

PLANNING COMMISSION
NOTICE OF DECISION

Date: October 16, 2001

File No.: USE2001-00033

No Creek Jack, Inc.
P.O. BOX 34262
Juneau, Alaska 99803-4262

Application For: A conditional use permit to allow gas sales.

Legal Description: USS 2100 FR

Parcel Code No.: 5-B21-0-131-000-0

Hearing Date: October 9, 2001

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 3, 2001 and approved the conditional use permit to amend the existing convenience store use with the addition of gasoline sales to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. That the applicant submits a drainage plan for the site with the building permit for approval by the CBJ Engineering Department. And that the plan must insure that run from the fuel pumps and tank sites continue to drain away from Duck Creek and that runoff be treated with some form of oil/water separation.
2. That the applicant establish one-way circulation for the gasoline pumps, with traffic entering from the east and existing to the west. That this one-way access be defined with striping, signs, and curbing where necessary. The plan should be submitted with the building permit for approval by the CBJ Engineering Department.
3. That the applicant screen the proposed fuel tank as shown on the Attachment C, and that the existing landscaping on the front of the lot be relocated to back of the front property line. All landscaping should be completed or bonded for prior to any occupancy permit.
4. That the clearance under the canopy to be reduced to 14 feet, the height of the leading edge of the canopy reduced from 2 feet to 1 foot, and that the length canopy be reduced from 34 feet to 30 feet.

5. That the applicant submits a lighting plan with the building permit for approval by the Community Development Department. The plan must insure that lighting intensity will be limited, and that lighting be shielded and directed away from the surrounding residential area.

6. That the applicants submit building plans for the canopy that insures consistency with color and design of the adjoining building. These plans shall be approved by the CDD with the building permit.

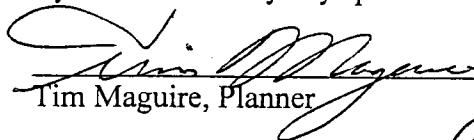
Attachments: October 3, 2001, memorandum from Tim Maguire, Community Development to the CBJ Planning Commission regarding USE2001-00033.

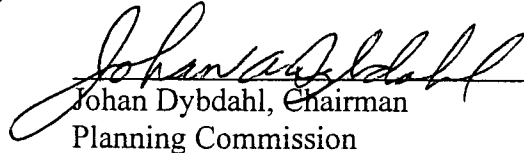
This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030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

Effective Date: The permit is effective upon approval by the Commission
October 9, 2001

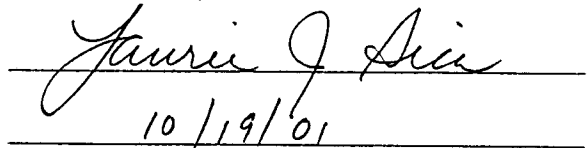
Expiration Date: The permit will expire 18 months after the effective date, or April 9, 2003, in no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:


Tim Maguire, Planner


Johan Dybdahl, Chairman
Planning Commission

Filed With City Clerk


10/19/01

cc: Plan Review
Mike Scott
Terry Brenner

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center 1 (800) 949-4232, or fax (360) 438-3208.