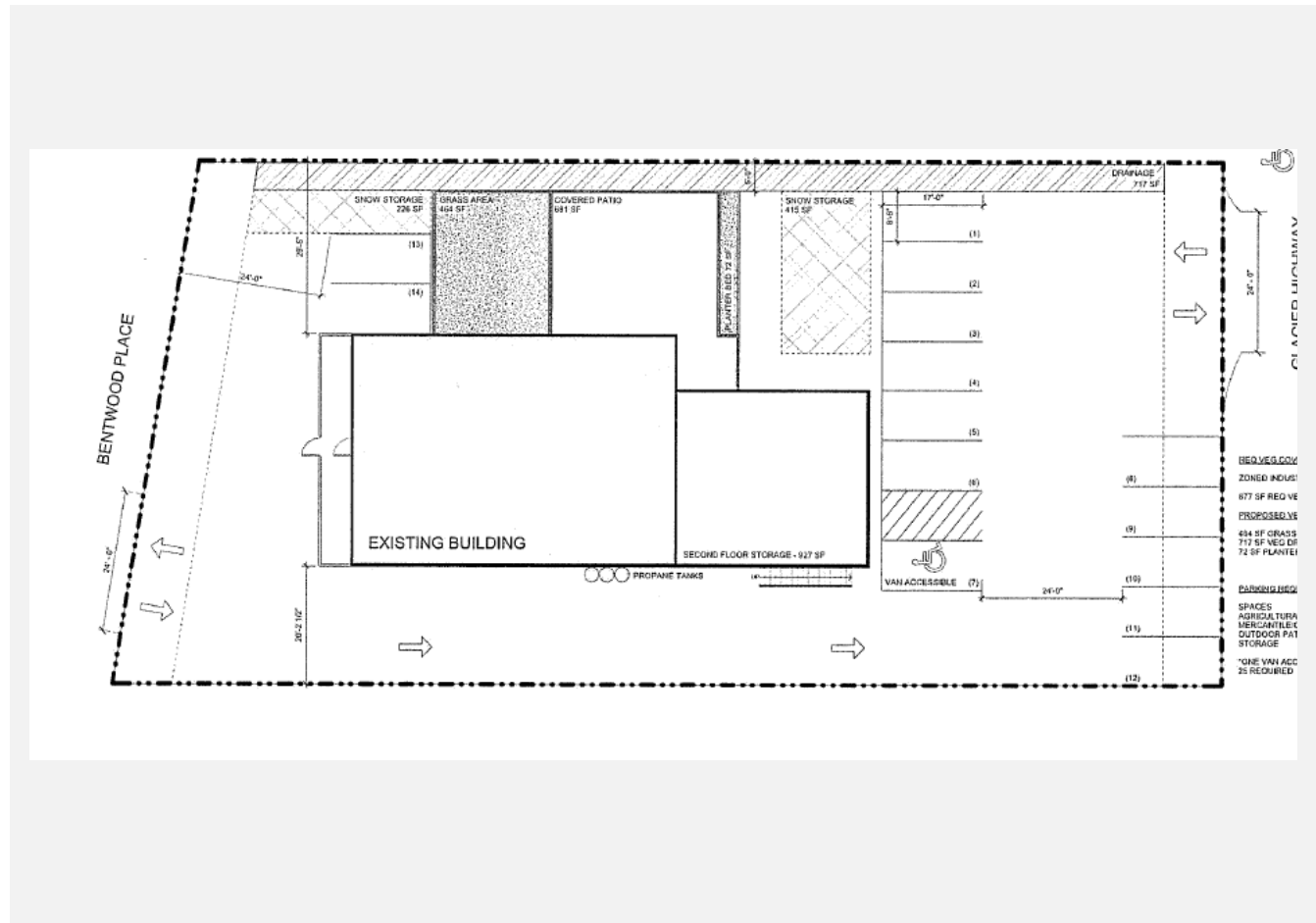
A: Plat 94-26

B: ROW vacation scaled Plat 94-26, added to setbacks on as-built plat

C: Using as-built structure measurements.

D: Provided by Applicant’s architect.

SITE PLAN



ANALYSIS

Project Site – The industrially-zoned site is a double frontage lot on Glacier Highway and Jensine Street with access from both.

Per CBJ 49.25.240, “The Industrial District is intended to accommodate manufacturing, processing, repairing and assembling goods. Because of noise, odors, waste and other impacts inherent in industrial activity, performance standards are applied.” Performance standards used to be in Title 4, which is no longer part of code.

The 2013 Comprehensive Plan recognizes the area “Light Industrial” (page 148).

Land to be developed for heavy commercial or light industrial uses such as

- *small- to medium- scale food processing;*
- *printing and other business services;*
- *wholesale trade;*
- *research and development laboratories;*
- *light manufacturing processes;*

- *metal fabrication;*
- *warehousing, trucking;*
- *animal kennels;*
- *crematoria;*
- *indoor and outdoor storage;*
- *car, boat, and heavy equipment sales; and*
- *repair and maintenance activities.*

Residential units should be limited to caretaker units where the occupant works directly for or owns the business for which the occupant is caretaking.

Condition: None.

Project Design – The facility will be an Alaska Marijuana Control Office (AMCO)-licensed premises.

The development would occur in three phases.

- Phase 1 includes initial retail development, and modification of an upstairs caretaker facility into storage. The apartment interior finishes and kitchen have been removed. A bathroom will be removed at a later date (**Attachment B**).
- Phase 2 will expand the retail support and construct a 685 square foot consumption patio. 465 square feet of lawn is intended to expand greenspace and provide a place for pets.
- Phase 3 will develop the cultivation area.

The Community Development Department does not have a building permit or Certificate of Occupancy for the commercial part of the structure. The CDD Building Department can do an after-the-fact inspection, either before issuing a building permit, or during remodel.

Under state law, on-site consumption is an endorsement on the retail license (**3 AAC 306.080**). Consumables may include smoking bud or flower, or edibles containing marijuana. State law does not allow sale of concentrate for on-site consumption. The consumption area is limited to products purchased on site. Food or non-alcoholic beverages without marijuana may be sold. Alcohol and tobacco may not be consumed on-site.

CBJ recently entry into a Compliance Order by Consent with the Alaska Department of Environmental Conservation to address violations of wastewater limits. During building permit review, CBJ's Public Works Department will require a wastewater sample port, and evaluate other mitigation measures the development may require.

Condition: None.

Traffic – A traffic impact analysis IS NOT required [CBJ 49.40.300(a)(2)]. The project will generate less than 250 Average Annual Daily Traffic.

The Institute of Transportation Engineers' Trip Generation Manual (9th Edition) does not have data specifically for the uses proposed. For this application we used similar projections:

- Marijuana retail (including Phase 2 expansion) – Pharmacy/drugstore without drive-through window (page 1795, Volume 3)
- Storage – Warehousing (page 202, Volume 2)
- On-site consumption (including pet area) - Drinking place (page 1862, Volume 3)
- Marijuana cultivation – General light industrial (page 102, Volume 2)

| Use | Total Sq. Ft. | Trips Generated | Total Trips |
|--------------------------|---------------|-------------------------|---------------|
| Pharmacy/drugstore | 1725 | 90.06 per 1,000 sq. ft. | 155.35 |
| Storage | 927 | 3.56 per 1,000 sq. ft. | 3.30 |
| Drinking place | 1,150 | 11.34 per 1,000 sq. ft. | 13.04 |
| General light industrial | 1285 | 6.97 per 1,000 sq. ft. | 8.96 |
| Total ADTs: | | | 180.65 |

Condition: None.

Vehicle Parking & Circulation – Off-street parking analysis used the following parking categories [CBJ 49.40.210]:

- Marijuana retail (including Phase 2 expansion) – Retail
- Storage – Warehouse, Storage and Wholesale Business
- On-site consumption (including pet area) - Restaurants and Alcoholic Beverage Dispensaries
- Marijuana cultivation – Warehouse, Storage and Wholesale Business

Off-street parking requirement calculates to 13.72, which is rounded down to 13.

| Use | Total Sq. Ft. | Spaces Required | Total Spaces |
|---|---------------|---------------------|--------------|
| Retail | 1,725 | 1 per 300 sq. ft. | 5.75 |
| Storage | 927 | 1 per 1,000 sq. ft. | 0.93 |
| Restaurants/Dispensaries | 1,150 | 1 per 200 sq. ft. | 5.75 |
| Warehouse (Cultivation) | 1285 | 1 per 1,000 sq. ft. | 1.29 |
| Total Off-Street Parking Requirement: | | | 13 |
| Off-Street Loading Spaces Required: | | | 1 |
| ADA Accessible Off-Street Spaces Required: | | | 1 |

The site plan shows 14 off-street parking spaces, including one ADA-van-accessible off-street parking space.

One loading space will be required on the site plan submitted with building permits.

Condition #1: Prior to issuance of a Temporary Certificate of Occupancy, wheel stops shall be placed in the parking lot to define the location of parking spaces.

Condition #2: Prior to issuance of a Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for the accessible parking space prior to commencement of the proposed use.

Condition #3: Prior to issuance of a Temporary Certificate of Occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.

Noise – Industrially-zoned areas are intended to accommodate noise. Noise may include socializing patrons in the outdoor consumption area, and possible entertainment. Expected noise is consistent with that expected in an Industrial District.

Condition: None.

Lighting - The applicant will use lighting to discourage loitering and illegal entry. Lenses will prevent spillage onto adjacent lots. The lighting plan and lighting cut sheet are included the application packet.

Condition: None.

Vegetative Cover & Landscaping – Required vegetative cover is five percent, or 877 square feet. The applicant is proposing 1254 square feet, including:

- A 465 square foot pet area.
- 717 square foot vegetated drainage area.
- 72 square feet of planters.

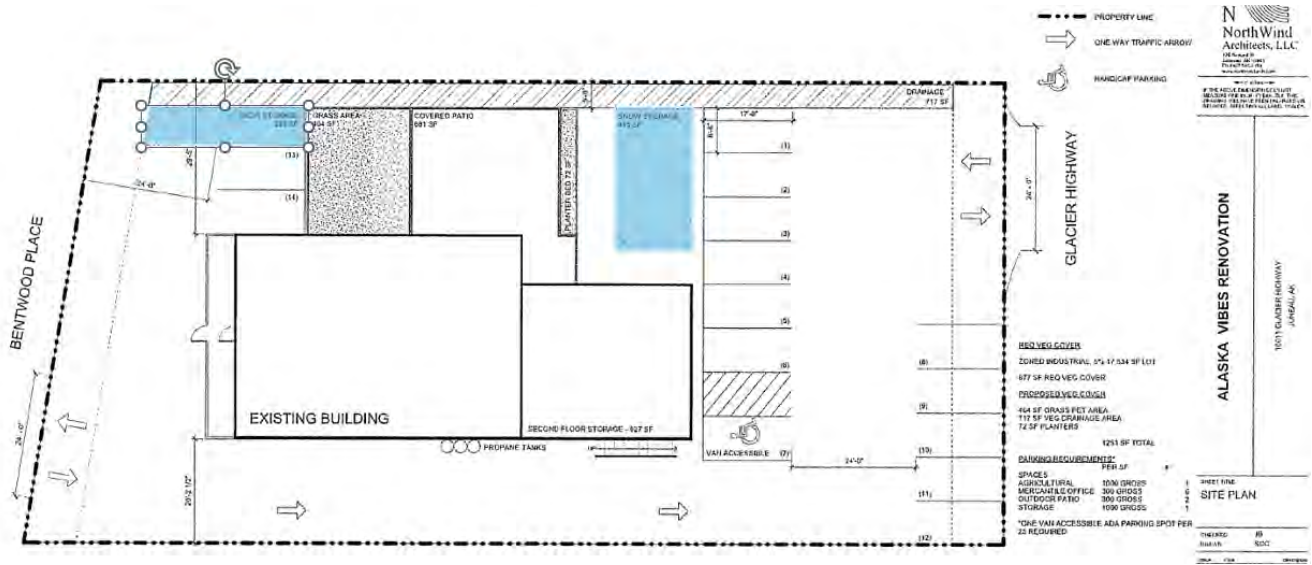
Condition: None.

Habitat - No anadromous streams are on the property. No natural resources are mapped in the 2013 Comprehensive Plan.

Condition: None.

Drainage and Snow Storage – Modifications to existing drainage will be reviewed during the building permit process.

In addition to the drainage area, submitted plans show 681 square feet of snow storage, highlighted in blue.



Condition: None.

Hazard Zones - The project is outside of Flood Hazard Areas.

Condition: None.

Other Applicable Sections of Code –

- CBJ Title 36 allows outdoor on-site consumption with a state retail license with on-site consumption endorsement.
- The state regulations do not require outdoor filtration.
- The AMCO Marijuana Control Board considers air intake of proximate structures when considering the on-site consumption endorsement.
- Industrial Zoning accommodates “Odor...inherent in industrial activity.”
- Title 49 requires that systems prohibit odors outside of the licensed premises.

CBJ’s Title 36 covers Health and Sanitation, with chapter 36.60 addressing Second Hand Smoke Control. An exception has been established for, “An establishment licensed under AS 17.38 if the smoking is only outdoors in accordance with regulations adopted by the Marijuana Control Board created under AS 17.38.080.”

Building air from the cultivation area will be filtered. The outdoor consumption area has no provision to filter air. Occupied structures are approximately 80 feet to the west of the consumption area, 70 feet to the east, and 120 feet to the south.

State requirements for outside consumption include evaluation of [3 AAC 306.370(c)(4)]:

- Neighboring uses
- The location of air intake vents on neighboring structures
- Sight-obscuring wall or fence around the outdoor marijuana consumption area,
- Objections of property owners, residents, and occupants within 250 feet (Note: CBJ public notice code requires 500 foot radius).

Of note: Use Permit applications for marijuana have traditionally included a condition for waste disposal:

All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.

Alaska Administrative Code 3 AAC 306.740 “Waste disposal” outlines state requirements, including compliance with local laws. CBJ code does not specify that waste be contained in a locked container.

Functionally, marijuana operations have to comply with state rules on waste management (**3 AAC 306.740**), and premises security (**3 AAC 306.715**). The security makes the building a “locked enclosure.”

Given the Commission’s recent inclinations away from conditioning items covered by existing codes, laws or practices, staff is not recommending this condition.

Condition: None.

Public Health, Safety, and Welfare –

The site is approximately 770 feet to a Capital Transit bus stop to the east on Glacier Highway, near the intersection with Industrial Boulevard. The site is approximately 1,000 feet from a Capital Transit bus stop to the west on Glacier Highway, near the intersection with Sherwood Lane.



The 2019 Average Annual Daily Traffic (AADT) reported by Alaska Department of Transportation and Public Facilities for this part of Glacier Highway was 16,454, and 3,110 for Industrial Boulevard. Data was not collected for Jensine Street or Bentwood Place.

Glacier Highway has no sidewalk in this area. A wide curb borders the highway. Across Glacier Highway is a bike path. A pedestrian underpass at Brotherhood Bridge provides access to neighborhoods on both sides of the

highway. Patrons wishing to avoid walking along Glacier Highway can reduce exposure by taking Bentwood Place to Industrial Boulevard to Glacier Highway. This limits the Glacier Highway walk to 200 feet. Industrial Boulevard has sidewalk on the west side and connects to the trail system and pedestrian underpass at the intersection with Glacier Highway.

CBJ 49.65.1255 requires posting a sign saying, *"Marijuana can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under its influence."*

The Alaska Department of Health and Human Services outlines health impacts of marijuana at <http://dhss.alaska.gov/dph/director/pages/marijuana/facts.aspx>.

CBJ's Second Hand Smoke Control Code [CBJ 36.30.035] requires signage where smoking is prohibited, and at entrances.

Condition #4: Before issuance of a Temporary Certificate of Occupancy, required signage includes:

- "Smoking in Designated Areas Only" at the entrance to the facility.
- "No Smoking" signs in the retail and cultivation areas.
- "Designated Smoking Area Entrance" on the entrance to the consumption area.
- "Exiting Designated Smoking Area" on exits from the consumption area.

Signage will be clear and legible.

Property Value or Neighborhood Harmony – Staff finds this use is in harmony with the zoning for the area and will not decrease property value.

The consumption area will be operated in accordance with state regulations and other city codes. The smell from an outdoor consumption area may extend beyond the licensed premises. The AMCO approval process will determine and mitigate impacts.

CBJ 49.65.1260 requires a ventilation and odor system that prohibits the detection of noxious odors from outside the licensed premises.

Alaska Administrative Code 3 AAC 306.370(c)(4) allows outdoor consumption if compatible with uses in the surrounding area. CBJ's smoking ordinance allows outdoor consumption if carried out in accordance with state regulations.

Marijuana retail is a conditional use in Industrial Zoning, and Industrial Zoning is intended for operations that might be loud or odorous. The development guidelines in the 2013 Comprehensive Plan recognize that industrial land be designated considering, "Distance from sensitive receptors, such as homes, schools and hospitals, to potential off-site impacts generated by industry including noise, dust, fumes, odors and nighttime light glare." [Page 135, 10.7DG2(C)]. Other conditional uses for industrial property could be heavy manufacturing, rock crushing, landfills, or horse stables, none of which are required to contain noise or odors on their property.

Neighbors include a local gym and health facility, apparent construction equipment storage, and a university research facility.

Condition: None.

AGENCY REVIEW

CDD conducted an agency review comment period between February 19, 2024, and February 23, 2024 (**Attachment C**), and received the following comments:

| Agency | Summary |
|-------------------------|---|
| ADOT&PF | A new driveway permit will be required. |
| CBJ Building Department | No issues at this time. |
| CBJ Code Enforcement | Enforcement issues with Applicant's other properties have been addressed. |

PUBLIC COMMENTS

CDD conducted a public comment period between January 31, 2024, and February 19, 2024 (**Attachment D**). Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing (**Attachment E**). No public comments were submitted at time of writing this staff report.

CONFORMITY WITH ADOPTED PLANS

The proposed development conforms with the 2013 Comprehensive Plan.

| PLAN | Chapter | Page No. | Item | Summary |
|-------------------------|----------------|-----------------|------------------------------|--|
| 2013 Comprehensive Plan | 10 | 136 | Implementing Action 10.7-IA2 | Reserve for land uses that require Industrial Zoning. Both marijuana retail and cultivation are industrial uses. |
| | 11 | 148 | Light Industrial (LI) | Complies with the Land Use Designation for industrial uses. |
| | 5 | 44 | Policy 5.1 | Proposed development promotes a diverse economy. |
| | 5 | 58 | Policy 5.11 | Proposed development expands a local business; provides year-round employment; and provides tax revenue to support local services. |

FINDINGS

Conditional Use Permit Criteria –

1. Is the application for the requested Conditional Use Permit complete?

Analysis: No further analysis needed.

Finding: Yes. The application contains the information necessary to conduct full review of the proposed operations. The application submittal, 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?

Analysis: The application is for Special Use Permit for marijuana retail, cultivation, and on-site consumption at 10011 Glacier Highway in an Industrial Zone. The uses are listed for the Industrial District in CBJ 49.25.300:

- Section 2.300 for marijuana retail.
- Section 14.240 for marijuana cultivation of 500 square feet or more.

On-site consumption is an endorsement under the marijuana retail license.

Finding: Yes. The requested permit is appropriate according to the Table of Permissible Uses.

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

Analysis: The proposed site design complies with CBJ zoning and second-hand smoke regulations. The project complies with state regulations, including those for outdoor on-site consumption.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, noise and odors.

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

Analysis: The risks associated with marijuana consumption can be likened to those of alcohol, such as dangers associated with over-use and equipment operation. Risks can be mitigated through user behaviors.

Finding: No. The requested Special Use Permit for marijuana retail, cultivation, and on-site consumption at 10011 Glacier Highway in an Industrial Zone, will not materially endanger the 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?

Analysis: On-site consumption was recently legalized and is a new neighbor in the Industrial Zoning District. Impacts to neighbors would seem to be less than those of an asphalt plant, rock crusher, or a vehicle maintenance facility using solvents, all permissible uses in the Industrial Zoning District.

Finding: No. The requested Special Use Permit for marijuana retail, cultivation, and on-site consumption at 10011 Glacier Highway in an Industrial Zone will not substantially decrease the value or be out of harmony

with the property in the neighboring area.

6. Will the proposed development be in conformity with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?

Analysis: Marijuana retail and cultivation are permissible uses in Industrial Zoning. On-site consumption is an endorsement on the marijuana retail license. Land Use maps show the area “Light Industrial.”

Finding: Yes. The proposed Special Use Permit for marijuana retail, cultivation, and on-site consumption at 10011 Glacier Highway in an Industrial Zone, with the recommended conditions, will be in conformity with the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Special Use Permit. The permit would allow the development of marijuana retail, cultivation, and on-site consumption at 10011 Glacier Highway in an Industrial Zone.

The approval is subject to the following conditions:

Condition #1: Prior to issuance of a Temporary Certificate of Occupancy, wheel stops shall be placed in the parking lot to define the location of parking spaces.

Condition #2: Prior to issuance of a Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for the accessible parking space prior to commencement of the proposed use.

Condition #3: Prior to issuance of a Temporary Certificate of Occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.

Condition #4: Before issuance of a Temporary Certificate of Occupancy, required signage includes:

- “Smoking in Designated Areas Only” at the entrance to the facility.
- “No Smoking” signs in the retail and cultivation areas.
- “Designated Smoking Area Entrance” on the entrance to the consumption area.
- “Exiting Designated Smoking Area” on exits from the consumption area.

Signage will be clear and legible.

STAFF REPORT ATTACHMENTS

| Item | Description |
|--------------|----------------------------------|
| Attachment A | Application |
| Attachment B | Additional application materials |
| Attachment C | Agency query/comments |
| Attachment D | Public Notification |
| Attachment E | Public Notice Sign |



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

| | | | | | | | | | | |
|--|--|-----------------|---------------------------------|---------------------------------|-----------------------|---------------------|------------------------|-------------------|------------------------------|------|
| To be completed by Applicant | PROPERTY LOCATION | | | | | | | | | |
| | Physical Address <u>10011 Glacier Hwy Juneau AK 99801</u> | | | | | | | | | |
| | Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>USS 1041 LT 2</u> | | | | | | | | | |
| | Parcel Number(s) <u>4B1701020020</u> | | | | | | | | | |
| | <input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____ | | | | | | | | | |
| | LANDOWNER/ LESSEE | | | | | | | | | |
| | Property Owner | Contact Person | | | | | | | | |
| | Mailing Address | Phone Number(s) | | | | | | | | |
| | E-mail Address | | | | | | | | | |
| | <u>Alaska OnPoint Properties LLC</u> <u>Casey Wilkins</u> <u>2521 E MT Village Dr - Wasilla AK 99687</u> <u>cwilkins907@gmail.com</u> <u>907-957-3877</u> | | | | | | | | | |
| LANDOWNER/ LESSEE CONSENT | | | | | | | | | | |
| Required for Planning Permits, not needed on Building/ Engineering Permits. | | | | | | | | | | |
| Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name. | | | | | | | | | | |
| 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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application. | | | | | | | | | | |
| <table border="0"> <tr> <td>Landowner/Lessee (Printed Name)</td> <td>Title (e.g.: Landowner, Lessee)</td> </tr> <tr> <td><u>Casey Wilkins</u></td> <td></td> </tr> <tr> <td>X <u>Casey Wilkins</u></td> <td><u>12/12/2023</u></td> </tr> <tr> <td>Landowner/Lessee (Signature)</td> <td>Date</td> </tr> </table> | | | Landowner/Lessee (Printed Name) | Title (e.g.: Landowner, Lessee) | <u>Casey Wilkins</u> | | X <u>Casey Wilkins</u> | <u>12/12/2023</u> | Landowner/Lessee (Signature) | Date |
| Landowner/Lessee (Printed Name) | Title (e.g.: Landowner, Lessee) | | | | | | | | | |
| <u>Casey Wilkins</u> | | | | | | | | | | |
| X <u>Casey Wilkins</u> | <u>12/12/2023</u> | | | | | | | | | |
| Landowner/Lessee (Signature) | Date | | | | | | | | | |
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| Landowner/Lessee (Printed Name) | Title (e.g.: Landowner, Lessee) | | | | | | | | | |
| | | | | | | | | | | |
| X _____ | | | | | | | | | | |
| Landowner/Lessee (Signature) | Date | | | | | | | | | |
| NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date. | | | | | | | | | | |
| APPLICANT | | | | | | | | | | |
| If same as LANDOWNER, write "SAME" | | | | | | | | | | |
| Applicant (Printed Name) | Contact Person | | | | | | | | | |
| Mailing Address | Phone Number(s) | | | | | | | | | |
| E-mail Address | | | | | | | | | | |
| <table border="0"> <tr> <td>X <u>Casey Wilkins</u></td> <td><u>12/14/2023</u></td> </tr> <tr> <td>Applicant's Signature</td> <td>Date of Application</td> </tr> </table> | | | X <u>Casey Wilkins</u> | <u>12/14/2023</u> | Applicant's Signature | Date of Application | | | | |
| X <u>Casey Wilkins</u> | <u>12/14/2023</u> | | | | | | | | | |
| Applicant's Signature | Date of Application | | | | | | | | | |

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

| | |
|------------------|-------------------|
| Case Number | Intake Initials |
| <u>USE23-019</u> | <u>EPS</u> |
| | Date Received |
| | <u>12/19/2023</u> |



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant.

PROJECT SUMMARY

Marijuana Retail, On-Site Consumption and Cultivation Project with AK Vibes

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment – Accessory Apartment Application (AAP)
☒ Use Listed in 49.25.300 – Table of Permissible Uses (USE)
 Table of Permissible Uses Category: 2.3 Marijuana retail and 14.245 Marijuana Cultivation

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____ ☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 17534 square feet Total Area of Existing Structure(s) 4160 square feet

Total Area of Proposed Structure(s) 4160 square feet

EXTERNAL LIGHTING

- Existing to remain ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Proposed ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

- ☒ Current use of land or building(s)
☒ Description of project, project site, circulation, traffic etc.
☒ Proposed use of land or building(s)
☒ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- ☐ Notice of Decision and case number
☐ Justification for the modification or extension
☐ Application submitted at least 30 days before expiration date

☒ Plans including:

- ☒ Site plan
☒ Floor plan(s)
☒ Elevation view of existing and proposed buildings
☒ Proposed vegetative cover
☒ Existing and proposed parking areas and proposed traffic circulation
☒ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

| ALLOWABLE/CONDITIONAL USE FEES | | Check No. | Receipt | Date |
|--------------------------------|--------|-----------|---------|------|
| Application Fees | \$ 500 | 40000 11 | | |
| Admin. of Guarantee | \$ | | | |
| Adjustment | \$ | | | |
| Pub. Not. Sign Fee | \$ 50 | | | |
| Pub. Not. Sign Deposit | \$ 100 | | | |
| Total Fee | \$ 650 | | | |

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number

USE23-019

Date Received

12/19/2023

USE2023 0019 PUBLIC DOCUMENTS

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **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
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



RE: Conditional Use Permit (CUP) Application- Marijuana Cultivation and Retail
by Alaska Vibes

7 December 2023

Site Location:

10011 Glacier Highway
Juneau, Alaska 99801

Project Overview

Alaska Vibes, LLC seeks to open a marijuana retail facility at 10011 Glacier Highway, with a proposed outdoor consumption area with consumption by smoking or vaping. Additionally, a small cultivation facility will be located at the south end of the building. The building exterior will not undergo significant changes at this time, nor will its footprint be expanded, but the interior will be remodeled and the enclosed outdoor consumption area will be constructed. The construction, design and components will all comply with state and local requirements. An attached accessory dwelling unit is not allowable with an on-site consumption area. The upstairs residential unit has undergone significant demolition and will be used as storage by the retail location for t-shirts, bags, cleaning supplies, and other retail/commercial products that are not under AMCO regulations.

Existing Site & Building: The site's legal description USS 1041 LT 2 is listed as 17,534 SF on the City and Borough of Juneau Parcel Viewer. The existing building is 4,160 SF. The property is bordered by Glacier Highway to the north, Pavitt Plaza LLC to the east, Brentwood Place to the South and SJ Rentals LLC to the West. The site is flat with a band of vegetation on the west property line. There is enough parking on site for the uses described.

Zoning

Use: The property at 10011 Glacier Highway is currently zoned industrial (I). Marijuana retail sales and cultivation are all allowable uses in the Industrial zoning district with approved Conditional Use Permits.

Sean M Boily AIA
Principal Architect

James Bibb AIA
Principal Architect

David Hurley AIA
Principal Architect

126 Seward Street
Juneau, AK 99801

p.907.586.6150
f.907.586.6181

NorthWind
Architects, LLC

Setbacks: The building currently complies with the required setbacks (10' front, rear and street side yard). There is a side yard setback of 0'-0" in the industrial zone, so the proposed outdoor consumption area would comply with this requirement.

Utilities: The site is served by municipal sewer and water. Additional plumbing fixtures will need to be added in Phase II, and will be proposed in the building permit process. Electricity is provided via underground conduit to the building. An electrical and mechanical engineer will be engaged for Phase III of the project.

Habitat: The property is bordered on all sides with significant development of road ways and of private property. There is a band of vegetation on the west side of the property of alder trees and long grasses bordering SJ Rentals property that meets the requirements for 5% vegetative cover in the industrial zone. This band will be preserved between the properties, and additional vegetation will be added with the grass pet area and the long planter in front of the covered outdoor patio. Rainwater from the proposed covered patio will drain into the vegetative swale.

Development Schedule and Noise: Improvements to the property will occur during normal working hours (7AM-6PM). Sound and noise consistent with construction may occur during this time. Once operational, the retail location may be staffed between 8AM and 12AM, with the bulk of the traffic occurring between 10AM and 8PM. Noise generated by activities on site are expected to be kept minimal- customers talking in the outdoor consumption area or movement of materials from the cultivation will likely be the primary sources of noise, beyond traffic entering and exiting the property, however the traffic noise from Glacier Highway is more substantial.

The estimated maximum number of employees on-site at any time is 6.

Property Value & Neighborhood Harmony: The proposed use at 10011 Glacier Highway matches the current mixed industrial and commercial uses currently in the area. Neighboring property owners should not be affected by the proposed operations and may benefit from the increased visitation to the site. The aesthetic for the covered area will be similar to a brew pub or coffee café, a gathering place for people to enjoy light imbibing of product in a safe environment. Negative impacts from noise and traffic are expected to be minimal.

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Public Health & Safety: On-site operations will minimize threats and risk to public safety and the natural environment. No chemicals, nutrients or nutrient-enriched solutions will enter the local waterways or sewer system. Waste will be disposed of properly and in a way that minimizes additions to the landfill. All disposal will be done in accordance to state law.

Lighting: Surface-mounted exterior lighting will discourage loitering and unlawful entry. Lenses will prevent light spillage onto adjacent properties and the roadways.

Parking, Traffic & Circulation: There may be an increase in traffic to the site compared to past uses as a U-Haul rental and childcare facility. However, the traffic level will be congruous with the existing industrial/commercial uses in the area. Parking for the retail and employees will be on site, as required by CBJ code. Vehicular traffic access to the site is provided via Glacier Highway and Bentwood Place, with a one-way traffic lane from Bentwood Place to the retail parking along Glacier Highway. Project will have 14 parking spaces, 2 to the south for the cultivation area, 12 for the retail/office/consumption area, 1 of which is ADA compliant for van access. (See table below) Small passenger vans may be used by the property owner to transport people safely from a downtown location to the valley onsite consumption area.

| <u>Parking Requirements</u> | | | | |
|------------------------------------|-----------|---------------|------------|-----------------|
| Use Type | SF of Use | Spaces per SF | Spaces Req | |
| Agriculture | 1285 SF | 1 Per 1000 | 1 | |
| Mercantile/ Office | 1725 SF | 1 Per 300 | 6 | |
| Outdoor Patio | 813 SF | 1 Per 300 | 3 | |
| Mercantile Storage | 927 SF | 1 Per 1000 | 1 | |
| | | | 11 | Total |
| | | | 1 | Req ADA spaces |
| | | | 14 | Planned Parking |

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Commercial Marijuana Establishment CUP Application Requirements

Site Plan: The attached Site Plan shows the layout of the site and proposed uses of the different parts of the building. Due to state law, the entire first floor of the building will be an Alcohol and Marijuana Control Office (AMCO) licensed premises.

Security Plan: Please see attached Elec Floor Plan for layout of video surveillance and exterior lighting. The state requires extensive security measures, such as lighting, video surveillance, protocols for visitors and prevention of those under the age of 21, security and alarm systems, product tracking, transportation and labeling of products, restricted access areas and more. The clients are well versed with the State Law's surrounding both retail and cultivation, with several stores and facilities in Juneau and around the state of Alaska. These restrictions include but do are not limited to:

- All doors leading to restricted access areas (the north entry to retail space, south entry to cultivation area, west entry to offices) will have commercial grade locks. Required signage states "Restricted Access Area. Visitors must be escorted" will be posted on the rear exterior door and the employee-only door leading from the commercial outdoor patio area into the observation area for employees only. Video surveillance will record both entry points.
- Exterior lighting will be sufficient to facilitate surveillance, as well as discourage loitering.
- All areas where marijuana is grown, cured, processed, and packaged, or where marijuana waste is destroyed will be monitored by video surveillance. Areas where marijuana or marijuana products are sold or consumed will also be under video surveillance.
- The services of an alarm company will be contracted for the purpose of maintaining a secure facility. All exterior ground floor windows and each exterior door will be connected to the alarm system.

Waste Disposal Plan: All waste, trash, and wastewater disposal will meet federal, state and local requirements.

- Marijuana will be disposed of per AMCO required protocols, including the notification of AMCO for proposed waste disposal.

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- Expired growing medium will be mixed with marijuana waste and taken off-site for composting.
- Non-marijuana waste will be picked up by the local waste hauler weekly.

Screening Plan: Secured doors, opaque window coverings, and fencing will prevent observation of facility and activities occurring inside. (See elevations)

Ventilation and Filtration Plan: Significant efforts will be made to prevent nuisance odors from affecting the area. The State of Alaska has significant requirements to ensure onsite consumption of marijuana will not detract from the area.

- Continually-running carbon filters will reduce odors the ambient air in the cultivation area, as well as air exhausted. Carbon filters will be maintained and replaced per manufacturer's specifications.
- CBJ Code 36.60.030 allows smoking outdoors for a marijuana facility licensed by the state and in compliance with regulations adopted by the Marijuana Control Board. In addition to the stringent security measures mentioned above, additional regulation and requirements include:
 - Freestanding licensed retail marijuana store with an approved onsite consumption endorsement;
 - The consumption area being fully enclosed by a sight-obscuring wall or fence and separated from the remainder of the premises by a secure door;
 - Limitations on the amount of marijuana or marijuana product sold for consumption on the premises;
 - Prohibition on the consumption of tobacco or tobacco products in the consumption area;
 - A smoke-free area for employees to monitor the marijuana consumption area;
 - Protocols and training for employees to identify overconsumption;
 - Protocols and training for preventing marijuana from another source from entering the consumption area;
 - A finding by the board to be compatible with the surrounding area after considering neighborhood uses, location of air intake vents of neighboring buildings, sight-obscuring wall or fencing, objections by property owners within 500' (a notice will be sent to all property owners within 500' of the boundaries of the property).

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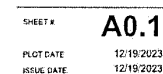
NorthWind
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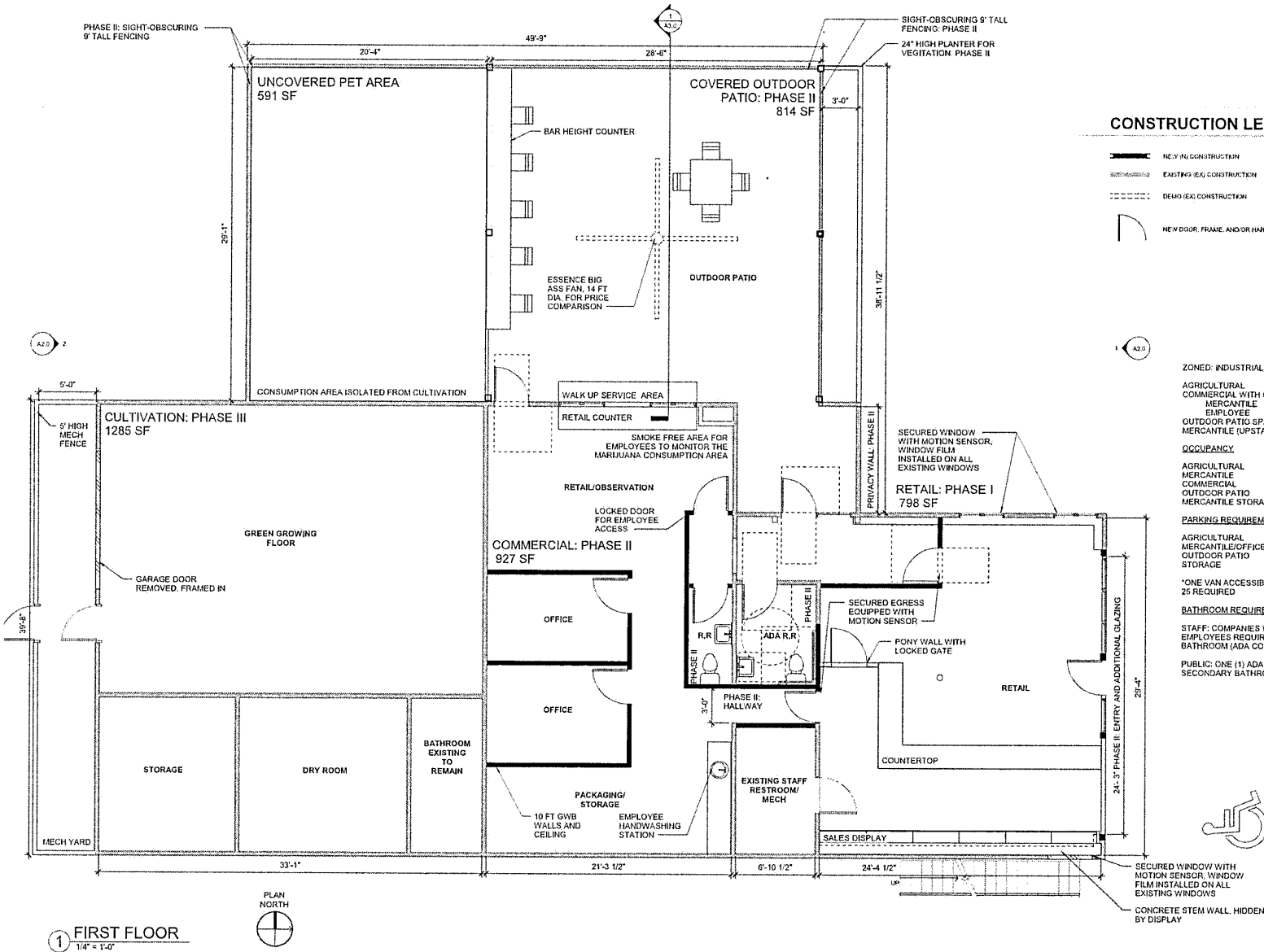
- **Mold Prevention and Wastewater Discharge:** Cleanliness and sanitation is a priority. Appropriate hand washing equipment and procedures will be in place to ensure proper hygiene. Cultivation and retail facilities (including the outdoor consumption area) will be cleaned as necessary to maintain a high level of cleanliness and sanitation
 - Below is a list of chemicals, fertilizers and additives expected to be used at the cultivation facility:

| Product | Class | Manufacturer |
|-------------------------|-----------------------------|-----------------------|
| Forge | Bacteria additive | Blacksmith Bioscience |
| Cal-Mag Plus | Supplement | Botanicare |
| Pure Blend Pro Grow | Nutrient - vegetative | Botanicare |
| Silica Blast | Supplement | Botanicare |
| Pure Bloom Pro Bloom | Nutrient - flowering | Botanicare |
| Type A | Nutrient - flowering | RX Green Technologies |
| Type B | Nutrient - flowering | RX Green Technologies |
| FloraBloom | Nutrient | General Hydroponics |
| FloraMicro | Nutrient | General Hydroponics |
| FloraGro | Nutrient | General Hydroponics |
| Clonex Rooting Gel | Growth Regulator | |
| Clonex Clone Solution | Clone nutrient | |
| Coco-Wet | Aids in nutrient absorption | |
| Great White Mycorrhizae | Nutrient | |
| H2O2 Liquid Oxygen | Increases nutrient uptake | |
| General Hydroponics | pH Up | |
| General Hydroponics | pH Down | |
| Armor Si | Nutrient | |
| Botanicare Hydroguard | | |
| Botanicare Power Clone | | |
| RX Green Energy | | |

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CONSTRUCTION LEGEND

| | |
|--|----------------------------------|
| | NEW (N) CONSTRUCTION |
| | EXISTING (EX) CONSTRUCTION |
| | DEMOLITION (EX) CONSTRUCTION |
| | NEW DOOR, FRAME, AND/OR HARDWARE |

| | |
|-------------------------------|---------|
| ZONED: INDUSTRIAL | |
| AGRICULTURAL | 1285 SF |
| COMMERCIAL WITH OFFICES | 1725 SF |
| MERCANTILE | 798 SF |
| EMPLOYEE | 927 SF |
| OUTDOOR PATIO SPACE | 814 SF |
| MERCANTILE (UPSTAIRS) STORAGE | 927 SF |

| OCCUPANCY | PER SF | # OF OCC. |
|--------------------|-----------|-----------|
| AGRICULTURAL | 300 GROSS | 5 |
| MERCANTILE | 60 GROSS | 14 |
| COMMERCIAL | 300 GROSS | 3 |
| OUTDOOR PATIO | 15 NET | 2 |
| MERCANTILE STORAGE | 15 NET | 2 |

| PARKING REQUIREMENTS* | PER SF | # SPACES |
|-----------------------|------------|----------|
| AGRICULTURAL | 1000 GROSS | 1 |
| MERCANTILE/OFFICE | 300 GROSS | 1 |
| OUTDOOR PATIO | 300 GROSS | 3 |
| STORAGE | 1000 GROSS | 1 |

*ONE VAN ACCESSIBLE ADA PARKING SPOT PER 25 REQUIRED

BATHROOM REQUIREMENTS

STAFF: COMPANIES WITH LESS THAN 15 EMPLOYEES REQUIRED TO OFFER ONE UNISEX BATHROOM (ADA COMPLIANT)

PUBLIC: ONE (1) ADA BATHROOM, ONE (1) SECONDARY BATHROOM, BOTH UNISEX



IF THE ABOVE DIMENSIONS DO NOT MEASURE UP TO 1/8" (1/4" MAX), THE DIMENSIONS SHALL HAVE BEEN OBTAINED OR REDUCED TO THE NEXT LARGER SIZE.

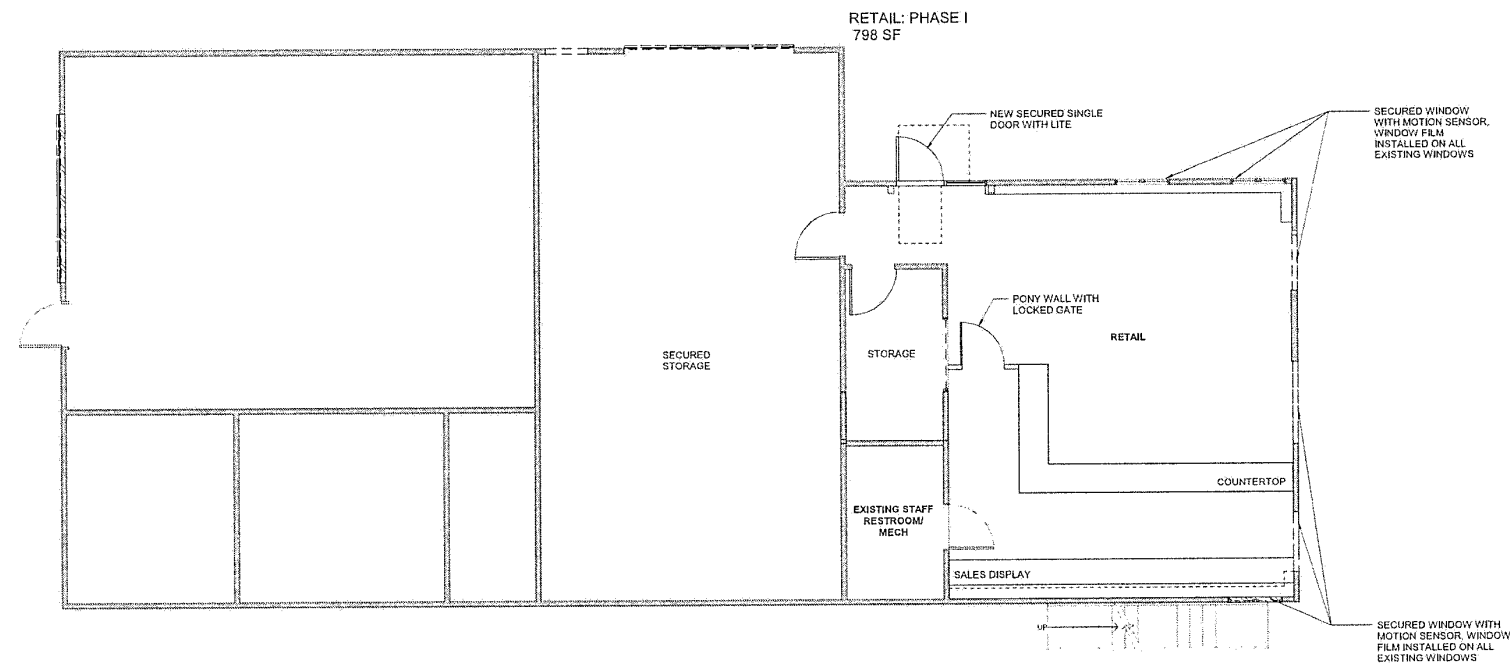
ALASKA VIBES RENOVATION

18011 GLACIER HIGHWAY
JUNEAU, AK

SHEET TITLE
FLOOR PLAN

| | |
|---------|------|
| CHECKED | JB |
| DRAWN | SCC |
| DATE | DATE |

| | |
|------------|-------------|
| SHEET # | A1.0 |
| PLOT DATE | 12/06/2023 |
| ISSUE DATE | 12/07/2023 |



1 FIRST FLOOR PLAN- PHASE I
1/4" = 1'-0"

NOT FOR CONSTRUCTION

XXXX XXXX

N
NorthWind
Architects, LLC
128 Seward St
Anchorage, AK 99501
P: 907.561.1174
www.northwindak.com

IF THE ABOVE DIMENSIONS DO NOT MEASURE LINE PLANT MATERIAL, THE DRAWING WILL HAVE BEEN DIMENSIONED OR REDUCED, AFFECTING ALL LABEL SCALES.

ALASKA VIBES RENOVATION

10011 GLACIER HIGHWAY
JUNEAU, AK

SHEET TITLE:
FIRST FLOOR
PHASE I

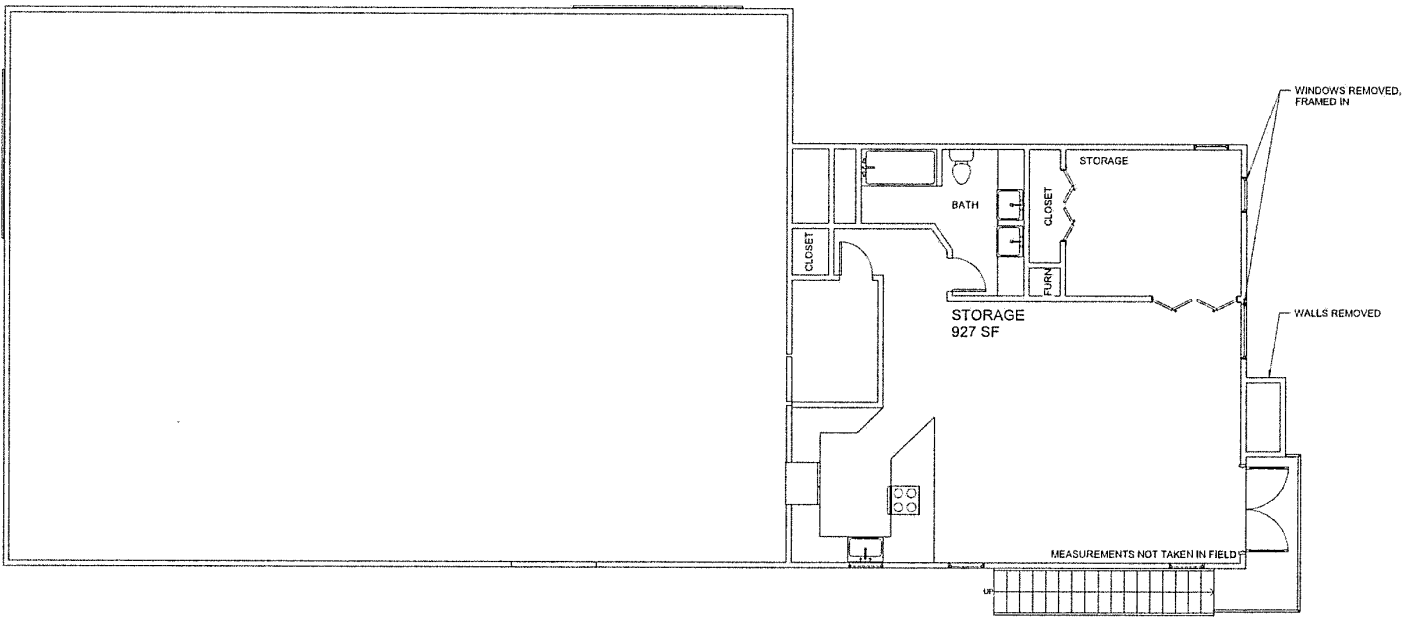
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| CHECKED | JB |
| DRAWN | SCC |
| DATE | DATE |

SHEET #
A1.1

PLOT DATE
12/07/2023

ISSUE DATE
12/07/2023

① SECOND FLOOR
1/4" = 1'-0"



NOT FOR CONSTRUCTION

NorthWind
Architects, LLC

148 Second St.
Juneau, AK 99801
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www.northwindak.com

IF THE ABOVE INFORMATION DOES NOT
REFLECT THE PLAN, IT IS THE USER'S
RESPONSIBILITY TO OBTAIN THE
CORRECT INFORMATION BEFORE
PROCEEDING. THE USER SHALL BE
RESPONSIBLE FOR ALL SUCH
CORRECTIONS.

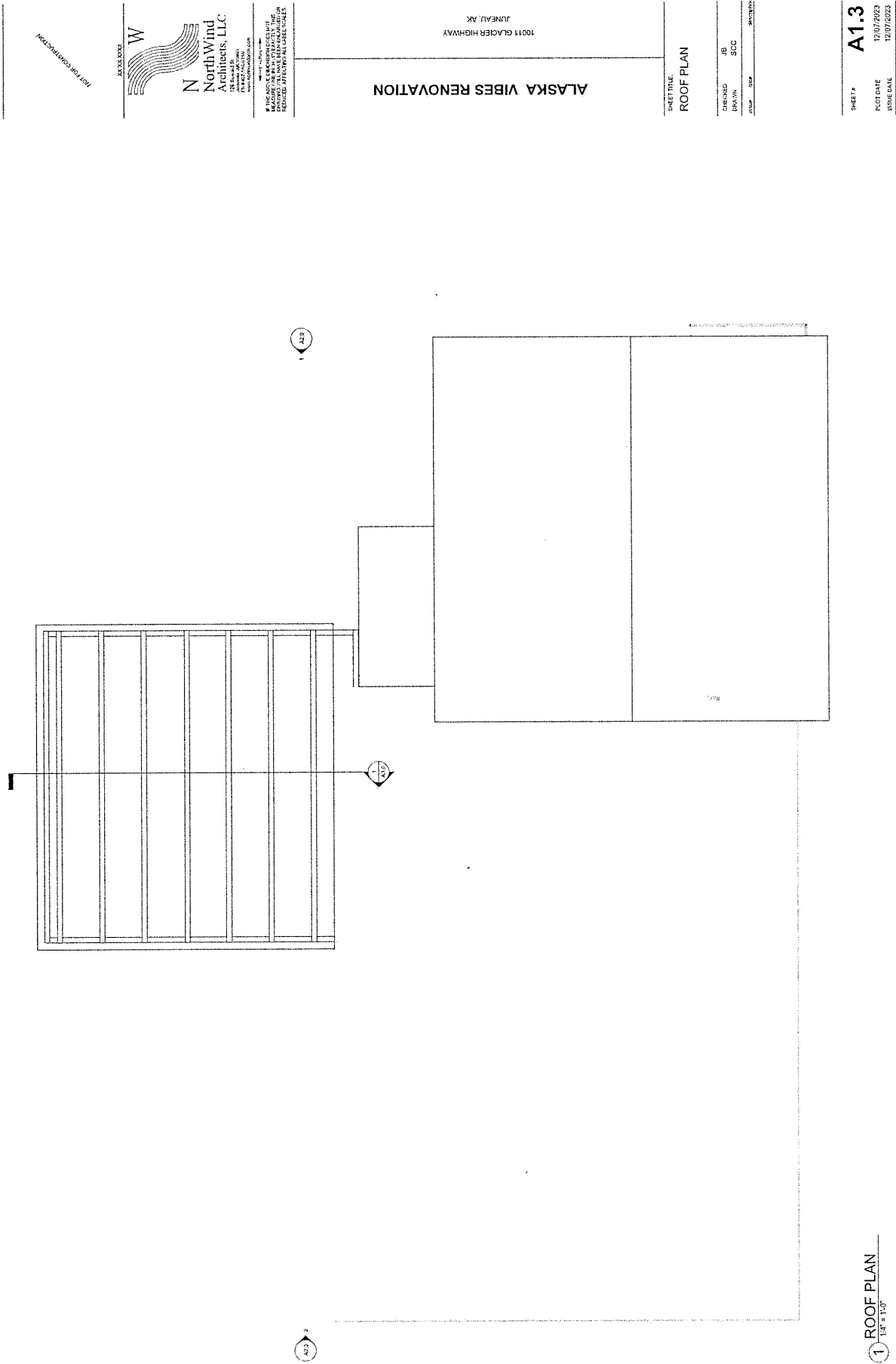
ALASKA VIBES RENOVATION

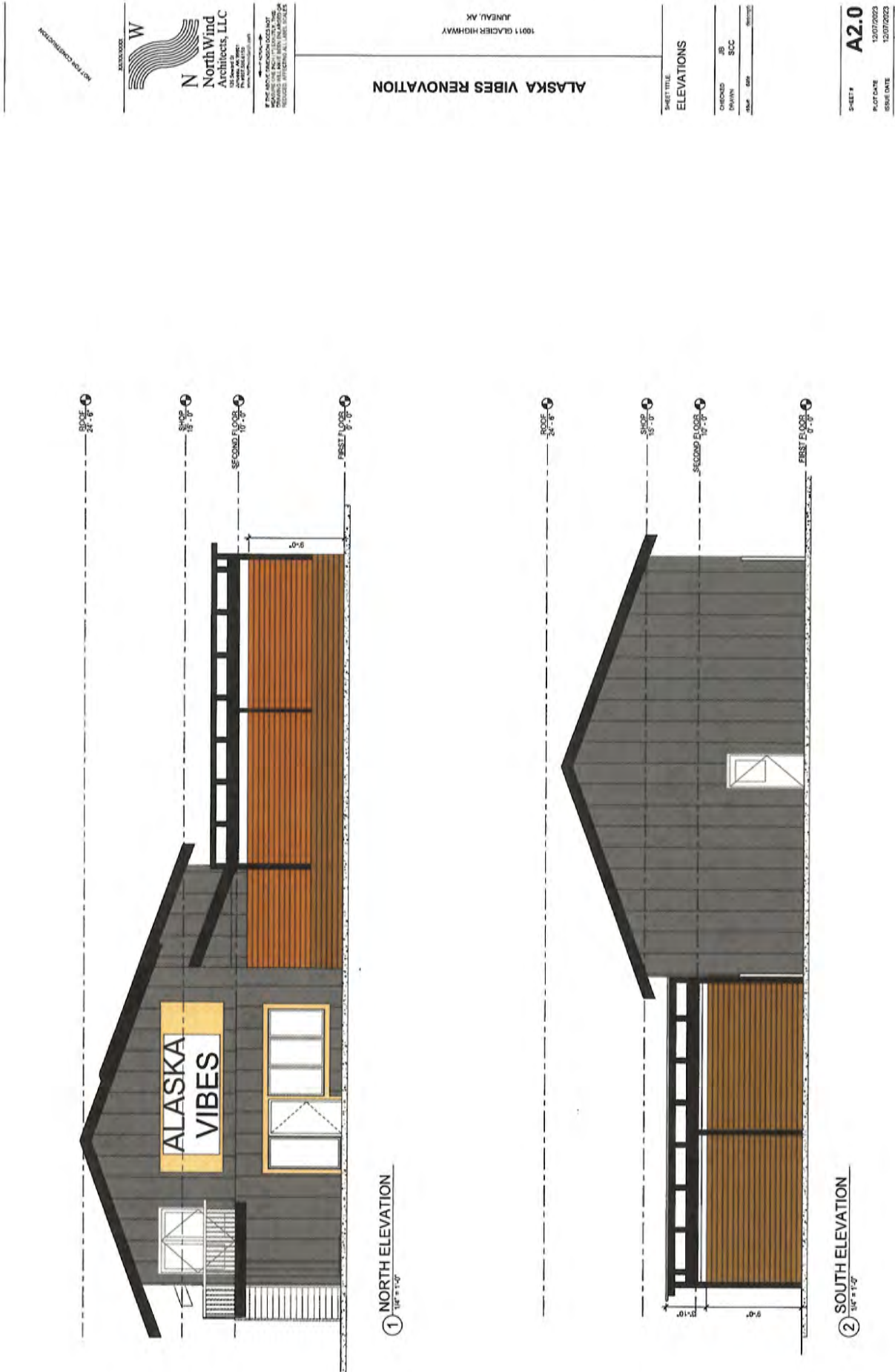
10011 GLACIER HIGHWAY
JUNEAU, AK

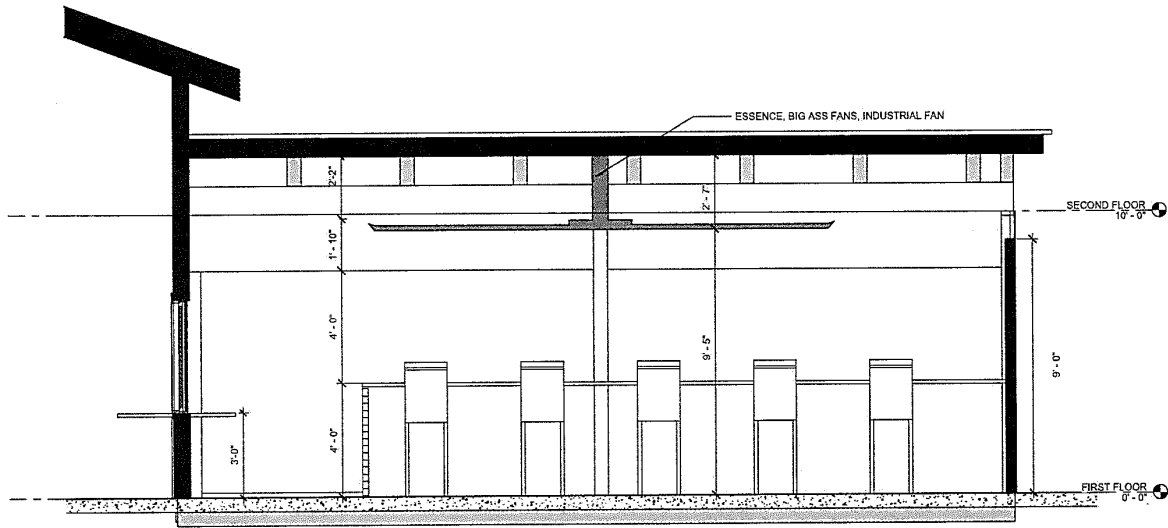
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| SHEET TITLE: | |
| SECOND FLOOR PLAN | |
| DRAWN BY: | JB |
| CHECKED BY: | SCC |
| DATE: | 12/07/2023 |

SHEET # **A1.2**

PLOT DATE 12/07/2023
ISSUE DATE 12/07/2023







① SECTION THROUGH PATIO
1/2" = 1'-0"

NOT FOR CONSTRUCTION

33/03/0002

N
NorthWind
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Juneau, AK 99801
Phone: 907.586.6100
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← IF ACTUAL →
IF THE ABOVE DIMENSION DOES NOT
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DIMENSION WILL HAVE BEEN ENLARGED OR
REDUCED, AFFECTING ALL LABEL SCALES.

ALASKA VIBES RENOVATION

10011 GLACIER HIGHWAY
JUNEAU, AK

SHEET TITLE:

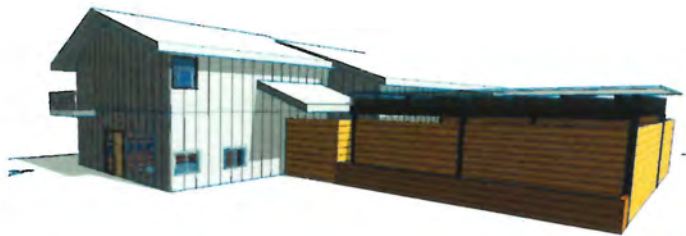
SECTIONS

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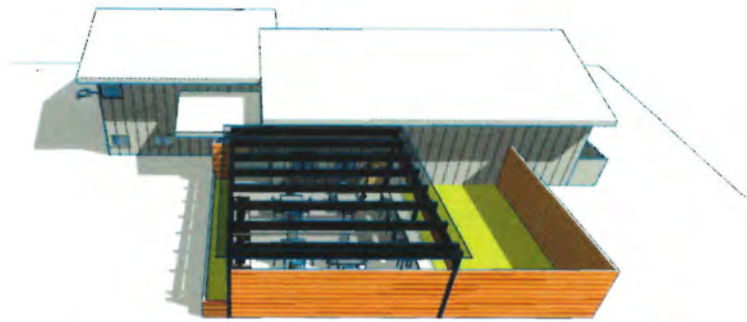
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SHEET # **A3.0**

PLOT DATE 12/07/2023
ISSUE DATE 12/07/2023



① EXTERIOR RENDERING



② EXTERIOR RENDERING



③ PATIO RENDERING



④ PATIO RENDERING

NOT FOR CONSTRUCTION

XXXXXXX

N

W

NorthWind Architects, LLC

125 Second St
Juneau, AK 99801
907.582.1114 or 150
www.northwindarch.com

IF THE ABOVE DIMENSIONS DOES NOT
MEASURE ONE FOOT IT IS EXACTLY THIS
DRAWING WILL HAVE BEEN ENLARGED OR
REDUCED, AFFECTING ALL LABEL SCALES

ALASKA VIBES RENOVATION

10011 GLACIER HIGHWAY
JUNEAU, AK

SHEET TITLE:
RENDERINGS

CHECKED
DRAWING

Checker
Author

issue

date

description

SHEET #

G0.2

PLOT DATE

12/07/23

ISSUE DATE

12/07/2023



(907) 586-0715
 CDD_Admin@juneau.gov
www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

AK Vibes USE Renewal

Case Number: PAC2023 0046
 Applicant: Shannon Crossley, NorthWind Architects
 Property Owner: Alaska On Point Properties LLC
 Property Address: 10011 Glacier Highway
 Parcel Code Number: 4B1701020020
 Site Size: 17,534 square feet (nonconforming)
 Zoning: Industrial
 Existing Land Use: Vacant Building

Conference Date: November 1, 2023

Report Issued: November 16, 2023

DISCLAIMER: Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

| Name | Title | Email address |
|------------------|-------------------------|--|
| Tara Smith | Applicant | Tara@alaskankushcompany.com |
| Shannon Crossley | Applicant | Shannon@northwindarch.com |
| Irene Gallion | Planning | Irene.Gallion@juneau.gov |
| Nate Watts | Code Compliance Officer | Nate.Watts@juneau.gov |
| David Sevdy | Permitting | David.Sevdy@juneau.gov |

Revised 5/07/2021

i:\documents\cases\2023\pac\pac23-046 marijuana use renewal\pac23-46 final draft.doc

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Should we do multiple CUPs as the project goes on?

Getting a new CUP and getting a modified CUP are basically the same Commission process. The most time efficient option seems to be to develop the best fit scenario and apply for the entire project. Then, as modifications come up, modify the CUP. That way, you only have to get updated CUPs for the items that change. Also, the Commission will be more comfortable looking at the project as a whole.

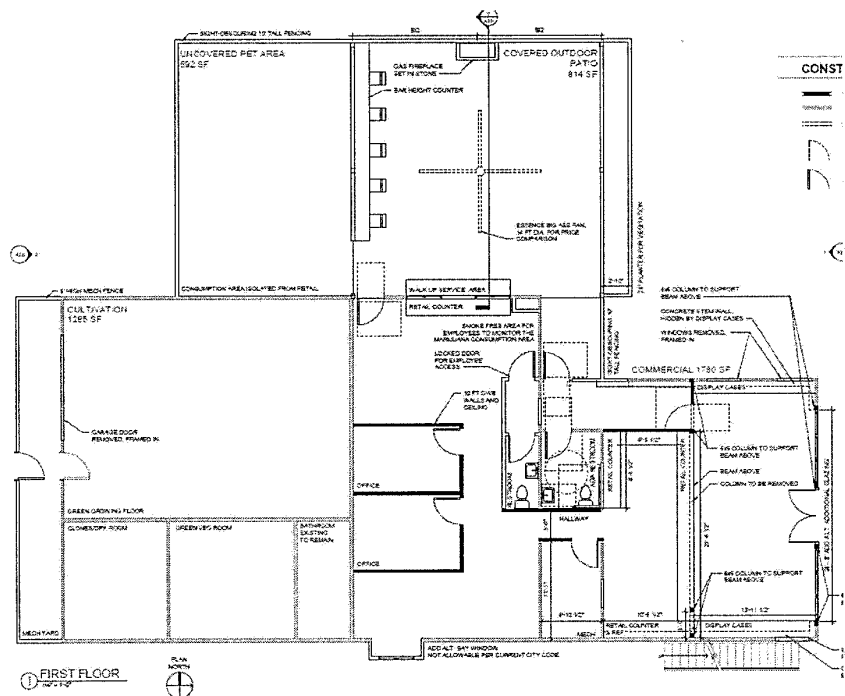
Project Overview

The Applicant applied for and received a conditional use permit for retail, cultivation and on-site consumption (USE2021 0005). As building permits were pursued, the use of the site changed from that permitted, including the provision of manufacture, and extensive office space.

The applicant has new representation and would like to re-apply for their permit. Changes *may* include:

- Addition of manufacture.
- Downtown courtesy van.
- No caretaker's permit – use upstairs as business-related storage.

Analysis below is based on the site plan submitted with this pre-application request:



Pre-Application Conference Final Report

Lot size is nonconforming and will require certification (see below).

Conditional Use Permit Process:

- Submit the application and back-up materials (listed on ten back of the application).
 - Electronic submissions accepted at Permits@juneau.gov. Note that the permit center will call you for payment when the application is processed. Applications are submitted in the order in which they are received, and it may be a few days before you get a call.
- The project will be assigned to a planner. They will review submitted materials, and coordinate where necessary. When the planner assesses the file is complete, they will schedule a hearing before the Planning Commission.
 - A notice will be sent to property owners within 500 feet of the project.
 - There will be two newspaper ads for the case.
 - The Applicant is required to post a Public Notice sign, which will be provided by CDD. The sign must be posted two weeks before the hearing.
 - Staff will prepare a report analyzing the project and make a recommendation to the Commission. The report will be publicly available the week before the hearing.
- At the Planning Commission meeting, the project can be:
 - On the Consent Agenda, where it will be passed without discussion.
 - On the Regular Agenda:
 - The Director will briefly describe the project.
 - The Applicant has 15 minutes to describe the project.
 - The public has the opportunity to comment. There is usually a time limit of two to three minutes.
 - The Applicant has time to respond to issues raised.
 - Public comment is closed and there is no additional opportunity to participate.
- The Planning Commission will either:
 - Approve the project
 - Approve the project with conditions (the most common outcome)
 - Deny the project, OR
 - Continue the project – if more information is required or if the Commission runs out of time.
- The decision can be appealed for 20 days after the Notice of Decision is filed with the City Clerk. If the decision is appealed, the Applicant can continue with their project at their own risk.

Videos of the Planning Commission activities are posted on Assembly's Minutes and Agendas site.
<https://juneau-ak.municodemeetings.com/>

Planning Division

1. **Zoning – Industrial**
2. **Table of Permissible Uses –**
 - a. **Marijuana Retail**, paragraph 2.300, requires a conditional use permit.
 - b. **Marijuana Cultivation**, paragraph 14.240/14.245, requires a conditional use permit.
 - c. **Marijuana Manufacture**, paragraph 4.220, requires a conditional use permit.
 - d. **Marijuana Consumption**

Pre-Application Conference Final Report

- i. On-site consumption is an endorsement under the Alaska Administrative Code [3 AAC 3.6.370(c)(4)].
 - ii. CBJ's smoking ordinance allows outdoor consumption in accordance with state regulations [CBJ 36.60.030(2)].
 - e. **Offices.** Office space under 2,500 square feet must be subordinate to primary use. Office space as a stand-alone use (for instance, rented out) is not allowed in Industrial zoning UNLESS over 2,500 square feet (Paragraph 3.400)
3. **Setbacks** – based on a 1983 as-built.

| Setback | Cardinal Direction | Required | Actual |
|-------------|--------------------|----------|------------------|
| Front | North | 10 feet | 52 feet (scaled) |
| Side | East | 10 feet | 20.12 feet |
| Side | West | 10 feet | 29.62 feet |
| Street side | South | 10 feet | 11.57 feet |

4. **Height** – No height limit.
5. **Access** – Primarily from Glacier Highway, with secondary access via Jensine Street.
6. **Parking & Circulation**– Square footages used to calculate parking were pulled from the figure, rather than from the key on the right.

Change of use may change the number of parking spaces required.

| Use | Total Square Feet | Spaces Required | Total Spaces |
|---------------------------------|-------------------|-------------------------|--------------|
| Retail | 1,780 | 1 per 300 square feet | 5 |
| Restaurants/Dispensaries | 814 | 1 per 200 square feet | 4 |
| Warehouse (cultivation)/storage | 1285+878 | 1 per 1,000 square feet | 2 |
| Manufacture | | 1 per 1,000 square feet | |
| TOTAL PARKING REQUIRED | | | 11 |
| Total ADA | | | 1 |
| Total Loading | | | |

Up to 25 parking spaces requires one ADA space [CBJ 49.40.210(b)].

Total square footage is 4,757. Commercial facilities less than 5,000 square feet do not require a loading space [CBJ 49.40.210(c)].

Pre-Application Conference Final Report

7. **Lot Coverage** – No maximum.
8. **Vegetative Coverage** – Five percent, or 877 square feet. The proposal shows 592 square feet of pet grass area, 463 square feet of vegetated drainage area, and 50 square feet of planters, for 1,105 square feet of vegetative cover.
9. **Lighting** – Lighting will need to be downward cast, and not fall on neighboring property.
10. **Noise** – Noise is anticipated to be in keeping with the industrial area.
11. **Flood** – The structure is not in a Special Flood Hazard Area.
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The lot is not in a mapped hazard area, and no slopes in excess of 18 percent are being created or cut.
13. **Wetlands** – None present.
14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat Restrictions** – None noted.
16. **Traffic** – According to CBJ 49.40.300(a)(2) a traffic impact analysis IS NOT required. The project will generate less than 250 Average Annual Daily Traffic.

The Institute of Transportation Engineers' Trip Generation Manual (9th Edition) does not have data specifically for the uses proposed. For this application we used similar projections:

- Marijuana retail – Pharmacy/drugstore without drive-through window (page 1795, Volume 3)
- Marijuana cultivation – General light industrial (page 102, Volume 2)
- On-site consumption – Drinking place (page 1862, Volume 3)
- Marijuana manufacturing – Manufacturing (page 173, Volume 2)

| Use | Total Sq. Ft. | Trips Generated | Total Trips |
|--------------------------|---------------|-------------------------|-------------|
| Pharmacy/drugstore | 1780 | 90.06 per 1,000 sq. ft. | 160 |
| General light industrial | 1285+878 | 6.97 per 1,000 sq. ft. | 15 |
| Drinking place | 814 | 11.34 per 1,000 sq. ft. | 9 |
| Manufacturing | | 3.82 per 1,000 sq. ft. | |
| Total ADTs: | | | 184 |

This project will directly access Glacier Highway. Contact Alaska Department of Transportation and Public Facilities to check on any access issues:

Arthur Drown
Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities

Pre-Application Conference Final Report

Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517
Arthur.Drown@alaska.gov

17. **Nonconforming situations** – A nonconforming certification will be required because the lot size is less than 36,000 square feet [CBJ 49.35.210(b)(3), Ordinance 2013-9].

Building Division

18. **Building** – Any proposed changes shall be reviewed during the permitting process. Demolition plans & architectural plans stamped by an architect licensed within the State of Alaska shall be required. Engineering may be required if there are structural changes proposed.

19. **Outstanding Permits**

- a. BLD20220464 – “Remodel of existing space to create new marijuana retail AK Vibes” (*Contingent upon renewal of USE permit to continue review process*).
- b. BLD-0393301 – “INSTALLATION OF A 1000 GALLON LPG DISPENSER”

General Engineering/Public Works

- 20. **Engineering** – N/A
- 21. **Drainage** – N/A
- 22. **Utilities** – N/A

Fire Marshal

23. **Fire Items/Access** – From PAC20-058: “The use of ethanol for THC extraction is prohibited by the State Fire Marshal and will not be allowed for this operation. Fire Marshal will review plans during the building permit review.”

Other Applicable Agency Review

24. This project will directly access Glacier Highway. Contact Alaska Department of Transportation and Public Facilities to check on any access issues:

Arthur Drown
Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities
Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517
Arthur.Drown@alaska.gov

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

- 1. Development Permit Application
- 2. Conditional Use Permit Application
- 3. Nonconforming Certification Review

Pre-Application Conference Final Report

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.

Exceptions to Submittal Requirements

Submittal requirements that staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. N/A

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Conditional Use Permit: \$500 for Class II application.
2. Nonconforming Certification Review: No cost if submitted with another development permit application.
3. Public Notice sign: \$150, with \$100 refundable if the sign is returned before the Monday following the Commission meeting.
4. If you decide to pursue manufacture, check in with CBJ Wastewater at (907) 586-0393. Get in writing if any additional wastewater provisions, such as a sample port, are required for your operations. Note that CBJ is operating under a Compliance Order by Consent with the Alaska Department of Environmental Conservation to address violation of wastewater limits.
5. Note that the eventual marijuana licensure will be \$250. A conditional use permit is required for licensure.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.gov

OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

49.15.330 – if a Conditional Use Permit
Development Permit Application (DPA)

Pre-Application Conference Final Report

Conditional Use Permit Application (USE)
Nonconforming Certification Application (NCC)

49.15.330 Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
 - (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)—(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*
 - (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;

-
- (B) Whether the application is complete; and
- (C) Whether the development as proposed will comply with the other requirements of this title.
- (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) 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.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the 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) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
- (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.
 - (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
 - (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
 - (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
 - (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
 - (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.
 - (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
 - (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:

Created: 2023-09-11 09:44:18 [EST]

(Supp. No. 154)

(A) Developments in wetlands and intertidal areas.

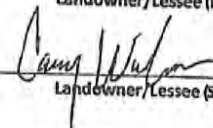
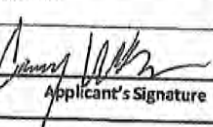
- (11) *Sound*. Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night.
- (12) *Traffic mitigation*. Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access*. Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening*. The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size*. Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage*. Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting*. Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions*. Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; Serial No. 2015-03(c)(am), § 9, 8-31-2015 ; Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018)



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

| | | |
|---|--|----------------|
| To be completed by Applicant | PROPERTY LOCATION | |
| | Physical Address | |
| | 10011 Glacier Hwy Juneau AK 99801 | |
| | Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) | |
| | USS 1041 LT 2 | |
| | Parcel Number(s) | |
| | 4B1701020020 | |
| | <input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____ | |
| | LANDOWNER/ LESSEE | |
| | Property Owner | Contact Person |
| Alaska OnPoint Properties LLC | | |
| Mailing Address | Casey Wilkins | |
| 2521 E MT Village Dr - Wasilla AK 99683 | | |
| E-mail Address | Phone Number(s) | |
| cwilkins907@gmail.com | | |
| 907-957-3877 | | |
| LANDOWNER/ LESSEE CONSENT | | |
| Required for Planning Permits, not needed on Building/ Engineering Permits. | | |
| Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name. | | |
| 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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application. | | |
| <div> <div>Landowner/Lessee (Printed Name)</div> <div>Title (e.g.: Landowner, Lessee)</div> </div> | | |
| <div> <div>X </div> <div>Landowner/Lessee (Signature)</div> </div> | | |
| <div> <div>12/12/2023</div> <div>Date</div> </div> | | |
| <div> <div>Landowner/Lessee (Printed Name)</div> <div>Title (e.g.: Landowner, Lessee)</div> </div> | | |
| <div> <div>X</div> <div>Landowner/Lessee (Signature)</div> </div> | | |
| <div> <div>Date</div> </div> | | |
| <p>NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.</p> | | |
| APPLICANT | | |
| If same as LANDOWNER, write "SAME" | | |
| Applicant (Printed Name) | Contact Person | |
| SAME | | |
| Mailing Address | Phone Number(s) | |
| E-mail Address | | |
| <div> <div>X </div> <div>Applicant's Signature</div> </div> | | |
| <div> <div>12/14/2023</div> <div>Date of Application</div> </div> | | |

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

| | |
|---------------|-----------------|
| Case Number | Intake Initials |
| NCC23-054 | EPS |
| Date Received | |
| 12/14/2023 | |



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☐ STRUCTURE ☐ DENSITY ☐ PARKING ☒ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☒ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the *situation was allowed when established* may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

| Situation | Type of Documentation |
|---|-------------------------------------|
| Undersized Lot for Development along Major Arterial Roadway | Narrative with historic site survey |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Relevant information to show that the *situation was maintained over time* may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

| Maintained Situation | Type of Documentation |
|---|-------------------------------------|
| Undersized Lot for Development along Major Arterial Roadway | Narrative with historic site survey |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

- ☒ Narrative
☒ As-built survey or similar document
☒ Documentation
☐ Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

| | Fees | Check No. | Receipt | Date |
|---------------------|-------------------|-----------|---------|------|
| Application Fees | \$ _____ | | | |
| Admin. of Guarantee | \$ _____ | | | |
| Adjustment | \$ _____ | | | |
| Total Fee | \$ <u>4</u> _____ | | | |

Please call Tara Smith at 907-796-9394 for payment.

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center
907-586-0770.

| | |
|-------------|---------------|
| Case Number | Date Received |
| NCC23-054 | 12/14/2023 |

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



18 December 2023

Re: 10011 Glacier Highway Application for Nonconforming Certification Review

The existing commercial building at 10011 Glacier Highway was built around 1976, according to CBJ parcel viewer. Our client is not proposing to alter the existing building footprint. The proposed development has site improvements listed, such as an outdoor covered patio, landscaping, and parking striping.

The lot is less than 36,000 square feet and undersized for being adjacent to an major arterial roadway. According to CBJ parcel viewer, the lot size is 17,534 SF.

Please see attached survey (Figure 1) of property, completed in 1983.

Sean M Boily AIA
Principal Architect

James Bibb AIA
Principal Architect

David Hurley AIA
Principal Architect

126 Seward Street
Juneau, AK 99801

p.907.586.6150
f.907.586.6181

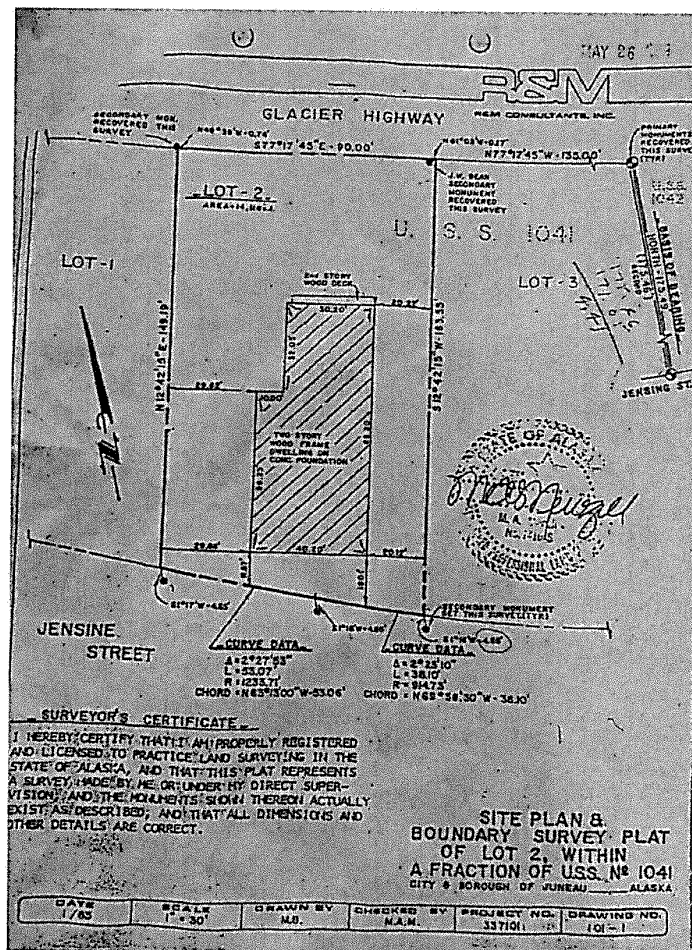


Figure 1: 1983 Survey of 10011 Glacier Highway

Irene Gallion

From: Shannon Crossley <shannon@northwindarch.com>
Sent: Wednesday, February 21, 2024 11:53 AM
To: Irene Gallion
Cc: James Bibb
Subject: Re: USE23-19: Glacier
Attachments: ALASKA VIBES RENOVATION_PC.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Irene,

Here are the updated sheets! The SF's were a little off because the outdoor spaces were made smaller and captions weren't updated, I apologize!

We weren't required to have a loading area the last time we obtained a CUP, please let me know if the orientation doesn't work. It's obviously a very limited site and there aren't a ton of places to put it, but I can recommend we remove the mech yard for the cultivation if we need to.

I just spoke to the owner and he has done some demo in the apartment already because it use to house an indoor cigarette smoker for 20 years, but doesn't want to spend a lot of money up there. Does a demo plan need to be included in the CUP? What should be indicated as demoed?

Thank you!

Shannon

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Monday, February 19, 2024 11:01 AM
To: Shannon Crossley <shannon@northwindarch.com>
Subject: RE: USE23-19: Glacier

Hi Shannin,

Thank you for the clarifications! Attached are some red lines where the numbers on our submitted plans don't quite line up. I think you had mentioned also submitting a demo plan for the apartment.

If you would like to resubmit drawings we would need those by February 26 at 8am.

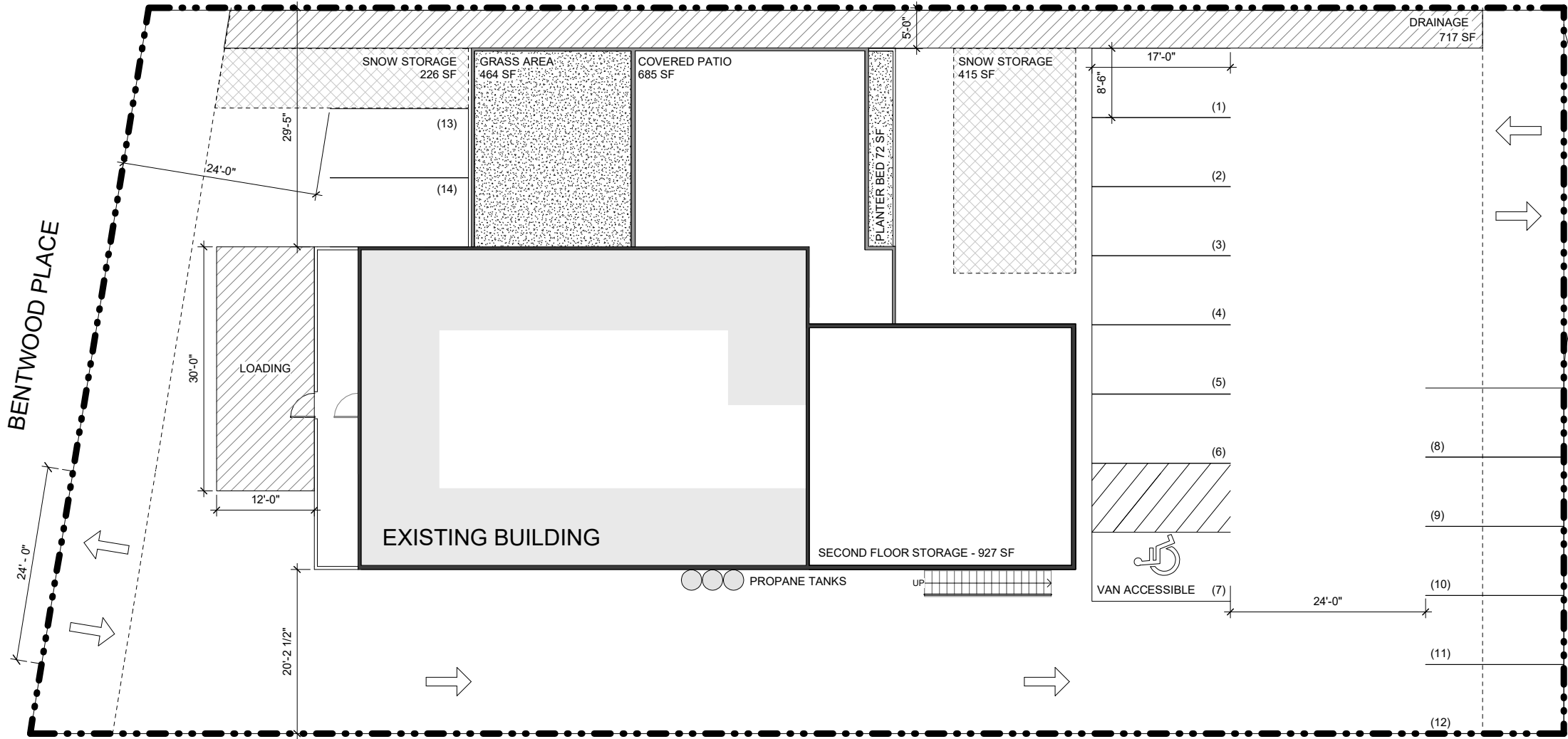
Thanks!

IMG

From: Shannon Crossley <shannon@northwindarch.com>
Sent: Friday, February 2, 2024 10:44 AM

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1 SITE PLAN
1/8" = 1'-0"



KEY

- SNOW STORAGE
- VEGITATIVE COVER
- PARKING DIMENSIONS
- SETBACK
- PROPERTY LINE
- ONE WAY TRAFFIC ARROW
- HANDICAP PARKING

| | |
|------------------------------------|------------|
| REQ VEG COVER | |
| ZONED INDUSTRIAL, 5% 17,534 SF LOT | |
| 877 SF REQ VEG COVER | |
| PROPOSED VEG COVER | |
| 464 SF GRASS PET AREA | |
| 717 SF VEG DRAINAGE AREA | |
| 72 SF PLANTERS | |
| 1253 SF TOTAL | |
| PARKING REQUIREMENTS* | |
| PER SF | |
| SPACES | |
| AGRICULTURAL | 1000 GROSS |
| MERCANTILE/OFFICE | 300 GROSS |
| OUTDOOR PATIO | 300 GROSS |
| STORAGE | 1000 GROSS |

*ONE VAN ACCESSIBLE ADA PARKING SPOT PER 25 REQUIRED

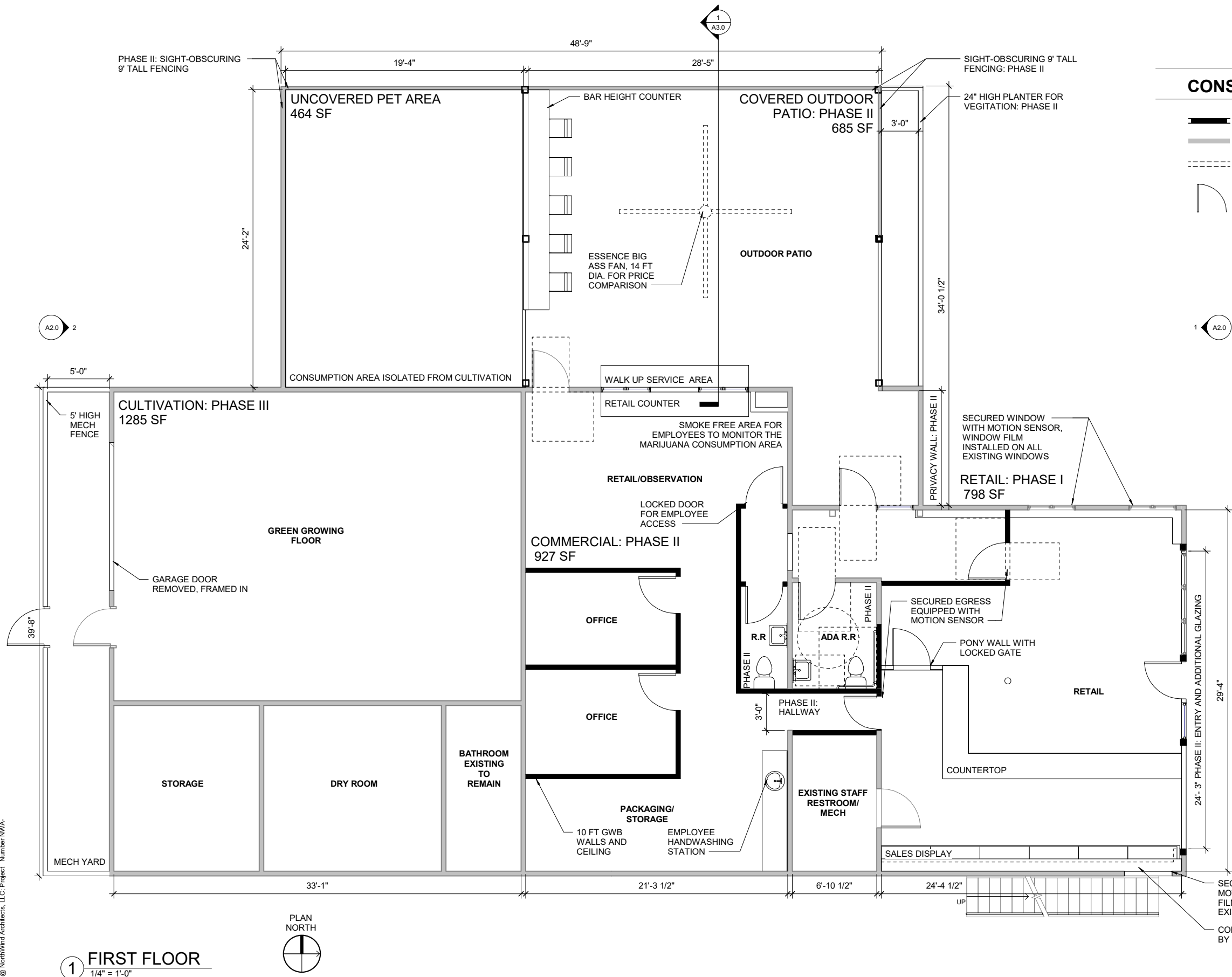
ALASKA VIBES RENOVATION

SHEET TITLE:
SITE PLAN

| | | |
|---------|------|-------------|
| CHECKED | JB | |
| DRAWN | SCC | |
| issue | date | description |

| | |
|------------|------------|
| SHEET # | A0.1 |
| PLOT DATE | 02/21/2024 |
| ISSUE DATE | 02/21/2024 |

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1 FIRST FLOOR
1/4" = 1'-0"



CONSTRUCTION LEGEND

- NEW (N) CONSTRUCTION
- EXISTING (EX) CONSTRUCTION
- DEMO (EX) CONSTRUCTION
- NEW DOOR, FRAME, AND/OR HARDWARE

ZONED: INDUSTRIAL

| | |
|-------------------------------|---------|
| AGRICULTURAL | 1285 SF |
| COMMERCIAL WITH OFFICES | 1725 SF |
| MERCANTILE | 798 SF |
| EMPLOYEE | 927 SF |
| OUTDOOR PATIO SPACE | 685 SF |
| MERCANTILE (UPSTAIRS) STORAGE | 927 SF |

OCCUPANCY

| | PER SF | # OF OCC. |
|--------------------|-----------|-----------|
| AGRICULTURAL | 300 GROSS | 5 |
| MERCANTILE | 60 GROSS | 14 |
| COMMERCIAL | 300 GROSS | 3 |
| OUTDOOR PATIO | 15 NET | 46 |
| MERCANTILE STORAGE | -- | |

BATHROOM REQUIREMENTS

STAFF: COMPANIES WITH LESS THAN 15 EMPLOYEES REQUIRED TO OFFER ONE UNISEX BATHROOM (ADA COMPLIANT)

PUBLIC: ONE (1) ADA BATHROOM, ONE (1) SECONDARY BATHROOM, BOTH UNISEX

NOT FOR CONSTRUCTION

XXXX/XXXX

N
NorthWind
Architects, LLC
126 Seward St.
Juneau, AK 99801
Ph #907.586.6150
www.northwindarch.com

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABEL SCALES.

ALASKA VIBES RENOVATION

10011 GLACIER HIGHWAY
JUNEAU, AK

SHEET TITLE:
FLOOR PLAN

| | | |
|---------|------|-------------|
| CHECKED | JB | |
| DRAWN | SCC | |
| issue | date | description |

SHEET #
A1.0

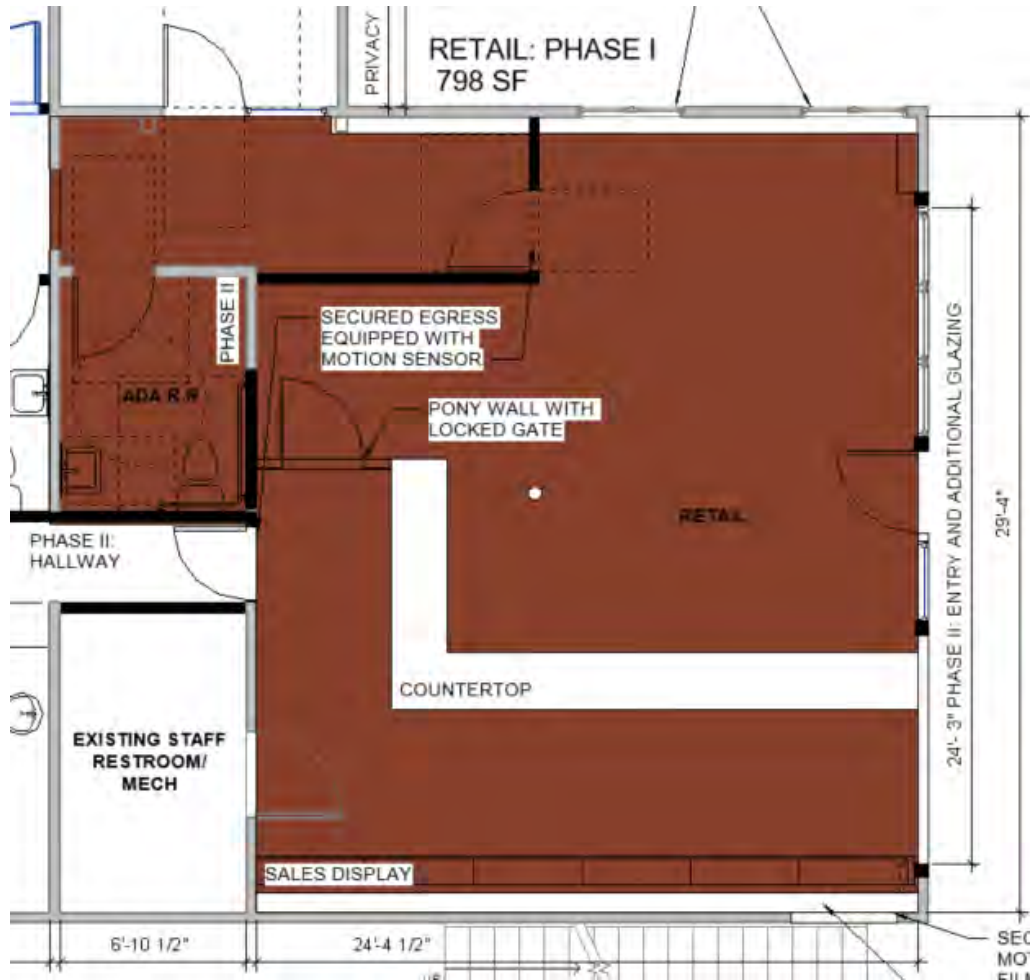
PLOT DATE 02/21/2024
ISSUE DATE 02/21/2024

To: Irene Gallion <Irene.Gallion@juneau.gov>

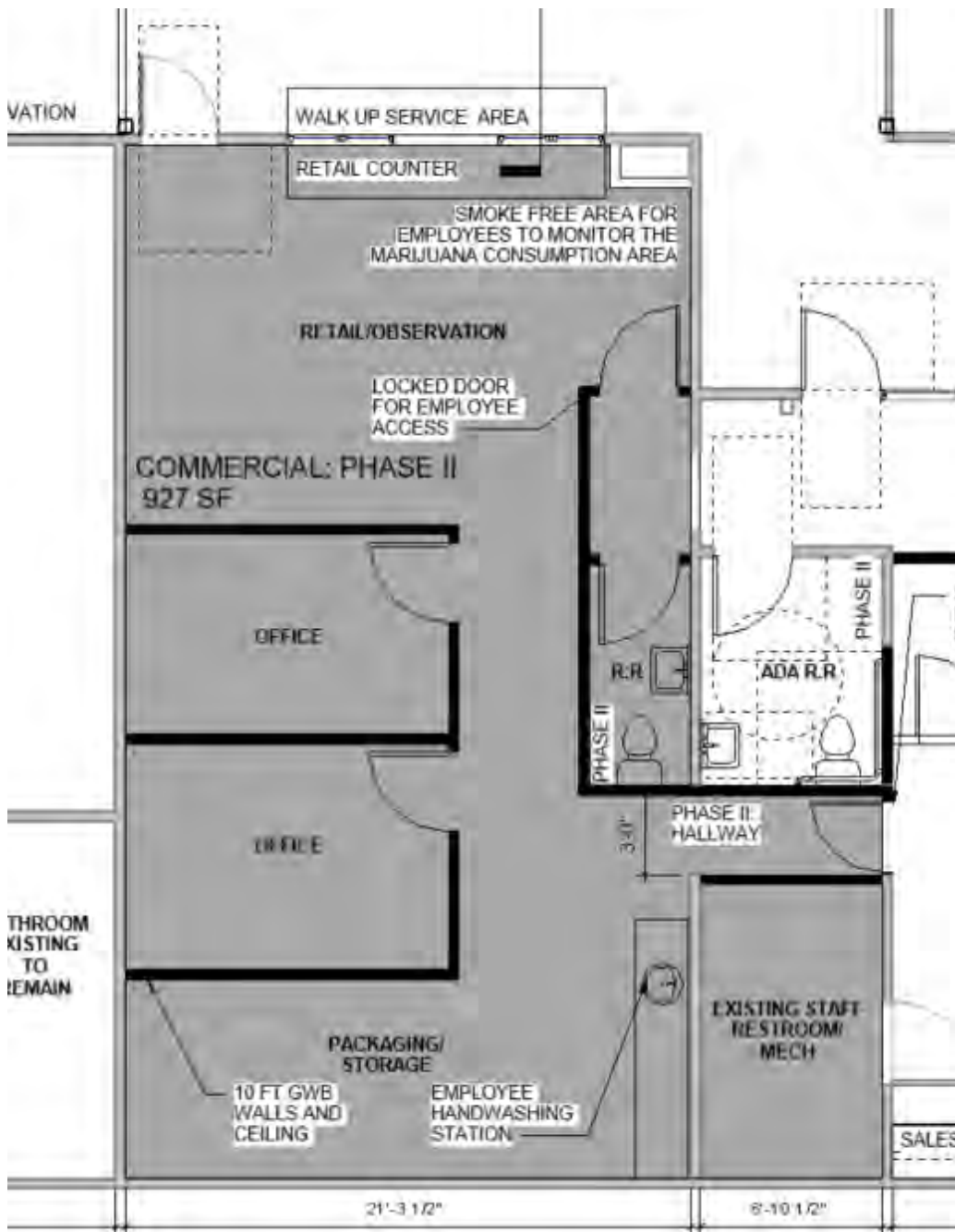
Subject: Re: USE23-19: Glacier

Absolutely!

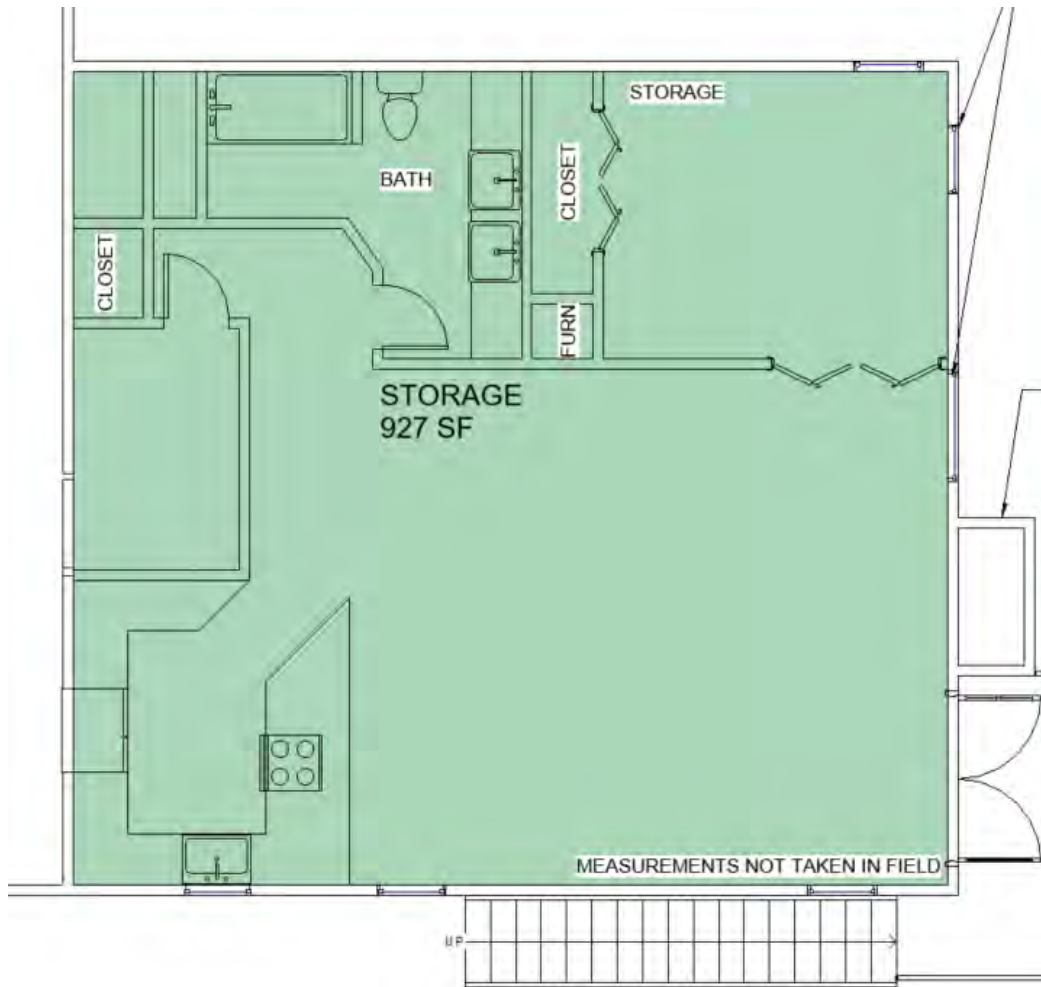
Here is the 798 SF for the retail.



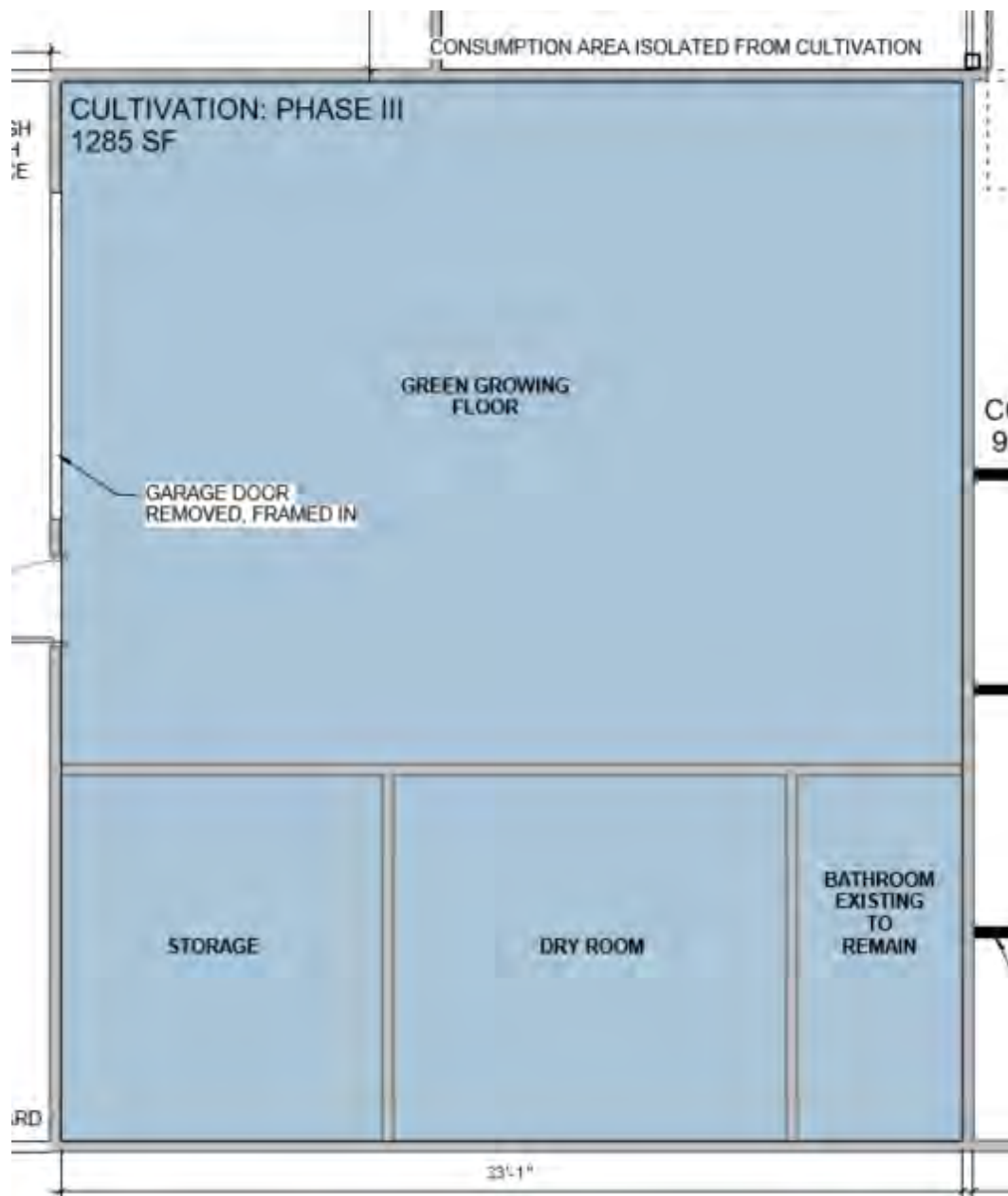
Here is the 927 SF for the commercial/back of house:



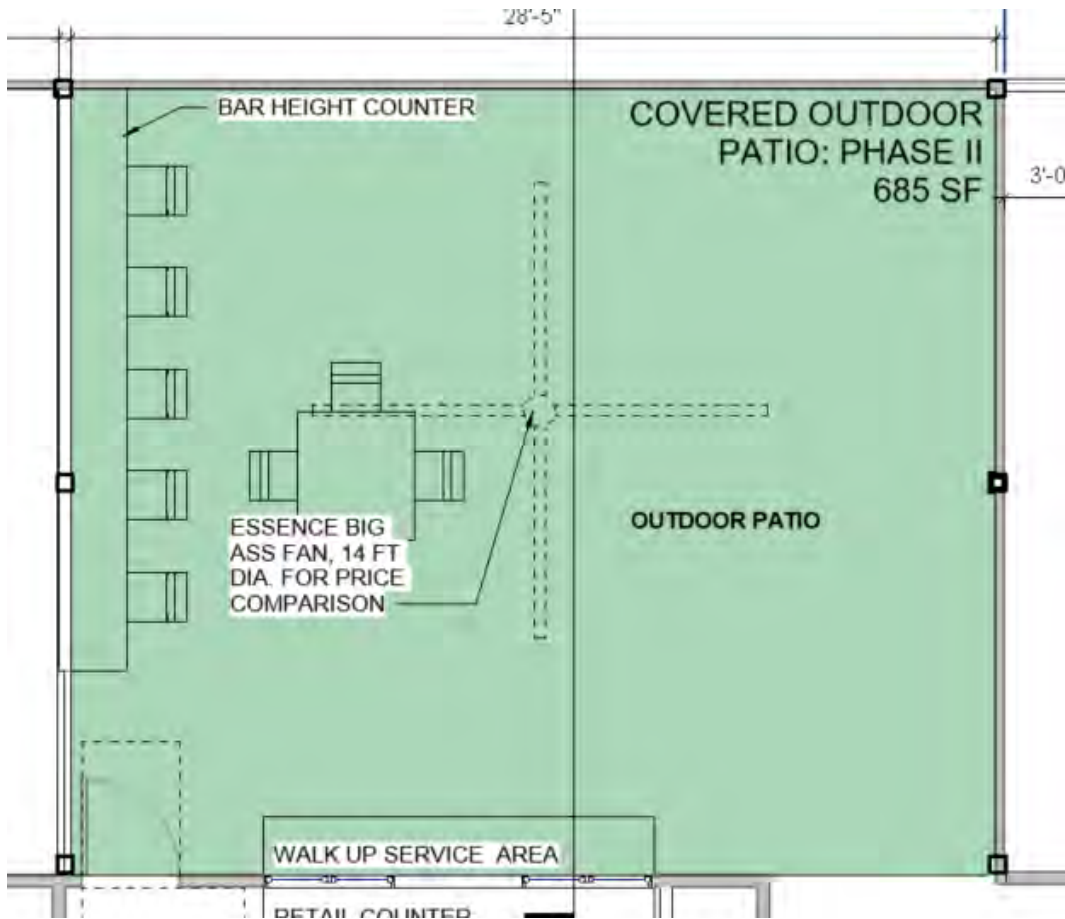
Upstairs unit is 927 SF. I don't know if they've removed the bathroom upstairs yet, we were trying to save on costs at this moment, but the interior finishes have all been removed and I believe the kitchen is gone already. I'll update the set to include an upstairs demo plan, thank you.



And here is the 1285 for cultivation:



The outdoor consumption area is listed as 685 on the floorplan, did I accidentally insert 814 SF somewhere? I'll reissue the sheet, please just let me know where it shows up. There were several redesigns done to the SF for the Outdoor patio and pet area, and I thought I had changed them all to match.



Pet area (465 SF) is just lawn! Trying to get some more vegetation on site and allow patrons to bring their pets with them.

-Shannon

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Thursday, February 1, 2024 3:30 PM
To: Shannon Crossley <shannon@northwindarch.com>
Subject: USE23-19: Glacier

Can you double check square footages for me? I've got:

- Phase 1: 798 square feet of retail, and 927 square feet of downstairs storage, and 798 square feet of upstairs storage. Note that the phasing plan does not show demolition of apartment features.
- Phase 2: Extension of retail into the 927 square foot storage area, including supportive offices. Construction of 814 square feet of outdoor consumption, and a 591 square foot uncovered pet area.
- Phase 3: 1285 square feet of cultivation, dry room and storage.

I am not sure the upstairs apartment is 927, since the space directly below it is 798.

The 591 of pet area, that is just lawn...right?

Thanks!

Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street | 4th Floor Marine View Building

Office: 907.586.0753 x4130



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How are we doing? Provide feedback here: <https://juneau.org/community-development/how-are-we-doing>

Irene Gallion

From: Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>
Sent: Tuesday, February 20, 2024 8:16 AM
To: Irene Gallion
Subject: RE: USE23-19: Marijuana retail, cultivation and on-site consumption
Attachments: RE: Proposed Project at 10011 Glacier Highway

Good morning Irene,

Attached is my email to Shannon Crossley and James Bibb regarding the subject development.

The primary comments DOT has on this development are as follows:

- 1) A new driveway permit will be required by DOT which will include modifications to the current substandard access.
- 2) Access will need to be unique to the proposed development and should not be used to access neighboring business unless proof of an easement or other access agreement between the subject property and neighboring properties can be provided. This is to ensure that the access being reviewed does not have an irregular flow of traffic outside that generated by the proposed development.

Thank you for bringing this back to my attention.

Arthur Drown

Right of Way Agent
Property Management, Right of Way
Department of Transportation & Public Facilities
Southcoast Region
6860 Glacier Hwy, Juneau, AK 99801
(907)465-4517

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Monday, February 19, 2024 9:34 AM
To: Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>
Subject: FW: USE23-19: Marijuana retail, cultivation and on-site consumption

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Arthur,

My apologies for the last minute query on this one.

We have a proposal for a marijuana facility at 10011 Glacier Highway, next to Pavitt's. They are proposing retail, on-site consumption and cultivation.

This application had been previously approved, but expired.

If you can have comments to me by **February 23, 2024** (end of week) that would be great. But, if you need more time, let me know.

I believe you've already been talking to Shannon Crossley, the architect for the project. My understanding is that you were having discussions regarding driveway slope.

THANK YOU! And again, my apologies for the late query.

Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 x4130



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IMG

From: Irene Gallion

Sent: Monday, February 19, 2024 9:25 AM

To: Charlie Ford <Charlie.Ford@juneau.gov>; General Engineering <General_Engineering@juneau.gov>; Dan Jager <Dan.Jager@juneau.gov>

Cc: Jeffrey Hedges <Jeffrey.Hedges@juneau.gov>

Subject: USE23-19: Marijuana retail, cultivation and on-site consumption

Hi all,

My sincere apology about the late notice and quick turn on this proposal, at 10011 Glacier Highway, next to Pavitts.

They had a previous approval that expired. This application differs in that the caretaker apartment originally proposed is modified into storage.

If you could let me know of any concerns by **February 23, 2024**, I'd appreciate it. If you need more time let me know.

Thanks!

Irene Gallion | Senior Planner

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Location: 230 S. Franklin Street | 4th Floor Marine View Building
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Irene Gallion

From: Charlie Ford
Sent: Tuesday, February 20, 2024 8:28 AM
To: Irene Gallion; General Engineering; Dan Jager
Cc: Jeffrey Hedges
Subject: RE: USE23-19: Marijuana retail, cultivation and on-site consumption

Buildings has no issues with this project at this time.
Thanks,

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Monday, February 19, 2024 9:25 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; General Engineering <General_Engineering@juneau.gov>; Dan Jager <Dan.Jager@juneau.gov>
Cc: Jeffrey Hedges <Jeffrey.Hedges@juneau.gov>
Subject: USE23-19: Marijuana retail, cultivation and on-site consumption

Hi all,

My sincere apology about the late notice and quick turn on this proposal, at 10011 Glacier Highway, next to Pavitts.

They had a previous approval that expired. This application differs in that the caretaker apartment originally proposed is modified into storage.

If you could let me know of any concerns by **February 23, 2024**, I'd appreciate it. If you need more time let me know.

Thanks!

Irene Gallion | Senior Planner

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Irene Gallion

From: Nate Watts
Sent: Wednesday, February 7, 2024 9:27 AM
To: Irene Gallion
Subject: RE: Two conditional use permit applications

Thanks for checking in - We did have enforcement at their two cultivations during the renewal period. They have since resolved those issues and have received a license for 2024 at both facilities. We are continuing to work with them at their Anka location regarding a property conditions issue on the 3rd floor of their building. Since the issue is not located within the licensed area of the structure, the decision (above me) was that we would pursue that separately and not have it affect the license. With that said – hopefully during the permit process, we will get a look at how they plan to convert the building and provide appropriate ventilation etc etc.

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Wednesday, January 31, 2024 9:47 AM
To: Nate Watts <Nate.Watts@juneau.gov>
Subject: Two conditional use permit applications

Hi Nate,

I've got two conditional use permit applications from Casey Wilkins.

USE23-19 is the facility next to Pavitts. The proposal is on the web site: <https://juneau.org/community-development/short-term-projects>

USE24-02 is the KUSH facility on Franklin Street. Not up on the web site yet, as there are a few procedural questions hanging out. Note that they've not operated for a while, and I seem to recall we had some enforcement difficulties?

Let me know of any concerns for either project. Thank you!

Irene Gallion | Senior Planner

[Community Development Department](#) | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 x4130



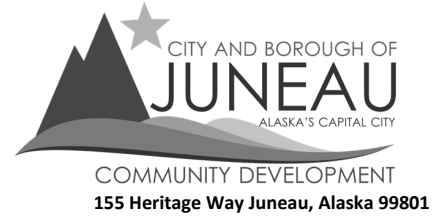
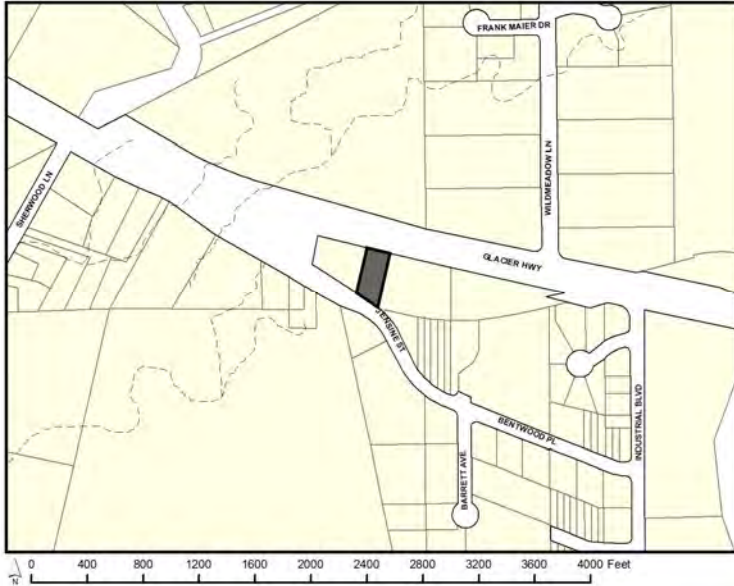
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Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

A Conditional Use Permit Application has been submitted for consideration and public hearing by the Planning Commission for **marijuana retail, cultivation and on-site consumption** at **10011 Glacier Highway** in an **Industrial (I)** zoning district.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **March 4th, 2024**, at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

| Now through Feb. 19th | Feb. 20th — noon, March 8th | HEARING DATE & TIME: 7:00 pm, March 12, 2024 | March 13th |
|---|--|--|---|
| Comments received during this period will be sent to the Planner, Irene Gallion , to be included as an attachment in the staff report. | Comments received during this period will be sent to Commissioners to read in preparation for the hearing. | This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/86091089409 and use the Webinar ID: 860 9108 9409 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska. | The results of the hearing will be posted online. |
| FOR DETAILS OR QUESTIONS, Phone: (907)586-0753 ext. 4130 Email: pc_comments@juneau.gov or irene.gallion@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801 | | | |
| | | Case No.: USE2023 0019 Parcel No.: 4B1701020020 CBJ Parcel Viewer: http://epv.juneau.org | |

Printed January 31, 2024

Irene Gallion

From: Tara Smith <tara@alaskankushcompany.com>
Sent: Monday, February 26, 2024 8:39 AM
To: Irene Gallion
Cc: Shannon Crossley; cwilkins907@gmail.com
Subject: Re: USE23-19 and USE24-02: Public Notice Signs



Attachment E-Public Notice Sign

Sent from my iPhone

On Feb 19, 2024, at 11:12 AM, Irene Gallion <Irene.Gallion@juneau.gov> wrote:

Hello Ak Vibes Kush Team,

Part of the Conditional Use Permit process is posting of a large, red Public Notice sign at each site.

The public notice signs are in our Permit Center (4th floor of the Marine View) and are ready for pick up. Note that our permit center is closed today (President's Day).

The signs will need to be posted by **February 26, 2024**. They should be visible from the right-of-way. Please send an e mail with a photo of the sign posted. The e mail will be used to date-and-time-stamp the installation of the sign.

Please contact Permit Center staff before taking the sign. Note that if signs are returned to the Permit Center by the Monday following the Planning Commission meeting \$100 of the sign fee will be refunded.

Thank you,

Irene Gallion | Senior Planner

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street | 4th Floor Marine View Building

Office: 907.586.0753 x4130

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<image001.jpg>

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