



City & Borough of Juneau, Alaska
155 Heritage Way Juneau, AK 99801

Plan NO.: **USE20260007**
Plan Type: **PL - USE - Conditional Use Permit**
Work Classification: **Commission Approval (Final)**
Plan Status: **In Review**
Apply Date: **07/01/2026**
Expiration: **[None Listed]**

Location Address

3020 CLINTON DR, JUNEAU, AK 99801

Parcel Number

5B1601420020

Contacts

ELIZABETH CLAYTON, JRE 8800 GLACIER HWY 219, JUNEAU, AK 99801 (907) 209-0336 eclaytonak@gmail.com	Applicant	Bryan Dobb (360) 927-1899	Owner
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Description: We are requesting an amendment to the existing Conditional Use Permit for the commercial building located at 3020 Clinton Drive to allow occupancy of the other suite as a small, commercial tenant space in addition to the existing Domino's Pizza use.

The proposed space is 1,095 square feet and is intended for low-intensity commercial uses such as:

- professional office space;
- small retail storefront;
- service-oriented business;
- personal services;
- studio or administrative office use; or
- other low-traffic commercial uses consistent with the Light Commercial (LC) zoning district.

The anticipated operations for the suite are expected to include:

- approximately 1–5 employees onsite at any given time;
- limited customer traffic typical of a small office or boutique storefront;
- primarily daytime business hours, generally between 8:00 AM and 6:00 PM;

Pre-Application Conference Report

Page 3 of 6

- no late-night operations;
- no outdoor storage;
- no delivery-truck traffic beyond normal parcel or small commercial deliveries;
- no hazardous materials;
- and no significant noise, odor, or vibration impacts.

The suite was constructed with separate restroom and utility infrastructure and was designed to accommodate a future, separate, tenant space. The aforementioned proposed uses are consistent with the surrounding Light Commercial zoning district. The proposed uses are anticipated to generate less traffic than the previously approved drive-through restaurant use associated with the site.

We understand that any future tenant improvements or occupancy changes may require additional permitting, building review, or code-compliance review depending on the specific tenant and use proposed.

One-sentence Description (Brandon):

A conditional-use-permit amendment to allow occupancy by a commercial tenant of the existing, second, commercial unit at 3020 Clinton Dr.

Fees	Amount	Payments	Amt Paid
Class II Use Fee	500.00	Total Fees	\$650.00
Public Notice Sign Deposit	100.00	Credit Card	\$550.00
Public Notice Sign Fee	50.00	Credit Card	\$100.00
Total:	\$650.00	Amount Due:	\$0.00

Additional Information:

Note: Only answered questions are listed below. For a full view of all application questions see Civic Access More Info Tab:

<https://cityandboroughofjuneauak-energovweb.tylerhost.net/apps/selfservice#/plan/4d25c2cb-252e-4adb-82f5-90ce63a3b095?tab=moreinfo>



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Pre-Application Case Number: PAC2026 0020

Describe the Project: We are requesting an amendment to the existing Conditional Use Permit for the commercial building located at 3020 Clinton Drive to allow occupancy of the other suite as a small, commercial tenant space in addition to the existing Domino's Pizza use.

Describe the Project Purpose: The proposed space is 1,095 square feet and is intended for low-intensity commercial uses such as: • professional office space; • small retail storefront; • service-oriented business; • personal services; • studio or administrative office use; or • other low-traffic commercial uses consistent with the Light Commercial (LC) zoning district. The anticipated operations for the suite are expected to include: • approximately 1–5 employees onsite at any given time; • limited customer traffic typical of a small office or boutique storefront; • primarily daytime business hours, generally between 8:00 AM and 6:00 PM; Pre-Application Conference Report Page 3 of 6 • no late-night operations; • no outdoor storage; • no delivery-truck traffic beyond normal parcel or small commercial deliveries; • no hazardous materials; • and no significant noise, odor, or vibration impacts. The suite was constructed with separate restroom and utility infrastructure and was designed to accommodate a future, separate, tenant space. The aforementioned proposed uses are consistent with the surrounding Light Commercial zoning district. The proposed uses are anticipated to generate less traffic than the previously approved drive-through restaurant use associated with the site. The applicant understands that any future tenant improvements or occupancy changes may require additional permitting, building review, or code-compliance review depending on the specific tenant and use proposed.

Describe the Project Site Circulation: Parking & Circulation [CBJ 49.40] – a. Parking Waiver currently in effect is a waiver for the Dominos use specifically b. Parking requirement will decrease for Dominos as updated suite size will be 1,457 sq. ft. (seven (7) spaces required for Dominos at the proposed suite size) Pre-Application Conference Report Page 4 of 6 c. Parking Calculations: i. Restaurant: 1 off-street space per 200 sq. ft. of Gross Floor Area (GFA) ii. Misc. Sales: 1 off-street space per 300 sq. ft. of GFA iii. Office: 1 off-street space per 300 sq. ft. of GFA iv. For 1,095 square feet: three (3) off-street parking spaces required for either a retail storefront or an office space d. According to the as-built survey, 12 off-street spaces are currently provided. The total parking required for the new mix of uses at the proposed square footages is 10 spaces. ADA spaces required: 1, van-accessible.

Describe the Project Traffic: Traffic [CBJ 49.40 Article III] – a. Traffic generation estimates decrease as the restaurant square footage decreases as determined by the ITE manual. The new calculation for the Dominos suite is estimated at 65.55 ADT (0.04499 ADT per square foot). b. Traffic generation numbers below are estimated on a per-square-foot basis for a weekday: Pre-Application Conference Report Page 5 of 6 i. Specialty Retail (0.04432 per sq. ft.): 48.53 ADT ii. Variety Store (0.06403 per sq. ft.): 70.11 ADT iii. Single-Tenant Office (0.01165 per sq. ft.): 12.76 ADT c. Total trips generated at the maximum for the highest generating uses based on new calculations: 135.66 ADT (Domino's + Variety Store) d. A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis

Describe the Project Site Drainage: NA

Describe the Project Site Snow Storage: Snow will be managed per CBJ requirements and removed from the lot when needed.

Describe the Project Site Vegetation: 9. Vegetative Coverage [CBJ 49.50.300] – 15% Minimum

Comprehensive Plan: Miscellaneous sales with less than 5,000 square feet and less than 20% of the GFA of outside merchandising of goods Offices greater than 1,000 square feet but not more than 2,500 square feet

Accessory Apartment?: N/A

Previous Approval Case Number: USE2023 0018

Total Area of Lot (Sq. Ft): 26649

Total Area of Existing Structure(s) (Sq.Ft): 3657

Total Area of Proposed Structure(s) (Sq. Ft.): 1095

Current use of land or building(s): Dominoes Restaurant

Proposed use of land or building(s): Utilizing the existing suite next door

Project includes proposed lighting?: N/A

Existing lighting to remain?: Yes

CBJ Water Available?: Public

CBJ Sewer Available?: Public

Class I Use: No

Class II Use: Yes

Class III Use: No

Class IV Use: No

Class V Use: No



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

Domino's CUP Amendment to Add Additional Tenant

Case Number: PAC2026 0020
Applicant: Elizabeth Clayton
Property Owner: Winston Properties Juneau LLC
Property Address: 3020 CLINTON DR
Parcel Code Number: 5B1601420020
Site Size: 26,649 Square Feet
Zoning: Light Commercial (LC)
Existing Land Use: Commercial

Conference Date: June 24, 2026

Report Issued: July 1, 2026

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
Elizabeth Clayton	Applicant	eclaytonak@gmail.com
Brandon Robinson	Planner	Brandon.Robinson@juneau.gov
Jackson Sims	Planner	Jackson.Sims@juneau.gov

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:

- Applicant noted that some of the submitted documents had different measurements for the suite sizes. The report has been updated to reflect the new calculations, the ultimate outcomes have not changed.
- Applicant had a question related to why this was considered a major amendment to the approved permit. The major amendment provisions were triggered by the fact that the additional use involved a feature of the project that was a specific consideration by the review authority in granting the permit [CBJ 49.15.160].

Project Overview



The applicant is requesting an amendment to the existing Conditional Use Permit for the commercial building located at 3020 Clinton Drive to allow occupancy of the other suite as a small, commercial tenant space in addition to the existing Domino's Pizza use.

The proposed space is 1,095 square feet and is intended for low-intensity commercial uses such as:

- professional office space;
- small retail storefront;
- service-oriented business;
- personal services;
- studio or administrative office use; or
- other low-traffic commercial uses consistent with the Light Commercial (LC) zoning district.

The anticipated operations for the suite are expected to include:

- approximately 1–5 employees onsite at any given time;
- limited customer traffic typical of a small office or boutique storefront;
- primarily daytime business hours, generally between 8:00 AM and 6:00 PM;

- no late-night operations;
- no outdoor storage;
- no delivery-truck traffic beyond normal parcel or small commercial deliveries;
- no hazardous materials;
- and no significant noise, odor, or vibration impacts.

The suite was constructed with separate restroom and utility infrastructure and was designed to accommodate a future, separate, tenant space. The aforementioned proposed uses are consistent with the surrounding Light Commercial zoning district. The proposed uses are anticipated to generate less traffic than the previously approved drive-through restaurant use associated with the site.

The applicant understands that any future tenant improvements or occupancy changes may require additional permitting, building review, or code-compliance review depending on the specific tenant and use proposed.

SECTION 1 – PLANNING DIVISION

1. Zoning [\[CBJ 49.25.230\]](#) –

- a. Primary Zone: Light Commercial (LC)
- b. Overlay Zones:
 - i. Mining & Exploration Surface Activities Exclusion District
 - ii. Urban Mining District

2. Table of Permissible Uses [\[CBJ 49.25.300\]](#) –

- a. **The following uses are from the TPU as related to the proposal:**
 - i. 2.120: Miscellaneous sales with less than 5,000 square feet and less than 20% of the GFA of outside merchandising of goods
 - ii. 3.100: Offices greater than 1,000 square feet but not more than 2,500 square feet

3. Subdivision – N/A

4. Setbacks [\[CBJ 49.25.400\]](#) –

- a. Front: 25 Feet
- b. Rear: 10 Feet
- c. Side: 10 Feet
- d. Street-Side: 17 Feet

5. Height [\[CBJ 49.25.400\]](#) –

- a. Permissible: 45 Feet
- b. Accessory: 35 Feet

6. Access [\[CBJ 49.35\]](#) – Via Clinton Drive

7. Parking & Circulation [\[CBJ 49.40\]](#) –

- a. Parking Waiver currently in effect is a waiver for the Dominos use specifically
- b. Parking requirement will decrease for Dominos as updated suite size will be 1,457 sq. ft. (seven (7) spaces required for Dominos at the proposed suite size)

- c. Parking Calculations:
 - i. Restaurant: 1 off-street space per 200 sq. ft. of Gross Floor Area (GFA)
 - ii. Misc. Sales: 1 off-street space per 300 sq. ft. of GFA
 - iii. Office: 1 off-street space per 300 sq. ft. of GFA
 - iv. For 1,095 square feet: three (3) off-street parking spaces required for either a retail storefront or an office space
 - d. According to the as-built survey, 12 off-street spaces are currently provided. The total parking required for the new mix of uses at the proposed square footages is 10 spaces. ADA spaces required: 1, van-accessible.
8. **Lot Coverage** [\[CBJ 49.25.400\]](#) – No Maximum Lot Coverage
9. **Vegetative Coverage** [\[CBJ 49.50.300\]](#) – 15% Minimum
10. **Lighting** [\[04 CBJAC 050.020\]](#) – Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property.
- Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall at the discretion of the Community Development Department, according to the requirements at §49.40.235(d). All exterior lighting fixtures shall be of a “full cutoff” design.
11. **Noise** [\[CBJ 49.15.330\]](#) – N/A
12. **Flood** [\[CBJ 49.70 Article IV\]](#) – Zone X (Panel 02110C1526E)
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** [\[CBJ 49.70\]](#) –
- a. Hazard: None Mapped
 - b. Hillside Endorsement: N/A
14. **Habitat/Wetlands** –
- a. Habitat:
 - i. Check with U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling
 - ii. No anadromous waterbodies are on the subject parcel, or within 50 feet
 - b. Wetlands: Wetlands-related development may require additional permits, please contact the United States Army Corps of Engineers for more information (PEM1A wetlands are located proximate to the development)
15. **Plat or Covenant Restrictions** – None
16. **Traffic** [\[CBJ 49.40 Article III\]](#) –
- a. Traffic generation estimates decrease as the restaurant square footage decreases as determined by the ITE manual. The new calculation for the Dominos suite is estimated at 65.55 ADT (0.04499 ADT per square foot).
 - b. Traffic generation numbers below are estimated on a per-square-foot basis for a weekday:

- i. Specialty Retail (0.04432 per sq. ft.): 48.53 ADT
 - ii. Variety Store (0.06403 per sq. ft.): 70.11 ADT
 - iii. Single-Tenant Office (0.01165 per sq. ft.): 12.76 ADT
 - c. Total trips generated at the maximum for the highest generating uses based on new calculations: 135.66 ADT (Domino's + Variety Store)
 - d. A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis
17. **Nonconforming Situations** [[CBJ 49.30](#)] – No known nonconformities on the subject lot
18. **Housing and Incentive Programs** – N/A

SECTION 2 – BUILDING DIVISION

19. **Building** – Building Permit for any Tenant Improvement. Complete open permit.
20. **Outstanding Permits** – BLD20240582

SECTION 3 – GENERAL ENGINEERING/PUBLIC WORKS DEPARTMENTS

21. **Engineering** – No Comments Provided.

SECTION 4 – FIRE DEPARTMENT

22. **Fire Items/Access** – No Comments Provided.

SECTION 5 – OTHER APPLICABLE AGENCY REVIEW

23. N/A

SECTION 6 – 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.

24. Apply for a conditional use permit on CBJ's Civic Access platform

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.

25. 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.

26. 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. Class II Use: \$500.00

2. Public Notice Fee: \$150 (\$100 deposit is refundable if sign is returned according to policy)

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

Submit your Completed Application

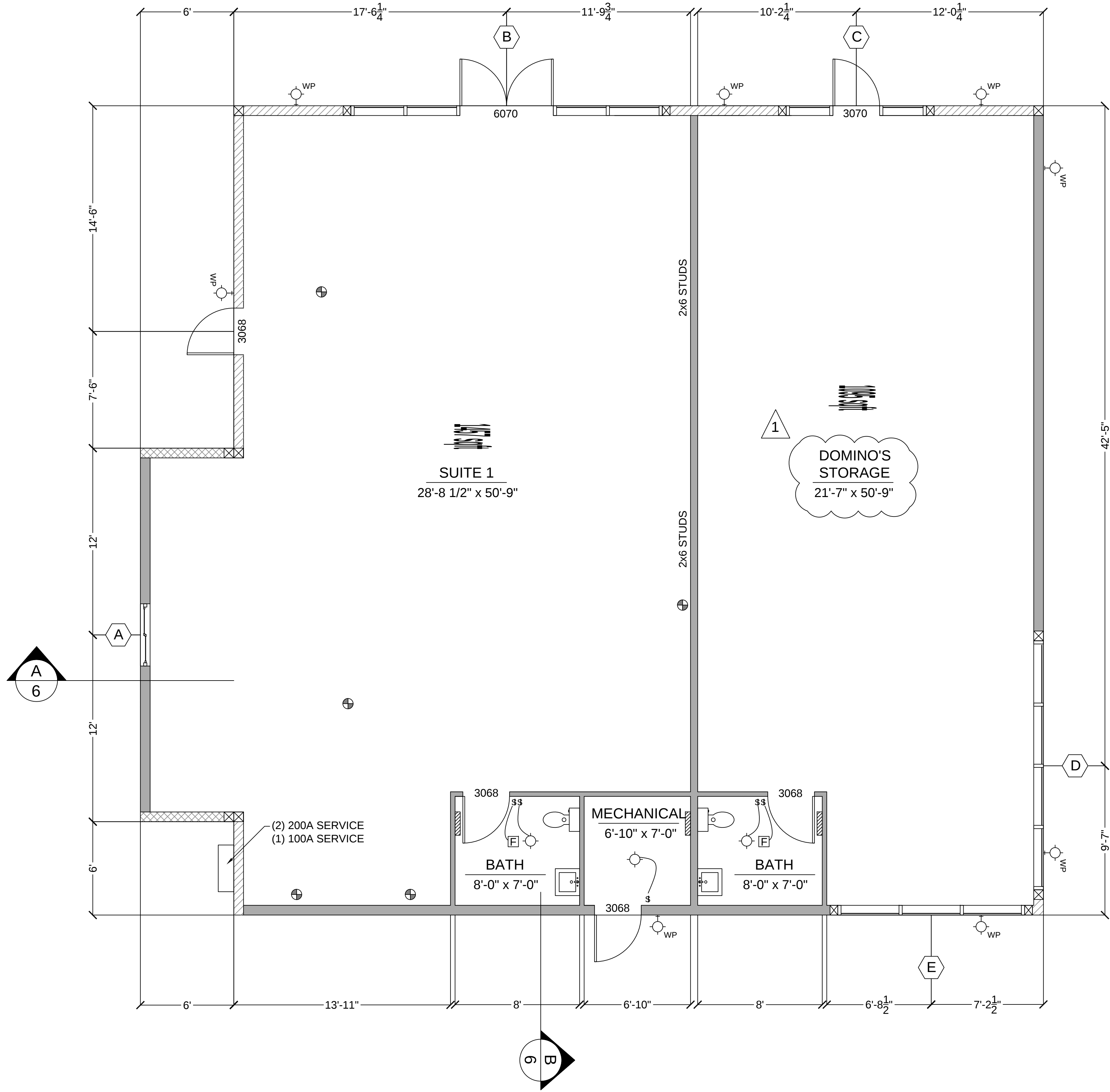
You may submit your application(s) online via Civic Access.

Phone: (907) 586-0715

Web: www.juneau.org/community-development

ATTACHMENTS:

- Attachment A: 2026_Application Submittal
- Attachment B: 1985_PLAT_85-58
- Attachment C: 2023_USE23-18_Bundle
- Attachment D: 2023_PWP23-04_NOD
- Attachment E: 2024_As-Built Survey
- Attachment F: ND_49.15.330 - Conditional Use Permit

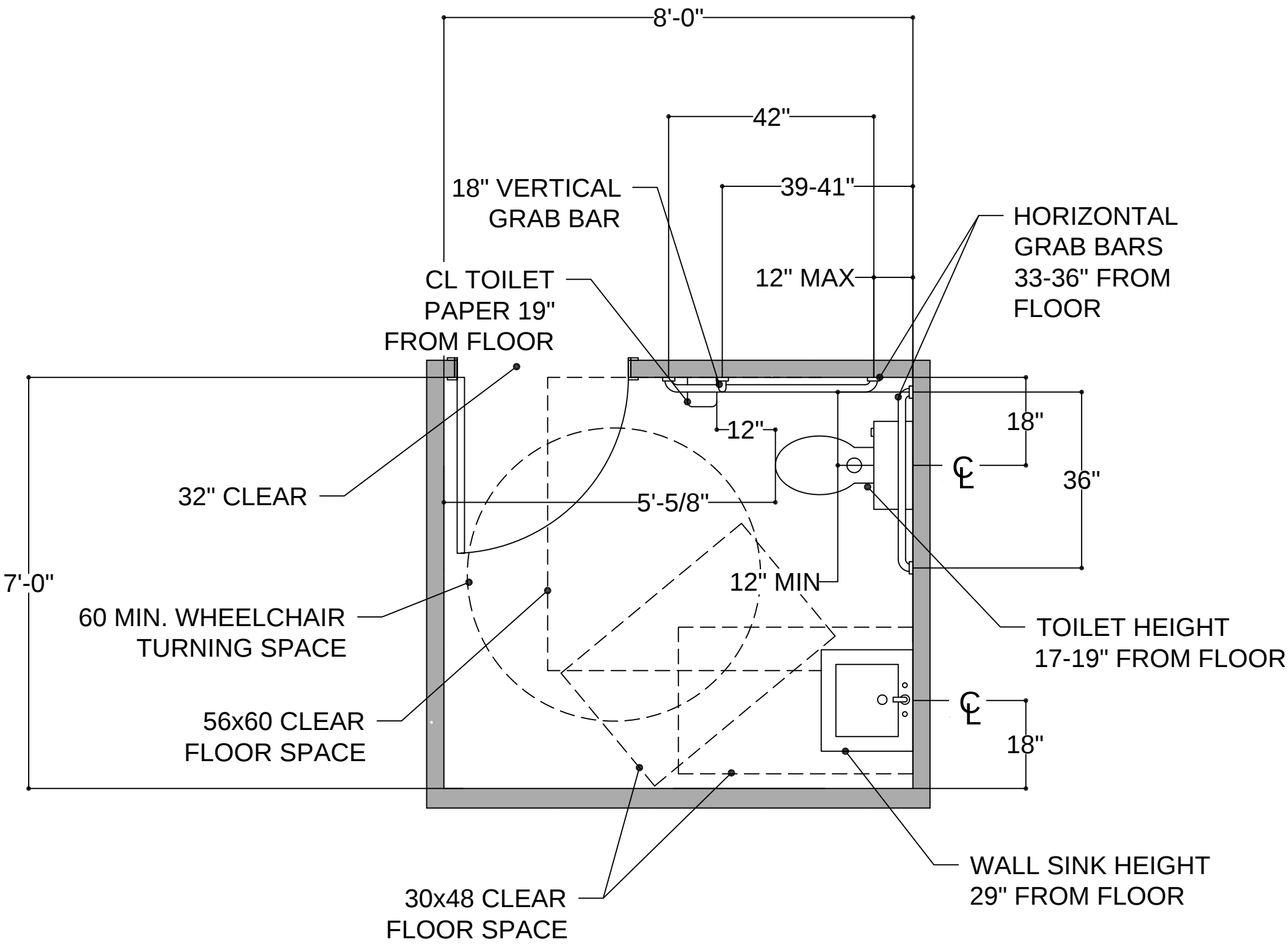


WINDOW SCHEDULE			
LABEL	QTY.	WINDOW TYPE	DIMENSIONS
A ¹	1	READY ACCESS/SLIDER	4'-0"x3'-8"
B ²	1	DOOR/WINDOW UNIT	20'-0"x9'-0"
C ²	1	DOOR/WINDOW UNIT	9'-0"x9'-0"
D ³	1	WINDOW UNIT	16'-0"x5'-0"
E ³	1	WINDOW UNIT	12'-0"x5'-0"
1. DRIVE THROUGH WINDOW, HEIGHT @ TOP = 6'-10"			
2. UNIT LAYOUT & SIZES BY OTHERS. TEMPERED GLASS.			
3. UNIT LAYOUT & SIZES BY OTHERS.			

SHEET LEGEND

- SPECIAL SHEARWALL; SEE SHEARWALL SCHEDULE FOR DETAILS
- SIMPSON HDU5, SSTB 16 (OR AS NOTED)
- PLUMBING FOR FUTURE BUILD-OUT
- DOWN LIGHTS PER CBJ STANDARDS
- ELECTRICAL PANEL

SPECIAL SHEAR-WALL SCHEDULE			
DESIGNATION	PANEL THICKNESS	EN/BN	IN
	5/8" ¹	6"	12"
	5/8"	4"	12"
1. BOTH SIDES OF WALL			



1 REVISION: 9/19/25
CHANGE SPACE USE/NAME



R&S CONSTRUCTION, LLC
PO BOX 210194
AUKU BAY, AK 99821
(907) 723-8952
VINTAGE II BL A LT R2

R&S VINTAGE PARK BLDG.
FLOOR PLAN

EKH DESIGN
& ENGINEERING

PO BOX 210393, AUKU BAY, AK 99821
(907) 321-5950

SCALE:
1/4" = 1'-0"

DATE:
9/19/25

DRAWN BY:
EKH

CHECKED BY:
EKH

SHEET

4
OF
7

TYPICAL MONUMENTS SET THIS SURVEY

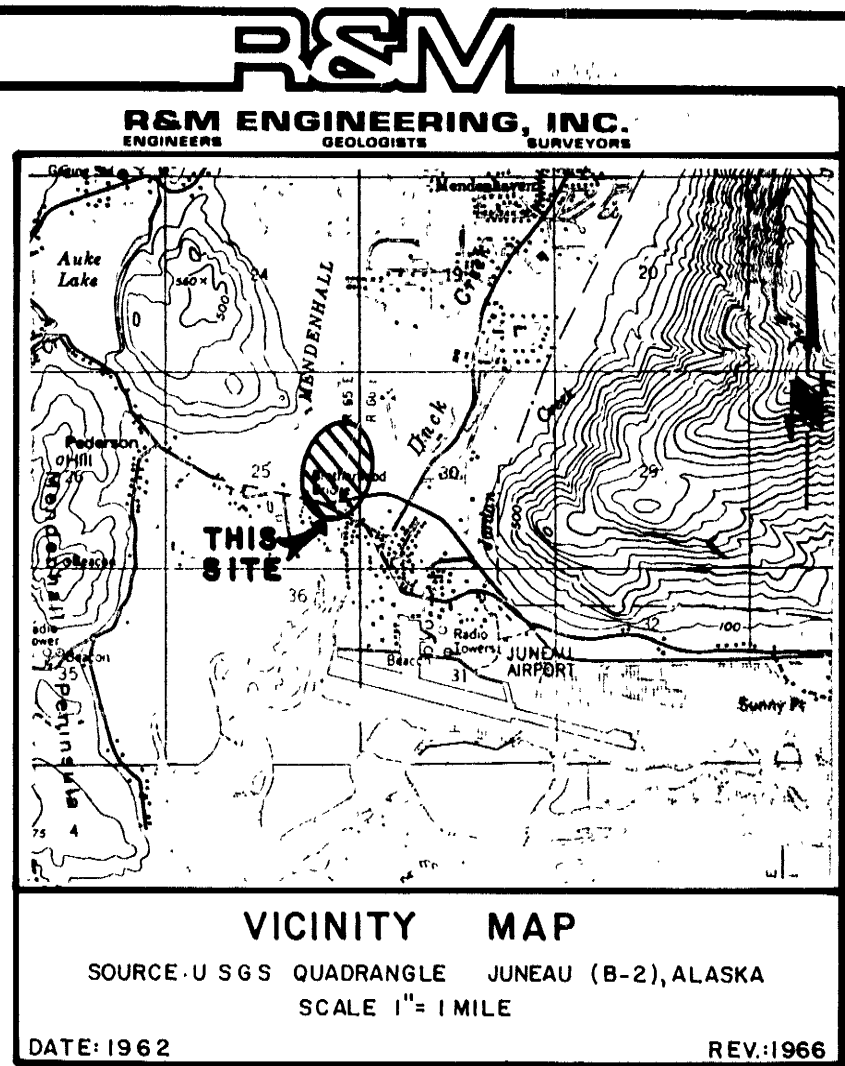
GENERAL NOTES

1. THE BASIS-OF-BEARING FOR THIS SURVEY WAS BETWEEN A RECOVERED W.V.M. 2 1/2" BRASS CAP MONUMENT COMMON TO CORNER 5, U.S. SURVEY NO. 1284, AND CORNER 3, U.S. SURVEY NO. 381, AND A RECOVERED 2 1/2" IRON PIPE COMMON TO THE BOUNDARY LINE BETWEEN U.S. SURVEY NO. 1284 AND U.S. SURVEY NO. 381 HAVING AN ACCEPTED BEARING OF N 89°30'30" E.
2. ALL BEARINGS DENOTED ON THIS PLAT HAVE BEEN ROUNDED TO THE NEAREST 0°00'15" OF ARC.
3. FOR ADDITIONAL BOUNDARY AND SUBDIVISION DATA, SEE R&M PLAT "A BOUNDARY RETRACEMENT SURVEY PLAT OF THAT PART OF U.S. SURVEY NO. 1193 NORTH OF GLACIER HIGHWAY REFLECTING LAND ACCRETION AND EROSION BY MENDENHALL RIVER", R&M PROJECT NO. 37220, AND VINTAGE SUBDIVISION RECORDED JULY 1984 BY PLAT NO. 84-117.
4. A PORTION OF LOTS 10 THROUGH 40, BLOCK C, ARE LOCATED WITHIN THE 100-YEAR FLOOD PLAIN. THE MAIN FLOOR OF ANY STRUCTURE BUILT IN THIS AREA SHALL BE CONSTRUCTED ONE FOOT ABOVE THE BASE FLOOD ELEVATION, OR 21.7' TO 23.5'.
5. ANY STRUCTURES PROPOSED ON THE EASEMENTS SHOWN ON THE PLAT SHALL BE APPROVED BY THE CITY AND BOROUGH OF JUNEAU, ENGINEERING DEPARTMENT.

NOTE:
AN ADDITIONAL SETBACK MAY BE REQUIRED ON LOTS 12 THROUGH 41, BLOCK C, WHICH WILL NOT EXCEED 20' IN ADDITION TO TRACT D. THE SETBACK WILL BE DETERMINED ON A BUILDING-BY-BUILDING BASIS AS REQUIRED BY CITY AND BOROUGH OF JUNEAU ORDINANCE 84-34 AND APPROVED BY THE CITY AND BOROUGH OF JUNEAU, PLANNING DEPARTMENT.

TABLE OF CURVE DATA

NO.	BEARING	R	L	CHORD
1	N 23°18'00" E	870.88	387.42	181.21
2	N 23°18'00" E	870.88	387.42	181.21
3	N 23°18'00" E	870.88	387.42	181.21
4	N 23°18'00" E	870.88	387.42	181.21
5	N 23°18'00" E	870.88	387.42	181.21
6	N 23°18'00" E	870.88	387.42	181.21
7	N 23°18'00" E	870.88	387.42	181.21
8	N 23°18'00" E	870.88	387.42	181.21
9	N 23°18'00" E	870.88	387.42	181.21
10	N 23°18'00" E	870.88	387.42	181.21
11	N 23°18'00" E	870.88	387.42	181.21
12	N 23°18'00" E	870.88	387.42	181.21
13	N 23°18'00" E	870.88	387.42	181.21
14	N 23°18'00" E	870.88	387.42	181.21
15	N 23°18'00" E	870.88	387.42	181.21
16	N 23°18'00" E	870.88	387.42	181.21
17	N 23°18'00" E	870.88	387.42	181.21
18	N 23°18'00" E	870.88	387.42	181.21
19	N 23°18'00" E	870.88	387.42	181.21
20	N 23°18'00" E	870.88	387.42	181.21
21	N 23°18'00" E	870.88	387.42	181.21
22	N 23°18'00" E	870.88	387.42	181.21
23	N 23°18'00" E	870.88	387.42	181.21
24	N 23°18'00" E	870.88	387.42	181.21
25	N 23°18'00" E	870.88	387.42	181.21
26	N 23°18'00" E	870.88	387.42	181.21
27	N 23°18'00" E	870.88	387.42	181.21
28	N 23°18'00" E	870.88	387.42	181.21
29	N 23°18'00" E	870.88	387.42	181.21
30	N 23°18'00" E	870.88	387.42	181.21
31	N 23°18'00" E	870.88	387.42	181.21
32	N 23°18'00" E	870.88	387.42	181.21
33	N 23°18'00" E	870.88	387.42	181.21
34	N 23°18'00" E	870.88	387.42	181.21
35	N 23°18'00" E	870.88	387.42	181.21
36	N 23°18'00" E	870.88	387.42	181.21
37	N 23°18'00" E	870.88	387.42	181.21
38	N 23°18'00" E	870.88	387.42	181.21
39	N 23°18'00" E	870.88	387.42	181.21
40	N 23°18'00" E	870.88	387.42	181.21
41	N 23°18'00" E	870.88	387.42	181.21



SYMBOLS

- RBM PRIMARY MON. RECOVERED THIS SURVEY
- RBM PRIMARY MON. ESTABLISHED THIS SURVEY
- 3/4" IRON PIPE RECOVERED THIS SURVEY
- CONCRETE NAIL / 1410-S WASHER RECOVERED THIS SURVEY
- D.C.T./P.F. CENTERLINE MON. RECOVERED THIS SURVEY
- RBM SECONDARY MON. ESTABLISHED THIS SURVEY
- ⊕ PRIMARY MON. BY OTHERS RECOVERED THIS SURVEY
- BOUNDARY/PROPERTY LINE
- ROADWAY CENTERLINE

CERTIFICATE OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATED April 15, 1985

Carol A. Schow, Kathleen J. Baum
General Partner
BBS Enterprises

NOTARY'S ACKNOWLEDGEMENT

UNITED STATES OF AMERICA) ss
STATE OF ALASKA)

THIS IS TO CERTIFY THAT ON THIS 15th day of April, 1985, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, appeared WILLIAM S. BAKER, General Partner, of BBS Enterprises, who being known and known to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Mark Boland
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 7-31-88

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE AS A SURVEYOR IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATED 4/15/85

VINTAGE II SUBDIVISION

A RESUBDIVISION OF LOT R-1, BLOCKS "A" & "B" VINTAGE SUBDIVISION
WITHIN A FRACTION OF U.S.S. NO. 1193
MENDENHALL VALLEY

CITY & BOROUGH OF JUNEAU, ALASKA

CLIENT: VINTAGE CONSTRUCTION CO. INC.
1800 112th AVE. N.E., SUITE 300 E
BELLEVUE, WASHINGTON 98004

SURVEYOR: R&M ENGINEERING INC.
P.O. BOX 1786
JUNEAU, ALASKA 99801

DATE: FEB. 1985

R&M PROJ. NO. 437521

Plat 85-58



Planning Commission

(907) 586-0715

PC_Comments@juneau.gov

www.juneau.org/community-development/planning-commission

155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: January 25, 2024

File No.: USE2023 0018

R&S Construction LLC

PO Box 210194

Auke Bay, AK 99821

roblisa@ak.net

Proposal: Conditional Use Permit to develop a 2,893 square foot Domino's Pizza restaurant with a drive-through window.

Property Address: TBD Clinton Drive

Legal Description: VINTAGE II BL A LT R2

Parcel Code No.: 5B1601420020

Hearing Date: January 23, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandums dated January 16, 2024, and January 19, 2024, and APPROVED a Conditional Use Permit for a Domino's Pizza restaurant with a drive-through window to be conducted as described in the project description and project drawings submitted with the application, and with the following conditions:

1. Prior to the issuance of a Temporary Certificate of Occupancy, an exterior, bear-resistant trash dumpster shall be provided.
2. Prior to the issuance of a Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for one (1) accessible parking space.
3. Prior to the 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.
4. All exterior lighting fixtures shall be of a full cutoff design and located to minimize offsite glare.

Attachments:

- January 16, 2024, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2023 0018.
- January 19, 2024, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2023 0018.

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

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, January 23, 2024.

Expiration Date: The permit will expire 18 months after the effective date, or July 23, 2026, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

mandy cole
Mandy Cole, Chair
Planning Commission

1/26/24
Date

Lily Hagerup
Filed With City Clerk

1/26/24
Date

cc: Plan Review

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



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2023 0018
HEARING DATE: JANUARY 23, 2024**

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: January 16, 2024

TO: Mandy Cole, Chair, Planning Commission

BY: Jennifer Shields, Planner II

Jennifer Shields

THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit to develop a 3,657 square foot Domino's Pizza restaurant with a drive-through window.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- The lot is zoned LC (Light Commercial).
- The lot has an exclusive access and parking easement that favors a neighboring lot.
- A Parking Waiver to waive five (5) off-street parking spaces has been requested.

GENERAL INFORMATION	
Property Owner	R&S Construction LLC
Applicant	R&S Construction LLC
Property Address	TBD, Clinton Drive
Legal Description	VINTAGE II BL A LT R-2
Parcel Number	5B1601420020
Zoning	LC (Light Commercial)
Land Use Designation	TTC (Traditional Town Center)
Lot Size	26,649 square feet
Water/Sewer	Public water and public sewer
Access	Clinton Drive via Vintage Boulevard
Existing Land Use	Vacant / Parking
Associated Applications	PWP2023-0004

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:

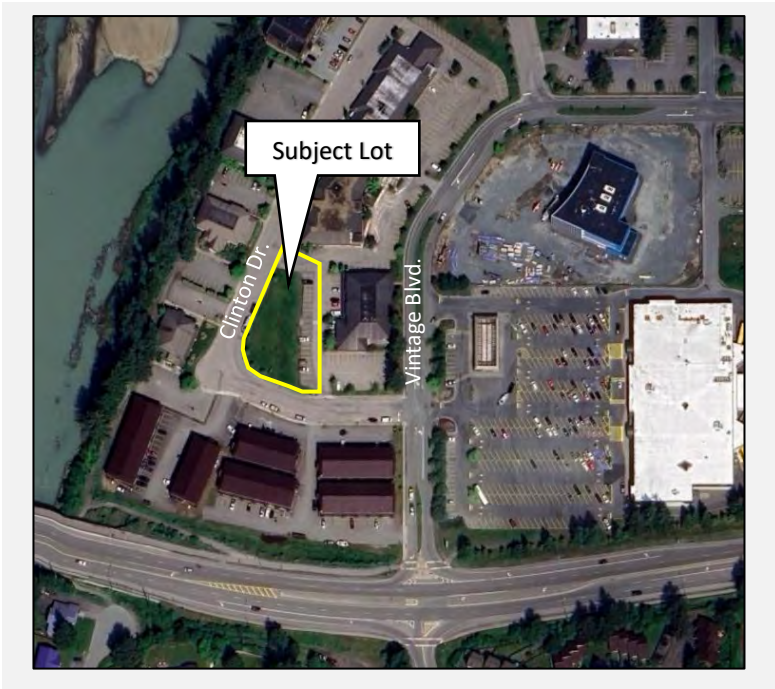
Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - o CBJ 49.15.330
 - o CBJ 49.35.800
 - o CBJ 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 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.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (LC)	Offices, Riverview Senior Living
South (LC)	Vintage Park Condos, Clinton Park Condos
East (LC)	Offices, Safeway
West (LC)	Offices, Mendenhall River

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

BACKGROUND INFORMATION

Project Description – The applicant requests a Conditional Use Permit to develop a 3,657 square foot Domino’s Pizza restaurant with a drive-through window in a LC zoning district (Attachment A). In conjunction with this permit, the applicant has also applied for a Parking Waiver to waive five (5) required off-street parking spaces for the restaurant (PWP2023-0004). The waiver is being requested because the lot has an exclusive access and parking easement that favors a neighboring lot, thereby reducing the developable area of the subject lot (Attachment C).

This activity most closely fits the following land use type listed in CBJ 49.25.300 – Table of Permissible Uses: *USE 8.200 – Restaurants, coffee stands with drive-through service*. Per CBJ 49.25.300(c)(3)(D), in a commercial zoning district, non-residential buildings using less than one-half acre of land in total constitute a Minor Development. As the lot is over one-half acre of land, a Conditional Use Permit is required.



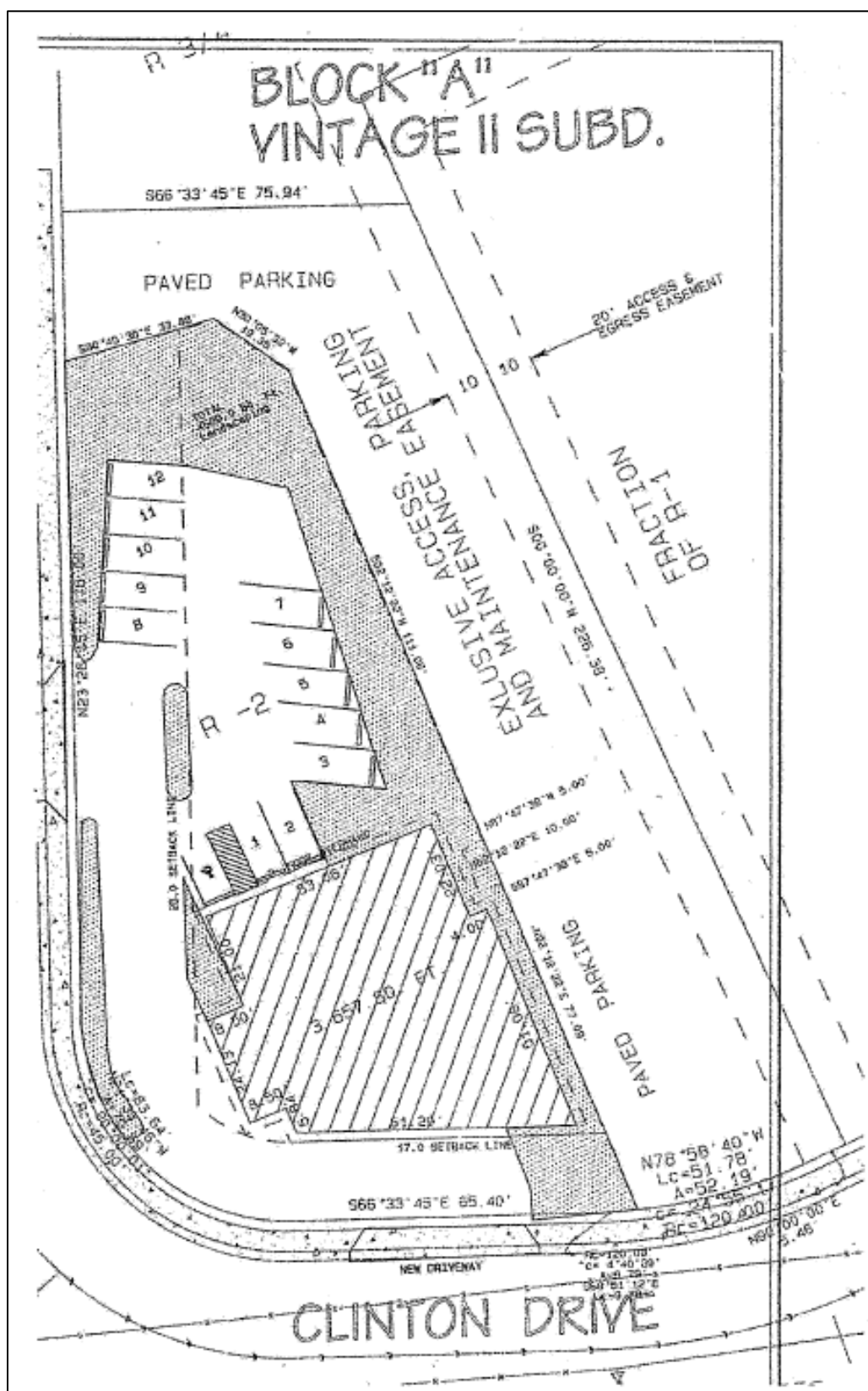
Background – The table below summarizes relevant history for the parcel and proposed development.

Year	Item	Summary
1985	Plat	Vintage II Subdivision Plat 85-58 (Attachment B).
2013	Easement	Exclusive Access, Parking, and Maintenance Easement favoring adjacent Lot R-1 (Attachment C).
2013	Agreement	Snow Dump Agreement between Lots R-1, R-2, R 3/4, and R-5 (Attachment D).
2013	Agreement	Consent of Use Rights Agreement between Lots R-1, R-2, and R 3/4 (Attachment E).
2023	Release of Agreement	Release of Snow Dump Agreement between Lots R-1, R-2, R 3/4, and R-5 (Attachment F).
2023	Pre-Application Conference	Held on October 15, 2023, for a structure housing a take-out restaurant or an office (Attachment A).

ZONING REQUIREMENTS

Standard		Requirement	Existing	Proposed	Code Reference
Lot	Size	2,000 square feet	26,649 square feet	No Change	CBJ 49.25.400
	Width	20 feet	176 feet	No Change	CBJ 49.25.400
Setbacks	Front (W)	25 feet	N/A	25 feet	CBJ 49.25.400
	Street (S)	17 feet	N/A	17 feet	CBJ 49.25.400
	Rear (E)	10 feet	N/A	~50 feet	CBJ 49.25.400
	Side (N)	10 feet	N/A	~125 feet	CBJ 49.25.400
Lot Coverage Maximum		N/A	N/A	~14%	CBJ 49.25.400
Vegetative Cover Minimum		15%	~60%	~17%	CBJ 49.50.300
Height	Permissible	45 feet	N/A	~20 feet	CBJ 49.25.400
	Accessory	35 feet	N/A	N/A	CBJ 49.25.400
Maximum Dwelling Units		30 units/acre	N/A	N/A	CBJ 49.25.500
Use		Commercial	USE 8.200 Restaurant with Drive-Through	Vacant/Parking	CBJ 49.25.300

SITE PLAN



ANALYSIS

Project Site – The Vintage Subdivision area, a fraction of the original U.S. Survey 1193, was first subdivided into three tracts in 1984. The area was further subdivided in 1985 to create the subject lot (Attachment B).

Also in 1984, the area was rezoned from R-7 (Residential) to C-2 (Central Commercial) by CBJ Ordinance 84-03(am). This ordinance included a number of conditions for the area, including those regarding access and traffic control, building design, signage, and landscaping. Later, the conditions and uses allowed were further amended by a series of CBJ ordinances (85-33, 85-55, 85-89, 86-54(am), and 86-72). As part of the 1987 major rewrite of the CBJ Land Use Code, the area was rezoned to LC (Light Commercial), and the previous requirements imposed through earlier rezones were removed.

The Clinton Drive area surrounding the lot includes primarily daytime offices to the north, east, and west. The River View Senior Living community is also to the north. To the south are residential condominiums including the Vintage Park Condominiums Association and the Clinton Park Condominiums Association.

The lot is 26,649 square feet in size, exceeding the required 2,000 square feet minimum lot size for the LC zoning district. An exclusive access and parking easement favors a neighboring lot, thereby reducing the developable area of the subject lot to approximately 17,800 square feet, or 67% of the total lot size (Attachment C). However, the easement area cannot be excluded from calculations related to lot size.

Condition: None.

Project Design – The applicant is proposing to locate the 3,657 square foot restaurant on the southern end of the lot, with a drive-through pick-up window located on the western side of the structure. Customers may place delivery, drive-through pick-up, and carry-out orders. The application narrative states that the restaurant will not have sit-down dining.

Typically, Domino's Pizza restaurants open mid-morning and close late at night. The two existing Domino's Pizza restaurants in Juneau, located in the Valley and Downtown, are open from 10:30am – midnight on Sunday through Thursday, and from 10:30am to 1:00am on Fridays and Saturdays.

The proposed Site Plan does not show a proposed location for a trash dumpster(s).

Conditions:

- 1. Prior to the issuance of a Building Permit, the applicant shall submit a revised Site Plan which shows the location of at least one trash dumpster.**
- 2. Prior to the issuance of a Temporary Certificate of Occupancy, an exterior, bear-resistant trash dumpster shall be provided.**

Traffic – According to CBJ 49.40.300(a)(2), a traffic impact analysis is not required since the project will generate less than 250 Average Annual Daily Traffic. For this application, staff used the Institute of Transportation Engineers' Trip Generation Manual (9th Edition) highest projections for a Fast-Food Restaurant with Drive-Through Window and No Indoor Seating as shown below, based upon the project's proposed square footage.

Use	Total Sq. Ft.	Trips Generated	Total Trips
Fast-Food Restaurant with Drive-Through Window and No Indoor Seating	3,657	44.99 per 1000 sq. ft.	164.53

Additionally, the applicant has submitted the following Domino's Pizza information which indicates an average of approximately 109 orders per day, or a total of 218 arrivals / departures (Attachment A):

- 9,841 orders over 90 days
- Approximately 109 orders per day
- Assuming two movements per order (arrival/departure)
- Approximately 218 movements per day, not counting staff.

Condition: None.

Vehicle Parking & Circulation – Currently, the lot has two-way driveways on both the west and south sides, and approximately 27 off-street parking spaces. These site improvements fall within a recorded access and parking easement area that constitutes approximately 33% of the total lot size. The easement area is for the exclusive use of the neighboring lot to the east at 3000 Vintage Boulevard (Lot R-1) and is unavailable for access or parking use by the proposed restaurant.

The applicant is proposing two new driveways: on the west side of the lot (two-way, ingress/egress) and on the south side of the lot (one-way, egress). The proposed 18-foot-wide drive aisle will accommodate one-way drive-through pick-up window traffic and at least three stacked vehicles. A menu board is not proposed.

The applicant is proposing a parking area with 13 off-street parking spaces, five (5) less than required per CBJ 49.40.210(a). The proposed parking lot design does not meet the following requirements of CBJ 49.40:

- Drive aisle widths for two-way traffic of 24 feet for 90-degree parking angles
- Parking spaces with dimensions of 8.5 feet x 17 feet
- ADA space dimensions of 13 feet x 17 feet, with an 8-foot x 17-foot aisle width

The applicants have applied for a parking waiver (PWP2023-0004). If the Parking Waiver is not granted, a revised Site Plan will be required showing the required number of off-street parking spaces listed in CBJ 49.40. Parking requirements are discussed further in the staff report for PWP2023-0004.

Conditions:

3. Prior to the issuance of a Building Permit, the applicant shall submit a revised Site Plan that meets the parking design and circulation requirements of CBJ 49.40.
4. Prior to the issuance of a Building Permit, the applicant shall have a parking waiver approved by the Commission or comply with current requirements for off-street parking.



5. **Prior to the issuance of a Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for one (1) accessible parking space.**
6. **Prior to the 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.**
7. **Prior to the issuance of a Temporary Certificate of Occupancy, wheel stops shall be placed in front of parking spaces that do not front a curb.**

Non-motorized Transportation –

There are sidewalks on both sides of Clinton Drive, with connecting sidewalks along Vintage Park Boulevard.

Condition: None.

Proximity to Transit – Capital Transit operates several routes along Glacier Highway near Vintage Boulevard and Clinton Drive. Bus stops are located approximately 2,000 feet to the south on Glacier Highway, and approximately 2,000 feet to the east on Mendenhall Mall Road.

Condition: None.

Noise – Delivery driver traffic, customer traffic, and drive-through pick-up window service will increase noise in the area, especially at night after typical daytime business hours. Noise is not anticipated to be increased or out of character for a LC zoning district.

Condition: None.

Lighting – According to CBJ 49.40.230(d), parking areas shall be suitably lit, and all proposed fixtures shall be full cut-off design. The Site Plan does not propose new lighting on the site, other than as needed on the building (Attachment A). The site is currently lit by a public streetlight on the corner of the lot, and a light pole servicing the parking easement area on the east side of the lot.

Condition:

8. **All exterior lighting fixtures shall be of a full cutoff design and located to minimize offsite glare.**

Vegetative Cover & Landscaping – In a LC zoning district, a minimum of 15% of the lot must remain in vegetative cover. The applicant is proposing approximately 17% vegetative cover, which exceeds the minimum requirement per CBJ 49.50.300

Condition: None.

Habitat – No known habitat regulated by Title 49 will be affected by the proposed project.

Condition: None.

Drainage and Snow Storage – The lot will have space off of the parking area for snow storage.

Condition: None.

Public Health, Safety, and Welfare – There is no information to suggest that the proposed development will materially endanger the public health, safety, or welfare.

Condition: None.

Property Value or Neighborhood Harmony – No information has been submitted that suggests that the proposed development will negatively affect property values or neighborhood harmony. The site is in a LC zoning district and designated as a Traditional Town Center in the Comprehensive Plan.

Condition: None.

AGENCY REVIEW

CDD conducted an agency review comment period between December 21, 2023, and January 8, 2024.

Agency	Summary
General Engineering	We do not have any specific comments with respect to conditional use permitting or parking waivers. Snow storage cannot impede the CBJ ROW. No trees or landscaping may be installed in the CBJ ROW. After completion, CBJ may install “No Parking” signage between the 2 new driveways to reduce traffic hazard(s) along the sharp corner.
Building	No comments submitted.
CCFR	There are no fire code or fire department issues with this project.

PUBLIC COMMENTS

CDD conducted a public comment period between December 21, 2023, and January 1, 2024. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment G). A public notice sign was posted on-site two weeks prior to the scheduled hearing (Attachment H). Public comments were received from the following as of the date of this staff report and can be found in Attachment I.

Name	Summary
Shawn Carey and Marina Lindsey (Vintage Park Condominiums)	Opposes approval of the Conditional Use Permit and/or Parking Waiver.
John Kern (Clinton Park Condominiums)	Opposes approval of the Conditional Use Permit and/or Parking Waiver.
Lonnie Khmelev and Olena Kot (Vintage Park Condominiums)	Opposes approval of the Conditional Use Permit and/or Parking Waiver.
Hilliard H. Lewis IV (Clinton Park Condominiums)	Opposes approval of the Conditional Use Permit and/or Parking Waiver.
Dylan Listberger (Vintage Park Condominiums)	Opposes approval of the Conditional Use Permit and/or Parking Waiver.
Vintage Park Condominium Association Board of Directors	Opposes approval of the Conditional Use Permit and/or Parking Waiver.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in compliance with the 2013 Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	10	130	Policy 10.2	<i>POLICY 10.2. TO ALLOW FLEXIBILITY AND A WIDE RANGE OF CREATIVE SOLUTIONS IN RESIDENTIAL AND MIXED- USE LAND DEVELOPMENT WITHIN THE URBAN SERVICE AREA.</i>
	10	140	Policy 10.13	<i>POLICY 10.13. TO PROVIDE FOR AND ENCOURAGE MIXED USE DEVELOPMENT THAT INTEGRATES RESIDENTIAL, RETAIL AND OFFICE USE IN DOWNTOWN AREAS, SHOPPING CENTERS, ALONG TRANSIT CORRIDORS, AND IN OTHER SUITABLE AREAS.</i>
	10	140	Policy 10.13, SOP2	<i>Maintain and improve provisions in the Land Use Code that include performance standards covering building height, site coverage, landscaping, buffering from incompatible uses, access, signage, parking and other design standards in the Mixed-Use zones. Maintain and improve design review procedures to assure that proposals for mixed use development are evaluated with regard to site design, building placement, parking, landscaping, exterior lighting, and other factors ensuring privacy and livability of the project residents as well as factors to ensure the project is compatible with, and a good neighbor to, surrounding properties, land uses, and public facilities.</i>
	11	147	Land Use Maps	<i>Traditional Town Center (TTC). These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high-density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.</i>

FINDINGS

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

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

Analysis: No further analysis needed.

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

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

Analysis: The application is for a Restaurant with Drive-Through Service. The use is listed at CBJ 49.25.300, Section 8.200 for the Light Commercial (LC) zoning district.

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: No additional analysis required.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49.

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

Analysis: No additional analysis required.

Finding: No. There is no evidence to suggest that the Domino's Pizza restaurant with a drive-through window, in a LC zoning district, will 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: No additional analysis required.

Finding: No. There is no evidence to suggest that the Domino's Pizza restaurant with a drive-through window, in a LC zoning district, will substantially decrease the value or be out of harmony with the property in the neighboring area.

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

Analysis: No additional analysis required.

Finding: Yes. The Domino's Pizza restaurant with a drive-through window, in a LC zoning district, will be in general conformity with the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow for a Domino's Pizza restaurant with a drive-through window. Approval is subject to the following conditions:

1. Prior to the issuance of a Building Permit, the applicant shall submit a revised Site Plan which shows the location of at least one trash dumpster.
2. Prior to the issuance of a Temporary Certificate of Occupancy, an exterior, bear-resistant trash dumpster shall be provided.
3. Prior to the issuance of a Building Permit, the applicant shall submit a revised Site Plan that meets the parking design and circulation requirements of CBJ 49.40.
4. Prior to the issuance of a Building Permit, the applicant shall have a parking waiver approved by the Commission or comply with current requirements for off-street parking.
5. Prior to the issuance of a Temporary Certificate of Occupancy, CBJ-approved signage shall be posted for one (1) accessible parking space.
6. Prior to the 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.
7. Prior to the issuance of a Temporary Certificate of Occupancy, wheel stops shall be placed in front of parking spaces that do not front a curb.
8. All exterior lighting fixtures shall be of a full cutoff design and located to minimize offsite glare.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1985 Vintage II Subdivision Plat 85-58
Attachment C	2013 Access, Parking, and Maintenance Easement
Attachment D	2013 Snow Dump Agreement
Attachment E	2013 Consent to Use Rights
Attachment F	2023 Release of Interest in Snow Dump Agreement
Attachment G	Public Notice for USE2023 0018
Attachment H	Public Notice Sign Photos
Attachment I	Public Comments



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Lot R-2 Clinton Drive TBD		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Vintage II Block A Lot R-2		
	Parcel Number(s) USS 1284- 5B1601420020		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner R&S Construction LLC	Contact Person Rob Worden	Phone Number(s) 907-321-5015
	Mailing Address Po Box 210194 Auke Bay, 99821		
	E-mail Address roblisa@ak.net		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X _____ Landowner/Lessee Signature		December 4th 2023 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as LANDOWNER, write "SAME"			
Applicant same as above		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X _____ Applicant's Signature		December 4th 2023 Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

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.

I:\FORMS\PLANFORM\DPA.docx

Intake Initials JLS
Case Number USE 23-018
Date Received 12-11-23

Updated 2017 - Page 1 of 1

Attachment A - Application Packet



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.

PROJECT SUMMARY

New Construction of a proposed 1 storey commercial building

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: 8.200

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 26,650.84 square feet

Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 3657 square feet

EXTERNAL LIGHTING

Existing to remain
Proposed

☐ No
☐ No

☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
☒ 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			
	Fees	Check No.	Receipt
Application Fees	\$ <u>500.00</u>		
Admin. of Guarantee	\$ <u>—</u>		
Adjustment	\$ <u>—</u>		
Pub. Not. Sign Fee	\$ <u>50.00</u>		
Pub. Not. Sign Deposit	\$ <u>100.00</u>		
Total Fee	\$ <u>650.00</u>		

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	Date Received
<u>USE 23-018</u>	<u>12-11-23</u>

ALLOWABLE/CONDITIONAL USE PERMIT NARRATIVE:

- The current use of land is vacant with no building or structure on it
- We are proposing a 3657 sq ft one story building with 12 parking spots and one ADA parking spot. The proposed "Dominos" business will have a drive through with a second exit to Clinton Avenue.
- Dominos does not allow for sit down dining.
- This building will be used as a new location for Dominos Pizza with a drive through pickup area.
- This proposed building and business all fit under the comprehensive plan and will benefit all the neighboring properties.





(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/community-development
 155 S. Seward Street • Juneau, AK 99801

Case name

Case Number: PAC2023 0042
 Applicant: Rob Worden
 Property Owner: R&S Construction, LLC
 Property Address: Vintage Boulevard
 Parcel Code Number: 5B1601420020
 Site Size: 26,649 square feet, 0.6118 acres
 Zoning: Light Commercial
 Existing Land Use: Parking/Snow Storage

Conference Date: 15 October 2023
 Report Issued: 23 October 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
Rob Worden	Applicant	roblisa@ak.com
Scott Jenkins		iglooracing_1@yahoo.com
Irene Gallion	Planning	Irene.Gallion@juneau.gov
Forrest Courtney		Forrest.Courtney@juneau.gov
Jeff Hedges	Building	Jeff.Hedges@juneau.gov
Eric Vogel	General Engineering	Eric.vogle@juneau.gov
David Sevdy	Permitting	david.sevdy@juneau.gov

Conference Summary

A conditional use permit will be required because the lot being developed is over half an acre.

- The eased access and parking cannot be excluded from calculations for lot size.

Applicants are encouraged to provide:

- **Documented resolution of the snow storage easement issue.** The Applicant says the easement was dissolved with the closing on this property. Please provide document to this department so we can update our records.
- **Corporate documentation on traffic will be provided by the Applicant.**
 - A Traffic Impact Analysis by a Traffic Engineer is required for average annual daily traffic (AADT) over 500.
 - A TIA may be required for AADT between 250 and 500 (Director discretion).
 - A TIA is not required for AADT under 250.
 - **If a TIA is required, it will need to be submitted with the Conditional Use Permit application.** Work with planning staff to determine need for a TIA before applying for the Conditional Use Permit.

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.

Can the vegetative cover be reduced due to the parking and access easement that takes up 9,000 square feet of the lot?

The parking is "development," so cannot be used to reduce vegetative cover requirements for the lot.

A variance would require that the circumstances leading to the variance are natural. The parking agreement is considered "self-created."

A code amendment proposed to the Assembly would count permeable surfaces toward vegetative cover. However, the Assembly has not taken up the amendment. The Notice of Decision and staff report were provided to the Applicant at the meeting, and are attached to these notes.

Would the city accept ownership of the easement?

No. The easement does not meet city standards for a street, which would require a 60 foot right-of-way. CBJ is not interested in additional land.

Project Overview



The property has an exclusive access and parking agreement favoring a neighboring lot. This reduces developable area to about 15,000 square feet, where new access and parking must also be accommodated.

The neighboring lot is not interested in assuming ownership of the eased land.

The proposed structure is 3,657 square feet.

The applicant proposes a structure housing take-out restaurant or office space.

According to the Table of Permissible uses requires a Conditional Use Permit for the development, because the lot is over half an acre. The eased area counts as part of the development.

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:
 - Approve the project
 - Approve the project with conditions (the most common outcome)
 - Deny the project
 - 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** – Light Commercial
2. **Setbacks** –
 - a. **Front:** 25 feet. Front is the lot line through which the property gets primary access.
 - b. **Rear:** 10 feet.
 - c. **Side:** 10 feet.
 - d. **Street side:** 17 feet.
3. **Height** –
 - a. **Permissible uses:** 45 feet
 - b. **Accessory uses:** 35 feet
4. **Access** – Clinton Drive. (Is there a project coming up?) While it appears that there is access through the north and west, a recorded easement grants exclusive use to the neighboring lot. An additional driveway will need to be constructed.
5. **Parking & Circulation**– Applicant should apply for a parking waiver with the Conditional Use Permit.

Lot R1 has exclusive easement rights to approximately 9,400 square feet of R2 under an unbelievably bad exclusive parking and access easement agreement recorded with the Alaska Department of Natural Resources. Unless rescinded, this agreement stands.

The developer is unable to use currently developed parking to accommodate development on R2.

The Applicant is working with a corporate food chain representative who has multiple properties throughout the United States and Canada, and two in Juneau. Based on their experience, they estimate three parking spaces needed. Corporate data would be very helpful in supporting a parking waiver.

Parking required by code will vary depending on use:

Use	Metric	Parking Required (3,657 sf)
Office	1/300 square feet	12
Restaurant	1/200 square feet	18

One ADA space would be required, with a minimum width of 16 feet (including an eight-foot aisle) and a minimum length of 17 feet. The space must be signed for an ADA van.

A loading space is not required unless the structure is 5,000 square feet or more.

A shared parking agreement could be used if the proposed shared parking is within 500 feet. Note that the entity providing the shared parking would need to have enough parking for their use and for the additional parking spaces.

6. **Lot Coverage** – no limit.
7. **Vegetative Coverage** – 15% (3,997 square feet) is required under code, and shown on the site plan. A code revision is in progress that would redefine vegetative cover to include permeable surfaces, but the code has not been approved yet. A recommendation was sent to the Assembly on June 29, 2021, but the assembly has not taken action. The proposed amendment is attached for your information.

Building staff proposed considering a green roof.

8. **Lighting** – Lighting must be downward cast and not fall on neighboring property.
9. **Noise** – Drive-through window speakers have been the source of noise complaints in the past. The Applicant advises that there would not be drive-through service, only pick-up, similar to “Papa John’s” currently operating in Juneau. Window pick-up is not considered at this time. Drive through ordering is not being considered.
10. **Flood** – The lot is not in a Special Flood Hazard Area on the adopted FEMA flood maps, therefore flood regulations do not apply and flood insurance is not required with a federally-backed mortgage. FEMA flood maps show the area has a 0.2% annual chance of flood hazard, also known as the 500-year floodplain. Flood insurance is recommended but not required, and the property owner is encouraged to build structures with flood prevention in mind, such as elevating structures to or above the Base Flood Elevation. FEMA maps are for flood insurance purposes, and do not definitely establish risk.
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The property is not in a mapped hazard area
12. **Wetlands** – Wetlands are not present on this lot.
13. **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.
14. **Plat Restrictions** – Staff did not find applicable plat restrictions.
15. **Traffic** – Analysis below assumes single-story 3,657 square foot facility. A Traffic Impact Analysis is required for any use that generates over 500 average annual daily traffic (AADT). The Director has discretion on requiring a TIA for AADT between 250 and 500.

A Traffic Impact Analysis takes months and thousands of dollars. Plan accordingly.

When the developer has a better idea of the tenant they should check back in with CDD to verify the traffic generated. There is some variability between different kinds of restaurants.

Use	Metric	Traffic AADT	Page
Office	11.03 /1,000 sf	40	1259
Restaurant w/ drive through	496.12/1,000 sf	1,814	1912
High turn-over restaurant	127.15/1,000 sf	465	1885

The Applicant may be able to provide corporate data on traffic from other facilities in Alaska and the nation. The Director can consider these sources in determining traffic impacts.

16. **Nonconforming situations** – None.

Building Division

17. **Building** –

18. **Outstanding Permits** – None

General Engineering/Public Works

19. **Engineering** – ~~Please provide driveway standards – there was some question that two driveways would result in less width being required for each? Also, GE was going to check with Streets to see if there were concerns regarding two driveways.~~

20. **Drainage** –

21. **Utilities** – (water, power, sewer, etc.)

Fire Marshal

22. **Fire Items/Access** –

Other Applicable Agency Review

23. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...

- 24.

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. Allowable/Conditional Use Permit Application
3. Parking Waiver Application
4. (Add notes as necessary)

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.

2. Corporate traffic and parking information could be helpful in evaluating development impacts.
3. (Add any necessary supporting documents required in the application forms OR that may be useful supporting information)

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. (Add any items required with the forms that are not applicable to the Conditional Use application)
- 2.

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. Class II Conditional Use Permit: \$500
2. Parking Waiver: \$320 if applied for with a Conditional Use Permit, \$400 if applied for on its own.
3. Public Notice Sign: \$150, with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting.

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:

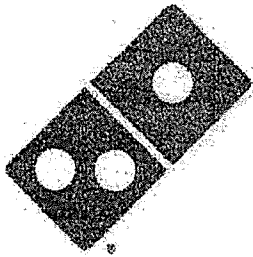
49.15.330 – Conditional Use Permit
NOR AME2020 0002











October 19, 2023

To Whom It May Concern,

At our Domino's location in Juneau, our average hourly traffic is 2.89 pick-up orders per hour throughout the day, and we do not offer dine-in.

Furthermore, our delivery orders have little downtime for drivers (parked at the store). Our driver turnaround time is 40% under 30 seconds and 50% 31 to 60 seconds. Turnaround times are calculated from when a driver enters the store parking lot to when they leave the parking lot. We calculate these numbers through the driver's GPS and the store's Geo fence of the store parking lot.

Bryan Dobb

Keys Summary

[illegible]

NOTES:

- Average 9841 orders over 90 days.
- Approximately 109 orders per day
- Assuming 2 movements per order (arrival/departure)
- Approximately 218 movements per day not counting staff.

* A T.I.A is not required under 250 movements per day.



Store Ct	Service Type	Service Code	Order Ct	% of Orders	Royalty Sales	% of Royalty Sales	Avg Ticket	Avg Middle Margin \$	IFC %	Bad Order Ct	Bad Order Ct %	Bad Order \$	Bad Order \$ %	# of Edits	Avg Load	eADT
Group By: 19040 (Max=12)																
1	Carryout	C	2,358	24.0%	\$59,469.00	18.5%	\$25.22	\$14.54	25.4%	27	0.6%	\$747.48	0.7%	871	3.58	
0	Dine-In	I	0	0.0%	\$0.00	0.0%						\$0.00				
0	Pick Up	P	0	0.0%	\$0.00	0.0%						\$0.00				
0	Drive Thru	T	0	0.0%	\$0.00	0.0%						\$0.00				
1	Carside Delivery	X	169	1.7%	\$5,235.83	1.6%	\$30.98	\$17.68	25.9%	2	1.2%	\$42.97	0.8%	1	5.83	
0	Other In-Store	Other	0	0.0%	\$0.00	0.0%						\$0.00				
1	All In-Store		2,527	25.7%	\$64,704.59	19.6%	\$25.44	\$14.65	25.4%	29	0.6%	\$790.45	0.7%	872	3.66	
1	Delivery	D	7,285	74.0%	\$284,406.40	80.1%	\$39.04	\$24.03	21.4%	20	0.4%	\$700.87	0.3%	905	5.91	26.2
1	Hotspot	H	29	0.3%	\$880.56	0.3%	\$30.36	\$18.67	21.5%		0.0%	\$0.00	0.0%	5	4.53	25.4
0	Other Delivery	Other	0	0.0%	\$0.00	0.0%						\$0.00				
1	All Delivery		7,314	74.3%	\$285,286.96	80.4	\$38.99	\$24.00	21.4%	20	0.4%	\$700.87	0.3%	910	5.91	26.2
1	All Orders		9,841	100.0%	\$322,352.26	100.0%	\$32.76	\$19.70	22.9%	49	0.5%	\$1,491.32	0.5%	1,782	4.87	25.5

 Delivery Expert App (Summary)

Store	Delivery Expert out the Door (Hustle out)	% Time Delivery Expert Out the Door mins (avg)	Delivery Expert in the Door (Hustle in)	% Time Delivery Expert in the Door mins (avg)	Delivery Expert at the Door	% Time Delivery Expert at the Door mins (avg)	Delivery Expert in the Store	% Delivery Expert in the Store mins (avg)	Delivery Expert on the Road %	Avg Wait Time	% Delivery Expert App Orders in Singles	% Delivery Expert App Orders in Doubles	% Delivery Expert App Orders in Triples +	% of Delivery Expert App Usage	% Orders where Delivery Expert went Invisible	Total Delivery Expert App Runs	Total Delivery Expert App Orders	Total Dispatched Orders
19040	1.98	6.8%	1.43	4.7%	2.64	11.5%	12.34	24.3%	75.7%	7.27	55.6%	28.8%	15.7%	98.5%	0.0%	3,930	5,243	5,322
1	1.98	6.8%	1.43	4.7%	2.64	11.5%	12.34	24.3%	75.7%	7.27	55.6%	28.8%	15.7%	98.5%	0.0%	3,930	5,243	5,322



Delivery Expert App (Summary)

Store	Delivery Expert out the Door (Hustle out)	% Time Delivery Expert Out the Door mins (avg)	Delivery Expert in the Door (Hustle in)	% Time Delivery Expert in the Door mins (avg)	Delivery Expert at the Door	% Time Delivery Expert at the Door mins (avg)	Delivery Expert in the Store	% Delivery Expert in the Store mins (avg)	Delivery Expert on the Road %	Avg Wait Time	% Delivery Expert App Orders in Singles	% Delivery Expert App Orders in Doubles	% Delivery Expert App Orders in Triples +	% of Delivery Expert App Usage	% Orders where Delivery Expert went Invisible	Total Delivery Expert App Runs	Total Delivery Expert App Orders	Total Dispatched Orders
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↑
%
OF TIME DRIVERS ARE ON THE ROAD
WITHIN THE HOUR.

75.7% x 60 MIN

45 MIN OF THE HOUR.

DRIVERS ARE STAGGERED THROUGHOUT THE HOUR.
WE ONLY SCHEDULE DRIVER FOR THE ORDERS WE HAVE.
MEANING THE MAX WE HAVE IN THE PARKING LOT IS
ONE, BUT ONLY ONE FOR 15 MIN. OF THE HOUR OR
24% OF THE HOUR.



Keys Summary

Store	E	Royalty Sales (Tot)	Royalty Sales (Avg)	PCYA	Order Count	Order Cnt PCYA	Actual Food %	Food Variance	Actual Labor %	Labor Variance	eADT	% of Orders in Singles	% of Est Extreme Deliveries (+/-5)	Avg Order Load Time	Avg Wait Time	Club Time	Avg OTD Time	eDOT %	Carside OTD	Cash Over / Short	Last OA (US) OER (Intl)	Last Self OA (US) Self OER (Intl)
19040		\$322,293.84	\$26,857.82	0.5%	820	(3.0%)	23.1%	0.1%	24.3%	(2.3%)	26.2	56.1%	8.4%	5.0	7.4	13.3	18.8	72.8%	1.1	\$177.18	3	3
1		\$322,293.84	\$26,857.82	0.5%	820.1	(3.0%)	23.1%	0.1%	24.3%	(2.3%)	26.2	56.1%	8.4%	5.0	7.4	13.3	18.8	72.8%	1.1	\$177.18	3.00	3.00

↑
WEEKLY AVG
ORDER



Service Method

Store Ct	Service Type	Service Code	Order Ct	% of Orders	Royalty Sales	% of Royalty Sales	Avg Ticket	Avg Middle Margin \$	IFC %	Bad Order Ct	Bad Order Ct %	Bad Order \$	Bad Order \$ %	# of Edits	Avg Load	eADT
Group By: 19040 (Max=12)																
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25.7% OFF ORDERS ARE CUSTOMER PICK-UP.

WEEK 25.7 x 820 = 211 ORDER PER WEEK PICK-UP

211 ÷ 7 ÷ 12
DAY HOURS 2.5 ORDER PER HOUR - AVG.

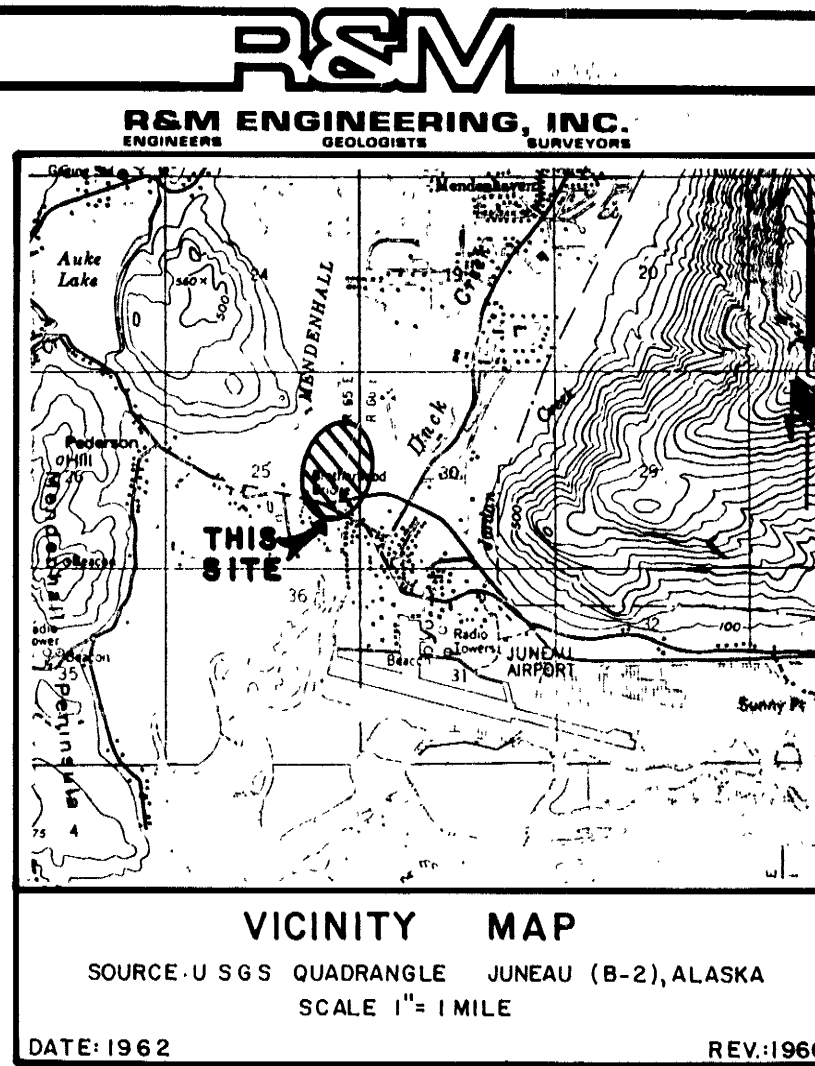
TYPICAL MONUMENTS SET THIS SURVEY

GENERAL NOTES

1. THE BASIS-OF-BEARING FOR THIS SURVEY WAS BETWEEN A RECOVERED W.V.M. 2 1/2" BRASS CAP MONUMENT COMMON TO CORNER 5, U.S. SURVEY NO. 1284, AND CORNER 3, U.S. SURVEY NO. 381, AND A RECOVERED 2 1/2" IRON PIPE COMMON TO THE BOUNDARY LINE BETWEEN U.S. SURVEY NO. 1284 AND U.S. SURVEY NO. 381 HAVING AN ACCEPTED BEARING OF N 89°30'30" E.
2. ALL BEARINGS DENOTED ON THIS PLAT HAVE BEEN ROUNDED TO THE NEAREST 0°00'15" OF ARC.
3. FOR ADDITIONAL BOUNDARY AND SUBDIVISION DATA, SEE R&M PLAT "A BOUNDARY RETRACEMENT SURVEY PLAT OF THAT PART OF U.S. SURVEY NO. 1193 NORTH OF GLACIER HIGHWAY REFLECTING LAND ACCRETION AND EROSION BY MENDENHALL RIVER", R&M PROJECT NO. 337220, AND VINTAGE SUBDIVISION RECORDED JULY 1984 BY PLAT NO. 84-117.
4. A PORTION OF LOTS 10 THROUGH 40, BLOCK C, ARE LOCATED WITHIN THE 100-YEAR FLOOD PLAIN. THE MAIN FLOOR OF ANY STRUCTURE BUILT IN THIS AREA SHALL BE CONSTRUCTED ONE FOOT ABOVE THE BASE FLOOD ELEVATION, OR 21.7' TO 23.5'.
5. ANY STRUCTURES PROPOSED ON THE EASEMENTS SHOWN ON THE PLAT SHALL BE APPROVED BY THE CITY AND BOROUGH OF JUNEAU, ENGINEERING DEPARTMENT.

NOTE:
AN ADDITIONAL SETBACK MAY BE REQUIRED ON LOTS 12 THROUGH 41, BLOCK C, WHICH WILL NOT EXCEED 20' IN ADDITION TO TRACT D. THE SETBACK WILL BE DETERMINED ON A BUILDING-BY-BUILDING BASIS AS REQUIRED BY CITY AND BOROUGH OF JUNEAU ORDINANCE 84-34 AND APPROVED BY THE CITY AND BOROUGH OF JUNEAU, PLANNING DEPARTMENT.

TABLE OF CURVE DATA									
NO.	Δ	R	L	T	CHORD	Δ	R	L	T
1	23°18'00"	870.88	367.42	181.21	354.87	80°54'48"	81.88	42.44	21.88
2	24°43'00"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
3	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
4	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
5	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
6	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
7	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
8	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
9	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
10	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
11	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
12	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
13	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
14	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
15	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
16	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
17	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
18	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
19	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
20	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
21	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
22	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
23	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
24	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
25	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
26	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
27	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
28	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
29	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
30	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
31	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
32	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
33	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
34	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
35	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
36	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
37	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
38	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
39	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
40	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63
41	25°07'30"	150.00	143.25	77.82	137.87	82°27'34"	143.25	77.82	41.63



SYMBOLS

- RBM PRIMARY MON. RECOVERED THIS SURVEY
- RBM PRIMARY MON. ESTABLISHED THIS SURVEY
- 3/4" IRON PIPE RECOVERED THIS SURVEY
- CONCRETE NAIL/1410-S WASHER RECOVERED THIS SURVEY
- D.C.T./P.F. CENTERLINE MON. RECOVERED THIS SURVEY
- RBM SECONDARY MON. ESTABLISHED THIS SURVEY
- ⊕ PRIMARY MON. BY OTHERS RECOVERED THIS SURVEY
- BOUNDARY/PROPERTY LINE
- ROADWAY CENTERLINE

CERTIFICATE OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATED April 15, 1985
Carol A. Schow, Kathleen J. Baum
General Partner
BBS Enterprises

NOTARY'S ACKNOWLEDGEMENT

UNITED STATES OF AMERICA)
STATE OF ALASKA) ss
THIS IS TO CERTIFY THAT ON THIS 15th day of April, 1985, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, appeared WILLIAM S. BAKER, General Partner, in person, known and known to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.
Mark Baker
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 7-31-88

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE AS A SURVEYOR IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
DATED 4/15/85

VINTAGE II SUBDIVISION

A RESUBDIVISION OF LOT R-1, BLOCKS "A" & "B"
VINTAGE SUBDIVISION
WITHIN A FRACTION OF U.S.S. NO. 1193
MENDENHALL VALLEY

CITY & BOROUGH OF JUNEAU, ALASKA

CLIENT: VINTAGE CONSTRUCTION CO. INC.
1800 112th AVE. N.E., SUITE 300 E
BELLEVUE, WASHINGTON 98004
SURVEYOR: R&M ENGINEERING INC.
P.O. BOX 1786
JUNEAU, ALASKA 99801

DATE: FEB. 1985

R&M PROJ. NO. 437521

Plat 85-58

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2013-003549-0

Recording District 101 Juneau
05/20/2013 03:02 PM Page 1 of 6



Juneau Recording District

After recording return to:
SableFish, LLC
3150 C Street, suite 290
Anchorage, Alaska 99503-3980

FTAA

(3) F-42842J
2058329

**LOT R-2, BLOCK A, VINTAGE II SUBDIVISION
EXCLUSIVE ACCESS, PARKING AND MAINTENANCE EASEMENT**

In consideration of the benefits derived therefrom, the **GRANTOR, BBS ENTERPRISES**, whose address is 3000 Vintage Boulevard, Juneau, Alaska 99801, conveys and quitclaims to the **GRANTEE, SABLEFISH, LLC**, and its successors and/or assigns, as owner of Lot R-1, BLOCK A, VINTAGE II SUBDIVISION, according to the official plat thereof, filed under Plat No. 85-58 in the records of the Juneau Recording District, First Judicial District, State of Alaska, (dominant estate), whose address is 3000 Vintage Boulevard, Juneau, Alaska 99801, an exclusive easement for the purpose of ingress/egress, parking and maintenance on and across a portion of Lot R-2, Block A, Vintage Subdivision II (servient estate), said easement being more particularly described as follows:

A certain tract or parcel of land lying and being situated within a portion of Lot R-2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat No. 85-58 in the records of the Juneau Recording District, First Judicial District, State of Alaska being more particularly described as follows:

Beginning at the northwesterly most corner of Lot R-2 identical to the southwesterly most corner of Lot R 3/4, Block A, Vintage II Subdivision and being a point on the easterly right-of-way of Clinton Drive;
thence departing said right-of-way along the common boundary between aforementioned Lots R-2 and Lot R 3/4, S66°33'45"E a distance of 75.93 feet to the northeasterly most corner of this description, identical to the northeasterly most corner of Lot R-2 and being a point on the common boundary between a Fraction of Lots R-1 and Lot R-2;
thence along said common boundary along the westerly boundary of this description South, a distance of 226.38 feet to the southeasterly most corner of this description, a point on the northerly right-of-way limits of Clinton Drive, identical to the southwest corner of a fraction of Lot R-1 and the southeast corner of Lot R-2 hereinbefore described;

Access, Parking and Maintenance Easement - 1 -

thence along said right-of-way limits of Clinton Drive, identical to the southerly boundary of Lot R-2 West, a distance of 8.55 feet to a point of curvature;
thence along a 120.00' radius curve to the right, through an arc of 18°45'52", an arc length of 39.30 feet (Chord = N80°37'04"W a distance of 39.12 feet) to the southwesterly most corner of this description;
thence departing said right-of-way crossing through Lot R-2, Block A, Vintage II Subdivision the following courses: N2°12'22"E a distance of 77.09 feet;
thence N87°47'38"W a distance 5.00 feet;
thence N2°12'22"W a distance 10.00 feet;
thence S87°47'38"W a distance 5.00 feet;
thence N2°12'22"E a distance 111.06 feet;
thence N30°05'32"W a distance 19.35 feet;
thence N80°40'30"W a distance of 33.88 feet to a point on the hereinbefore described easterly right-of-way limits of Clinton Drive;
thence along said right-of-way limits, identical to the westerly boundary of Lot R-2 N23°26'15"E a distance of 32.67 feet to the true point of beginning.

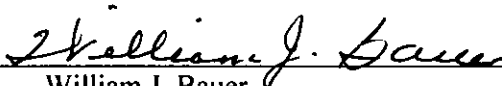
The easement is illustrated on Attachment A.

Grantee also may use up to 75 square feet for concrete parking curbs, landscaping, pedestrian walkways and utility pedestals and transformers contiguous to Lot R-1 (see item A on Attachment A).

The easement shall be perpetual and runs with the land as an easement appurtenant rather than an easement in gross.

This instrument replaces and supersedes in full the Access, Parking and Maintenance Easement recorded March 1, 2013 as document no. 2013-001626-0, in the records of the Juneau Recording District, State of Alaska.

Dated this 16 day of May, 2013.


By: William J. Bauer
Owner of BBS Enterprises, Grantor

SableFish, LLC
**SIGNED IN
COUNTERPART**

By: Miles S. Schlosberg, Manager

Access, Parking and Maintenance Easement - 2 -



thence along said right-of-way limits of Clinton Drive, identical to the southerly boundary of Lot R-2 West, a distance of 8.55 feet to a point of curvature;
thence along a 120.00' radius curve to the right, through an arc of 18°45'52", an arc length of 39.30 feet (Chord = N80°37'04"W a distance of 39.12 feet) to the southwesterly most corner of this description;
thence departing said right-of-way crossing through Lot R-2, Block A, Vintage II Subdivision the following courses: N2°12'22"E a distance of 77.09 feet;
thence N87°47'38"W a distance 5.00 feet;
thence N2°12'22"W a distance 10.00 feet;
thence S87°47'38"W a distance 5.00 feet;
thence N2°12'22"E a distance 111.06 feet;
thence N30°05'32"W a distance 19.35 feet;
thence N80°40'30"W a distance of 33.88 feet to a point on the hereinbefore described easterly right-of-way limits of Clinton Drive;
thence along said right-of-way limits, identical to the westerly boundary of Lot R-2 N23°26'15"E a distance of 32.67 feet to the true point of beginning.

The easement is illustrated on Attachment A.

Grantee also may use up to 75 square feet for concrete parking curbs, landscaping, pedestrian walkways and utility pedestals and transformers contiguous to Lot R-1 (see item A on Attachment A).

The easement shall be perpetual and runs with the land as an easement appurtenant rather than an easement in gross.

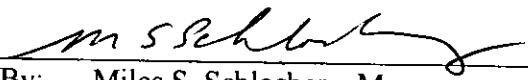
This instrument replaces and supersedes in full the Access, Parking and Maintenance Easement recorded March 1, 2013 as document no. 2013-001626-0, in the records of the Juneau Recording District, State of Alaska.

Dated this _____ day of May, 2013.

**SIGNED IN
COUNTERPART**

By: William J. Bauer
Owner of BBS Enterprises, **Grantor**

SableFish, LLC


By: Miles S. Schlosberg, Manager

Access, Parking and Maintenance Easement - 2 -



STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

WITNESS my hand and official seal on the day and year in this certificate first above written.

STATE OF ALASKA
NOTARY PUBLIC
Kyla Camba
My Commission Expires: December 16, 2016

State of _____)
)ss.
 _____ County)

Notary Public in and for Alaska
My Commission Expires: 12/16/16

The foregoing instrument was acknowledged before me this _____ day of May, 2013, by Miles S. Schlosberg, Manager of SableFish, LLC, an Alaska limited liability company, on behalf of the company.

**SIGNED IN
COUNTERPART**

Notary Public in _____
My commission expires: _____

ACKNOWLEDGEMENTS

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

This is to certify that on the _____ day of _____, 2013, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, appeared William J. Bauer, Owner of BBS Enterprises, to me known and known to me to be the Grantor in the foregoing easement, acknowledged to me that he executed the same freely and voluntarily, being fully authorized to do so.

WITNESS my hand and official seal on the day and year in this certificate first above written.

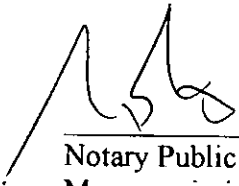
**SIGNED IN
COUNTERPART**

Notary Public in and for Alaska
My Commission Expires: _____

Prov of British Columbia
State of _____)

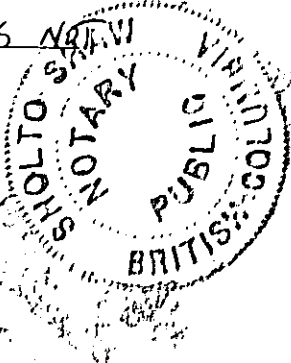
_____)ss.
_____ County)

The foregoing instrument was acknowledged before me this 16 day of May, 2013, by Miles S. Schlosberg, Manager of SableFish, LLC, an Alaska limited liability company, on behalf of the company.



Notary Public in BC
My commission expires: DOES NOT EXPIRE

SHOLTO SHAW
Lawyer & Notary Public
#332-4370 Lorimer Road
Whistler, B.C. V0N 1B4



Access, Parking and Maintenance Easement - 3 -



ONS

ORIDE PIPE
METAL PIPE
PIPE

Attachment A

LOT R 3/4

OWNER: SABLEFISH, LLC

POINT OF BEGINNING
OF EASEMENT
DESCRIPTION

CLINTON DR.

BLOCK "A"

EDGE OF ASPHALT

LOT R-2

OWNER: BBS ENTERPRISES

INGRESS, EGRESS, PARKING
AND MAINTENANCE EASEMENT

Easement

587°47'38"E
5.00'
N02°12'22"E
10.00'
N87°47'38"W
5.00'

LIGHT POST

N02°12'22"E-77.09'

7.5' 7.5'



Page 6 of 6
2013-003549-0

CLINTON
(ASPHALT)

DR.

VINTAGE BOULEVARD
(ASPHALT)

CURVE DATA
Δ = 90°00'00"
R = 25.00'
T = 25.00'
L = 59.27'
CH = 54°00'00"W
33.36'

Δ = 18°45'33"
R = 120.00'
T = 39.30'
L = 18.83'
CH = N80°37'04"W
59.12'

CURB CUT
WEST-8.85'

TO RIVERIDE DRIVE
1400 L.F. (2)
TO FOAM DRIVE
500 L.F. (2)

WSS
5/16/13

CC

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2013-003550-0

Recording District 101 Juneau

05/20/2013 03:02 PM Page 1 of 8



Juneau Recording District

After recording return to:

SableFish, LLC

3150 C Street, suite 290

Anchorage, Alaska 99503-3980

FTAA

(4) F-428432
2058329

Snow Dump Agreement

This agreement is between SableFish, LLC, of 3150 C Street, suite 290, Anchorage, Alaska 99503-3980; and BBS Enterprises, Limited, a California limited partnership, BBS Enterprises, Limited, an Alaska limited partnership, BBS Enterprises II, Limited Partnership, Vintage Business Park I, LLC, an Alaska limited liability company, Vintage Business Park II, LLC, an Alaska limited liability company; William J. Bauer, individually and dba CQ Enterprises, and BBS Enterprises, a California limited partnership, jointly and severally (collectively, referred to as "Grantors"), all of P. O. Box 34139, Juneau, Alaska 99803-4139.

Whereas, SableFish owns certain property (the "dominant estates") described as:

Parcel 1

Lots R 3/4, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Together with those certain access and parking rights as created by that certain Access & Parking Easement Agreement recorded September 23, 1998, at Book 503, at Page 839.

Parcel 2

Lot R 1, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Snow Dump Agreement

- 1 -

Together with those certain access and parking rights as created by that certain Access, Parking and Maintenance Easement recorded May 20, 2013, as document no. 2013- 003549-0, Juneau Recording District.

Whereas, one or more of the Grantors owns or has an interest in certain property (the "servient estates") described as:

Parcel 1

Lot R 5, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Parcel 2

Lot R 2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Whereas, in connection with SableFish's purchase of the dominant estates from Grantors or an affiliate of Grantors, Grantors have agreed to permit SableFish to dispose of snow on the servient estates, as provided in this agreement.

Therefore, SableFish and Grantors agree as follows:

1. Snow dump. SableFish may dump, store and otherwise dispose of, on the servient estates, snow originating from the dominant estates. SableFish shall be solely responsible to transport the snow from the dominant estates to the servient estates and to manage the snow. "Snow" includes derivative products, such as ice.

2. Alternative sites. Grantors may sell the servient estates free and clear of this agreement, provided that Grantors grant, or cause an affiliate of Grantors to grant, to SableFish the right to use another lot or lots in the Vintage II Subdivision on the same terms as provided in this agreement. If Grantors construct a building on a servient estate, upon commencement of construction SableFish shall release this agreement relating to the servient estate, provided that Grantors grant, or causes an affiliate of Grantors to grant, to SableFish the right to use another lot in the Vintage II Subdivision on the same terms as provided in this agreement. In all cases, the first preference for a substitute lot shall be given to the lot or lots closest to the dominant estates.



3. Term. This agreement shall terminate May 1, 2023. Upon termination, the parties shall execute such documents as reasonably may be requested or necessary to terminate this agreement of record.

4. Consideration. SableFish shall have no obligation to pay Grantors for the rights provided by this agreement. This agreement is entered in connection with, and as a condition of, SableFish's purchase of the dominant estates from Grantors or an affiliate of Grantors.

5. Indemnity. SableFish shall indemnify and hold Grantors harmless from any claims arising out of use the servient estates by SableFish or its agents in accordance with this agreement.

6. Run with Land. This agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The agreement shall be appurtenant to the benefited and burdened parcels. The agreement and the other rights and obligations created by this instrument run with the land.

7. Default and remedies. Upon default, notice, and failure to cure, the parties may exercise any remedies it has in law or at equity.

8. Effect on Prior Agreement. This Agreement amends and restates in full the Snow Dump Agreement between the parties recorded Dec. 31 2012, 2013, as document no. 2012-008369-0, Juneau Recording District. ms

BBS Enterprises, Limited, a California limited partnership

Date: May ____, 2013

By: _____
William J. Bauer, General Partner

**SIGNED IN
COUNTERPART**

BBS Enterprises, Limited, an Alaska limited partnership

Date: May ____, 2013

By: _____
William J. Bauer, General Partner

Snow Dump Agreement

- 3 -



3. Term. This agreement shall terminate May 1, 2023. Upon termination, the parties shall execute such documents as reasonably may be requested or necessary to terminate this agreement of record.

4. Consideration. SableFish shall have no obligation to pay Grantors for the rights provided by this agreement. This agreement is entered in connection with, and as a condition of, SableFish's purchase of the dominant estates from Grantors or an affiliate of Grantors.

5. Indemnity. SableFish shall indemnify and hold Grantors harmless from any claims arising out of use the servient estates by SableFish or its agents in accordance with this agreement.

6. Run with Land. This agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The agreement shall be appurtenant to the benefited and burdened parcels. The agreement and the other rights and obligations created by this instrument run with the land.

7. Default and remedies. Upon default, notice, and failure to cure, the parties may exercise any remedies it has in law or at equity.

8. Effect on Prior Agreement. This Agreement amends and restates in full the Snow Dump Agreement between the parties recorded _____, 2013, as document no. 2013-_____, Juneau Recording District.

BBS Enterprises, Limited, a California limited partnership

Date: May 16, 2013

By: William J. Bauer
William J. Bauer, General Partner

BBS Enterprises, Limited, an Alaska limited partnership

Date: May 16, 2013

By: William J. Bauer
William J. Bauer, General Partner

Snow Dump Agreement

- 3 -



BBS Enterprises II, Limited Partnership

Date: May 16, 2013

By: William J. Bauer
William J. Bauer, General Partner

**Vintage Business Park I, LLC, an Alaska
limited liability company**

Date: May 16, 2013

By: William J. Bauer
William J. Bauer, Manager/Member

Vintage Business Park II, LLC, an Alaska
limited liability company

Date: May 16, 2013

By: William J. Bauer
William J. Bauer, Manager/Member

William J. Bauer, individually and dba CQ Enterprises and dba CG Enterprises

Date: May 16 2013

By: William J. Bauer
William J. Bauer

BBS Enterprises, a California limited partnership

Date: May 16, 2013

By: William J. Bauer
William J. Bauer, General Partner

SableFish, LLC,
an Alaska limited liability company

**SIGNED IN
COUNTERPART**

Date: May ____, 2013

By: _____
Miles S. Schlosberg, Manager

Snow Dump Agreement

- 4 -

BBS Enterprises II, Limited Partnership

Date: May ____, 2013

By: _____
William J. Bauer, General Partner

Vintage Business Park I, LLC, an Alaska
limited liability company

Date: May ____, 2013

By: _____
William J. Bauer, Manager/Member

Vintage Business Park II, LLC, an Alaska
limited liability company

Date: May ____, 2013

By: _____
William J. Bauer, Manager/Member

William J. Bauer, individually and dba CQ
Enterprises and dba CG Enterprises

Date: May ____, 2013

By: _____
William J. Bauer

BBS Enterprises, a California limited
partnership

Date: May ____, 2013

By: _____
William J. Bauer, General Partner

SableFish, LLC,
an Alaska limited liability company

Date: May 16, 2013

By: _____
Miles S. Schlosberg, Manager

Snow Dump Agreement

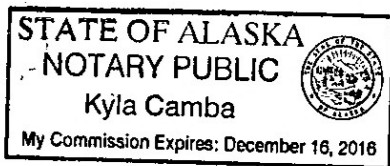
- 4 -

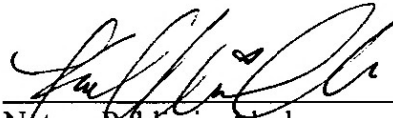


Acknowledgments

State of Alaska)
)ss.
First Judicial District)

The foregoing instrument was acknowledged before me this 16 day of May, 2013, by William J. Bauer, General Partner of BBS Enterprises, Limited, a California limited partnership, BBS Enterprises, Limited, an Alaska limited partnership, BBS Enterprises II, Limited Partnership, and BBS Enterprises, a California limited partnership, and Manager/Member of Vintage Business Park I, LLC, an Alaska limited liability company and Vintage Business Park II, LLC, an Alaska limited liability company, and individually and dba CQ Enterprises and dba CG Enterprises, on behalf of the companies and himself.





Notary Public in Alaska
My commission expires: 12/16/16

State of _____)
)ss.
_____ County)

The foregoing instrument was acknowledged before me this _____ day of May, 2013, by Miles S. Schlosberg, Manager of SableFish, LLC, an Alaska limited liability company, on behalf of the company.

SIGNED IN COUNTERPART

Notary Public in _____
My commission expires: _____



Acknowledgments

State of Alaska)
)ss.
First Judicial District)

The foregoing instrument was acknowledged before me this _____ day of May, 2013, by William J. Bauer, General Partner of BBS Enterprises, Limited, a California limited partnership, BBS Enterprises, Limited, an Alaska limited partnership, BBS Enterprises II, Limited Partnership, and BBS Enterprises, a California limited partnership, and Manager/Member of Vintage Business Park I, LLC, an Alaska limited liability company and Vintage Business Park II, LLC, an Alaska limited liability company, and individually and dba CQ Enterprises and dba CG Enterprises, on behalf of the companies and himself.

SIGNED IN COUNTERPART

Notary Public in Alaska
My commission expires: _____

Prov of British Columbia
State of _____)
)ss.
_____ County)

The foregoing instrument was acknowledged before me this 16 day of May, 2013, by Miles S. Schlosberg, Manager of SableFish, LLC, an Alaska limited liability company, on behalf of the company.

[Signature]

Notary Public in BC
My commission expires: DOES

SHOLTO SHAW
Lawyer & Notary Public
#332-4370 Lorimer Road
Whistler, B.C. V0N 1B4



Snow Dump Agreement

- 5 -



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2013-003551-0

Recording District 101 Juneau
05/20/2013 03:02 PM Page 1 of 6



Juneau Recording District

After recording return to:
SableFish, LLC
3150 C Street, suite 290
Anchorage, Alaska 99503-3980

FTAA

(5) F-42843
2058329

Consent to Use Rights

This agreement is between SableFish, LLC, of 3150 C Street, Suite 290, Anchorage, Alaska 99503-3980 and the person(s) identified below, referred to as "Interest Holder:"

Name: Simpson, Tillinghast, Sorensen & Sheehan P.C., and
Elgee Rehfeld Mertz, LLC
Mailing address: One Sealaska Plaza, Suite 300, Juneau, Alaska, and
9309 Glacier Highway, Suite B-200, Juneau, Alaska
Nature of interest: Deed of trust

Recording data, Juneau Recording District –
Title of recorded document: Deed of Trust
Date recorded: December 7, 2011
Recorded document no.: 2011-007409-0

Whereas, BBS Enterprises, a California limited partnership ("Grantor"), of P. O. Box 34139, Juneau, Alaska 99803-4139, owns certain property (the "servient estate") described as:

Lot R 2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Whereas, Interest Holder has an interest in the servient estate, as described above.

Whereas, SableFish owns certain property adjoining or near to the servient estate (the "dominant estates") described as:

Consent to Use Rights

- 1 -

Parcel 1

Lot R 1, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Parcel 2

Lots R 3/4, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Whereas, in connection with SableFish's purchase of the Parcel 1 of the dominant estates from Grantor or an affiliate of Grantor, Grantor granted to SableFish an easement over the servient estate by an Access, Parking and Maintenance Easement recorded May 20, 2013, as document no. 2013-003549-0, Juneau Recording District (the "Easement").

Whereas, in connection with SableFish's purchase of the dominant estates from Grantor or an affiliate of Grantor, Grantor granted to SableFish rights to dump snow on the servient estate by a Snow Dump Agreement recorded May 20, 2013, as document no. 2013-003550-0, Juneau Recording District (the "Snow Dump Agreement").

Whereas, the Easement and the Snow Dump Agreement are collectively referred to in this Agreement as the "Use Rights."

Whereas, SableFish has asked Interest Holder to confirm its consent to the Use Rights and subordinate its interest to the Use Rights. Interest Holder is willing to do so because Interest Holder wishes to facilitate SableFish's purchase of the servient estate that will or may result in benefits to Interest Holder.

Therefore, SableFish and Interest Holder agree as follows:

1. Consent to Use Rights. Interest Holder consents to Grantor granting the Use Rights. Such grant shall not constitute a default under Interest Holder's agreement with Grantor.

2. Subordination. Interest Holder hereby unconditionally subordinates its interest and all of its rights, claims and remedies relating to its interest to the Use Rights, and any modification of the Use Rights that does not materially impair the rights, claims or remedies of Interest Holder, with the same force and effect as if the Use Rights had been executed and recorded prior to the execution and recordation of the Interest Consent to Use Rights

- 2 -



Holder's interest. In the event of a foreclosure sale of the Interest Holder's interest or a transfer in lieu of foreclosure of any portion of the servient estate, the purchaser at any such foreclosure sale or the transferee under any deed in lieu of foreclosure shall take title to the servient estate subject to the terms and conditions of the Use Rights.

3. Nondisturbance. Interest Holder, and its successors and assigns, shall not disturb or interfere with use of the servient estate in accordance with the Use Rights.

4. Continuation of Interest. Except as expressly modified by this Agreement, Interest Holder's interest shall continue in full force and effect as an interest in the servient estate.

5. Reliance. Interest Holder acknowledges that SableFish has purchased the servient estate in reliance on the grant of the Use Rights and Interest Holder's subordination of its interest to the Use Rights, as provided in this Agreement.

6. Run with Land. This agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The agreement shall be appurtenant to the benefited and burdened parcels and interests. The agreement and the other rights and obligations created by this instrument run with the land.

Simpson, Tillinghast, Sorensen & Sheehan P.C.

Date: May 9, 2013

By: [Signature]
Title: Partner

Elgee Rehfeld Mertz, LLC

Date: May 9, 2013

By: [Signature]
Title: partner

Consent to Use Rights

- 3 -



SableFish, LLC,
an Alaska limited liability company

Date: May ____, 2013

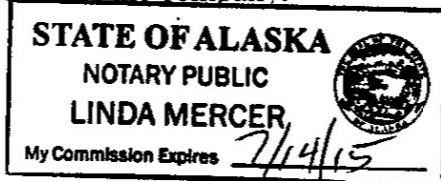
By: _____
Miles S. Schlosberg, Manager

signed in counterpart

Acknowledgments

State of Alaska)
)ss.
First Judicial District)

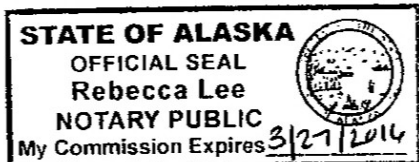
The foregoing instrument was acknowledged before me this 9 day of May, 2013, by James Sheehan, the Partner/Owner of Simpson, Tillinghast, Sorensen & Sheehan P.C., on behalf of the company.



[Signature]
Notary Public in Alaska
My commission expires: 7/14/15

State of Alaska)
)ss.
First Judicial District)

The foregoing instrument was acknowledged before me this 9 day of May, 2013, by Bridget M. Lujan, the partner of Elgee Rehfeld Mertz, LLC, on behalf of the company.



[Signature]
Notary Public in Alaska
My commission expires: 3/27/16

Consent to Use Rights

- 4 -



SableFish, LLC,
an Alaska limited liability company

Date: May 17th, 2013

By: Robert H. Hume, Jr.
Robert H. Hume, Jr., Assistant Manager

Acknowledgments

State of Alaska)
)ss.
First Judicial District)

The foregoing instrument was acknowledged before me this ____ day of May, 2013, by _____, the _____ of Simpson, Tillinghast, Sorensen & Sheehan P.C., on behalf of the company.

Notary Public in Alaska
My commission expires: _____

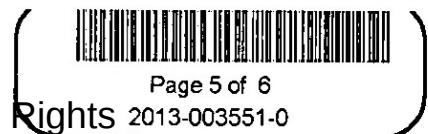
State of Alaska)
)ss.
First Judicial District)

The foregoing instrument was acknowledged before me this ____ day of May, 2013, by _____, the _____ of Elgee Rehfeld Mertz, LLC, on behalf of the company.

Notary Public in Alaska
My commission expires: _____

Consent to Use Rights

- 4 -



State of Alaska)
3rd Judicial District)ss.
County)

The foregoing instrument was acknowledged before me this 17 day of May, 2013, by Robert H. Hume, Jr., Assistant Manager of SableFish, LLC, an Alaska limited liability company, on behalf of the company.



Cheri L. Tabor
Notary Public in Alaska
My commission expires: 3-7-2016

Consent to Use Rights

- 5 -



**RELEASE OF INTEREST IN SNOW DUMP AGREEMENT**

Pacific Investment Group, LLC, an Alaska limited liability company, of 9166 Parkwood Drive, Juneau, Alaska 99801("Pacific") is an owner of that real property legally described as follows:

Parcel 1

Lot R-5, Block A, VINTAGE II SUBDIVISION, according to Plat 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

AND

Parcel 2

Lot R 2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

SableFish is the Grantee under a Snow Dump Agreement recorded on May 20, 2013 ("Agreement") in the Juneau Recording District at recording number 2013-003550-0 and has rights under the Agreement to access real property legally described as follows:

Parcel 1

Lot R 5, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

AND

Parcel 2

Lot R 2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Pacific and SableFish hereby acknowledge that the Agreement terminated on May 1, 2023 and hereby release any and all interest or rights under the Agreement.

Dated June 27, 2023.

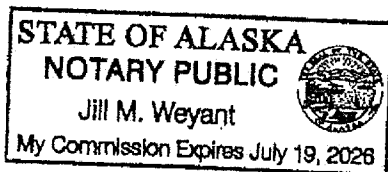
Pacific Investment Group, LLC

Larry A. Bauer
Manager Member, Member

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) : ss

The foregoing instrument was acknowledged before me this 27th day of June 2023 by Larry Bauer, member of Pacific Investment Group, LLC, an Alaska limited liability company, on behalf of the limited liability company.

WITNESS my hand and official seal the day and year in this certificate above written.



Jill M. Weyant ALASKA
Notary Public, State of Alaska
My commission expires: 7-19-2026



2 of 3
101-2023-001930-0

Dated June 20, 2023.

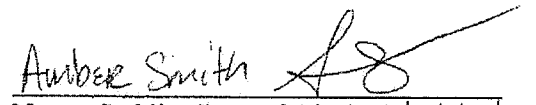
SableFish, LLC


Miles Schlosberg, Manager

STATE OF ~~ALASKA~~ Washington)
King County : ss
FIRST JUDICIAL DISTRICT)

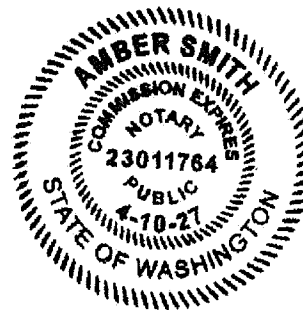
The foregoing instrument was acknowledged before me this 20 day of June 2023 by Miles Schlosberg, manager of SableFish, LLC, an Alaska limited liability company, on behalf of the limited liability company.

WITNESS my hand and official seal the day and year in this certificate above written.


Notary Public, State of ~~Alaska~~ Washington
My commission expires: 4-10-2027

After Recording, return to:

Baxter Bruce & Sullivan P.C.
P.O. Box 32819
Juneau, Alaska 99803

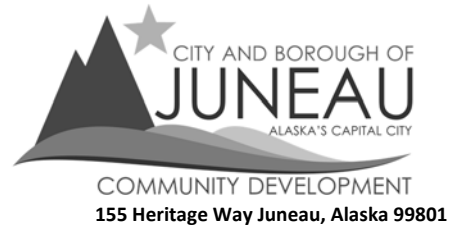
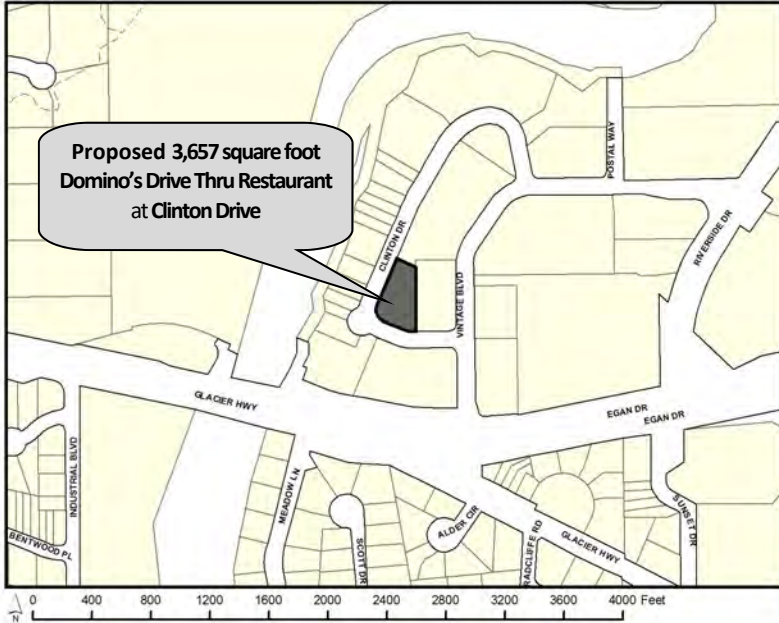


3 of 3
101-2023-001930-0

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

Conditional Use Permit and Parking Waiver applications have been submitted for consideration and public hearing by the Planning Commission for the request of a **3,657 square foot Domino's Pizza Drive Through Restaurant at Clinton Drive** in an **Light Commercial** 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 **January 16, 2024** at

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

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

Now through Jan. 1, 2024

Comments received during this period will be sent to the Planner, **Jennifer Shields** to be included as an attachment in the staff report.

Jan. 2— noon, Jan. 19

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, Jan. 23, 2024

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/81106773042> and use the Webinar ID: 811 0677 3042 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.

Jan. 24

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4139

Email: pc_comments@juneau.gov or Jennifer.shields@juneau.gov

Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: **USE2023 0018 & PWP2023 0004**

Parcel No.: **5B1601420020**

CBJ Parcel Viewer: <http://epv.juneau.org>



Attachment H - Public Notice Sign Photos

From: [John Kern](#)
To: [PC_Comments](#)
Subject: USE2023 0018: Domino's Pizza Drive Through Restaurant
Date: Saturday, December 30, 2023 11:55:04 AM

I am the owner and resident of 3011 Clinton Drive Unit B4. My property is across Clinton Drive from the proposed development. I object to the reduction of parking required for this development. This area is increasingly active with new developments and residents and circulation is somewhat constrained by narrow and curving streets. For the development to rely on street parking is unacceptable. Either there is enough property for the development, or there is not. This is not a situation to reduce the required onsite parking spaces.

Thank you for considering my comments.

John Kern

3011 Clinton Drive, Unit B4

From: [Lonnie Khmelev](#)
To: [Jennifer Shields](#)
Subject: parcel 5B1601420020 parking waiver
Date: Friday, January 5, 2024 9:43:35 AM

Good morning,

We are happy to see that Vintage Park is finally moving forward with numerous new construction projects. What we are concerned with is the parking waiver for the proposed Domino's location. We have seen significant changes around this section of Clinton Drive with additional condo units built last year and the recent sale of a building to Goldbelt. We foresee a parking shortage in this area, and we believe the new project should include all the required parking as per CBJ code.

Thank you,

Lonnie Khmelev
3005 Clinton Drive, Unit C2

Olena Kot
3005 Clinton Drive, Unit D4

From: [PC_Comments](#)
To: [Jennifer Shields](#)
Subject: FW: Dominoes drive through in Vintage park.
Date: Thursday, December 28, 2023 8:51:22 AM
Attachments: [image001.png](#)

From: H. Lewis <peregrine911@gmail.com>
Sent: Wednesday, December 27, 2023 9:07 PM
To: PC_Comments <PC_Comments@juneau.gov>
Subject: Dominoes drive through in Vintage park.

Good evening,

My name is Hilliard H. Lewis IV.

I am a resident of the Vintage Park Condo Association. My unit is C-4.

The proposed Dominoes restaurant is in the lot directly across from my home.

I am STRONGLY AGAINST this use proposal for that lot.

Part of what makes this area pleasant to live in is that the traffic and light pollution in the area subside a great deal after normal business hours. There are a few exterior lights and sparse street lighting.

If this gets approved and built I believe that the following changes would occur detracting immensely from what makes Vintage Park a peaceful place to live.

1:) Noise and traffic.

A Dominoes business is open much later than the rest of the businesses in Vintage park.

This would cause an increase in traffic far later into the night and bring that traffic noise right outside the doors of all the Condominium residents and the River View Senior living buildings.

The proposed business is also slated as a drive through meaning that the traffic coming and going would not only be employees but the general public as well. We already live by the highway and the engines and music of Juneau's less polite vehicle owners does not need to be brought any closer to where we are sleeping.

2:) Light pollution would be increased.

As a commercial chain restaurant this would likely have an excess of exterior lighting and advertising illumination. The proposed Dominoes would also have a drive through. To facilitate this increase in traffic many more street lights and parking lot lights would be installed further making evenings and nights unpleasant. These lights would shine directly into my home.

3:) Noxious odors.

As a commercial food handler this business is going to have dumpsters with a large percentage of food waste. Between cooking and venting and then garbage handling the nearby air quality coupled with the traffic increase will definitely deteriorate.

The amount of food odors would also likely cause an increase in black bear activity in the neighborhood further increasing encounters between bears and residents.

4:) Does Juneau really need a 3rd Domino's?

There is already a Domino's pizza place less than a mile from Vintage Park already. Why do we need another? The service area does not increase at all being less than a mile from where Domino's is already. Juneau's density is not nearly high enough to need these type of restaurants this close together.

I once again state I AM STRONGLY AGAINST this use proposal for the lot in Vintage park.

Hilliard H. Lewis IV

3005 Clinton Drive, C-4
Juneau AK,
99801

907 723 6339

From: [Marina Lindsey](#)
To: [PC_Comments](#)
Cc: [Jennifer Shields](#)
Subject: Comments on Domino's Pizza Drive-Thru Restaurant
Date: Monday, January 1, 2024 6:08:53 PM

To: CBJ Planning Commission and CBJ Staff
From: Shawn Carey and Marina Lindsey
Re: Domino's Pizza Drive-Thru Restaurant
Date: January 1, 2024

Shawn Carey and I live in the Vintage Park Condominiums at 3005 Clinton Drive, Unit C5, across the street from the proposed Domino's Drive-Thru. Following are our comments on the project.

R&S Construction's Allowable/Conditional Use Permit Narrative says that "The proposed building and business fit under the comprehensive plan and will benefit all the neighboring properties." We disagree. The Vintage Business Park is a quiet community with offices, residential condominiums, and senior living. A fast-food pizza restaurant with delivery drivers, a drive-thru pick up window, and hours later than the rest of the businesses in Vintage Park is not beneficial to the neighbors. Dominos is open 10:30 am to midnight and the proposed drive-thru will point headlights directly at Vintage Park condominiums. Domino's Pizza will bring vehicles, which in Juneau are often loud trucks or intentionally jacked-up cars with thumping music, in front of our homes until late at night. According to R&S' application, 40% of Domino's drivers' turnaround times are under 30 seconds and 50% are within 31 - 60 seconds. That means Domino's drivers will be rapidly coming and going 200+ times a day at the pizza order rate Domino's provided. And that's at the current pizza order rate. What are Domino's plans for growth? If Domino's is investing in costly new construction, they must be planning to expand their business. Has the city asked for Domino's growth expectations for the next 3 to 5 years? How will those growth rates affect traffic, neighborhood noise levels, and parking needs?

We also oppose R&S' request for a parking waiver. Despite R&S' statement that a parking waiver will "not result in adverse impacts to property in the neighboring areas", the neighboring areas will be greatly impacted. Parking along Clinton Drive is congested during office hours and the neighbors should not have to compensate for R&S purchasing property with an easement that makes their property too small to include the required parking and a drive-thru. Additionally, R&S' plans call for two driveways which will reduce street parking by at least 4 spaces. If Domino's business grows, they will need more employee and customer parking. The neighborhood parking doesn't have room to absorb Domino's growth. Does the parking on R&S' plan, which is 5 spaces less than the 18 spaces that are required for restaurants, even meet CBJ requirements? It looks like the spaces don't have proper egress

and the disabled parking space isn't accessible because of landscaping.

How recently has CBJ analyzed the traffic at the intersection of Clinton Drive and Vintage Boulevard? The number of vehicles has increased with the recent developments including SEARCH, Riverview Senior Living, Goldbelt's office expansion, and the growing number of cruise ship tour buses in Safeway's parking lot. We would like the city to analyze not only the current rate of traffic, but what it will be like when Domino's business grows. The city should also reconsider how the traffic flow works. Vehicles cannot turn left onto Egan from Vintage Boulevard nor access Vintage Boulevard when coming from the west on Egan. Many of us are regularly driving 270-degree loops around Vintage Park/Safeway because access to/from Egan is limited at the south end of Vintage Boulevard. Additionally, Clinton Drive near the intersection of Vintage Boulevard is consistently full of potholes that need to be fixed, not patched again and again.

On a final note, we would like to request that additional landscaping be required on the south side of the R&S property to minimize Domino's lights and headlights from delivery drivers and customers. We would also like to request that the Domino's dumpsters be located on the north side of the property, reducing the sound and smell for Vintage Park condo residents. The dumpster enclosures should be bear proof and Domino's should be required to use dumpsters with metal lids and latches. Domino's trash will be very appealing to bears and ravens.

Please let us know if you would like clarification on any of our feedback. We appreciate your time and consideration of our comments.

Sincerely,

Marina Lindsey and Shawn Carey

M A R I N A L I N D S E Y

907-723-1116

From: [Dylan Listberger](#)
To: [Jennifer Shields](#)
Subject: Re: Comments on USE2023 #0018 - Domino's Pizza Drive Through Restaurant
Date: Tuesday, January 2, 2024 6:50:21 PM
Attachments: [7E51D4E7-5C2F-4B51-BB45-6D8E69435683.png](#)

Jennifer,

I am not sure how this parking lot design is legal. It doesn't appear to meet the CBJ guidelines. There doesn't appear to be enough egress space between parking spaces for cars to pass or even access spaces. This doesn't appear to be a 1 way directional parking lot.

Spots 6,7,8,9 don't have the required 24' of aisle for a 90 approach.

The handicap parking spots approach is partially blocked off by the landscaping- The minimum aisle size is 11' for a 30 degree approach according to the attached chart.

Spot 12 doesn't have 24' of egress because the property line is angled behind it.

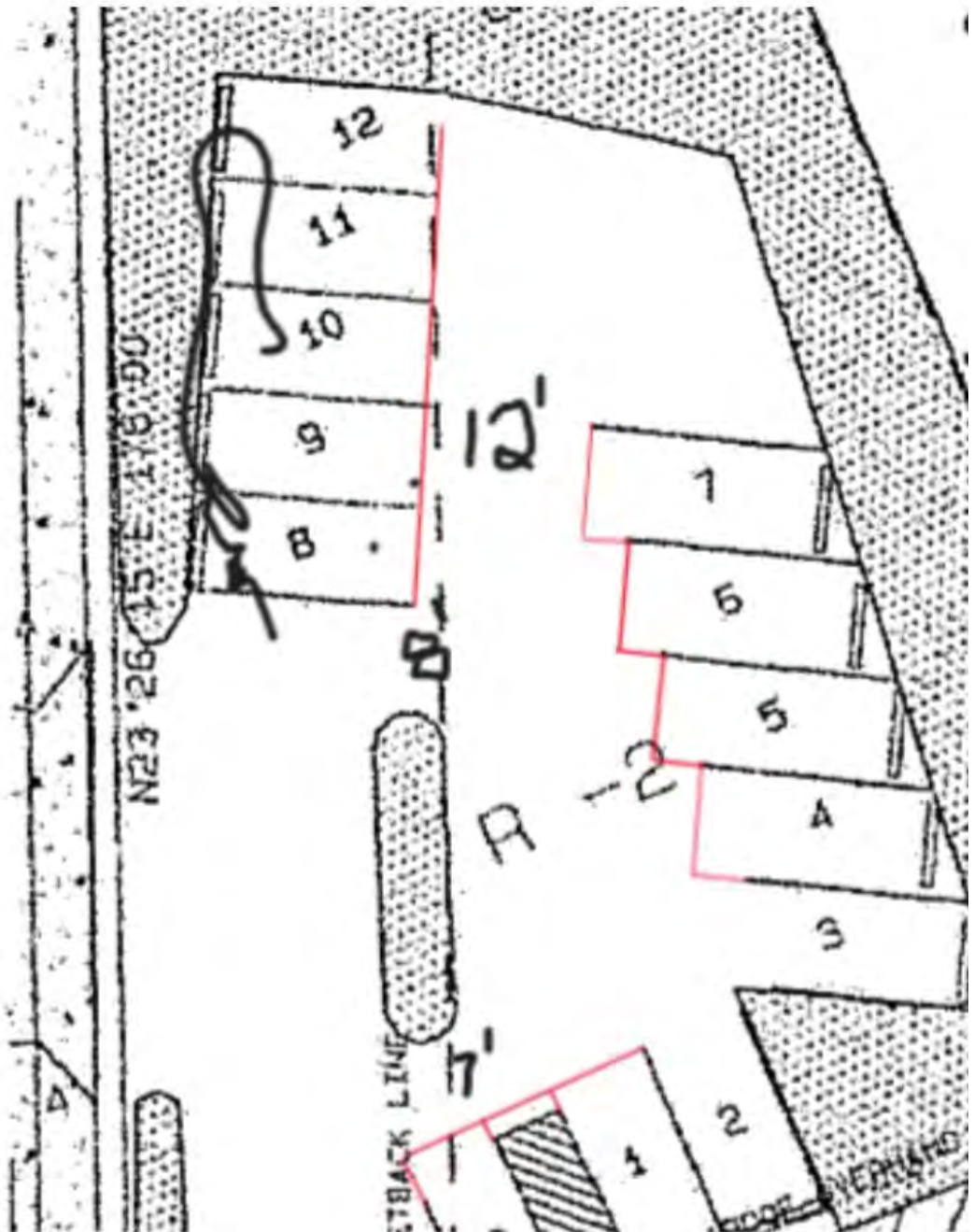
To access spot 7 a car would have to pull forward, back into the spot, then pull out and back out of the back corner.

Per CBJ Code of Ordinances parking spots are suppose to be 8.5' wide x 17' deep generally rectangle- the angled spots drawn as well as 1 and the handi-cap spot weren't drawn to those dimensions.

See attached parking lot plan with redlines of 17'x8.5' spaces and rough dimensions of aisles.

Can you verify there parking lot plan meets all code requirements?

The parking in this area is all ready over filling the street parking in the summer, this project proposal will just add to the problem.



Attachment I - Public Comments

To: CBJ Planning Commission and CBJ Staff
From: Vintage Park Condominium Association
Re: Conditional Use Permit and Parking Waiver Domino's Pizza Drive-Through Restaurant
Date: January 1, 2024

The Vintage Park Condominium Association (VCPA), a 23-unit association on Clinton Drive, would like to submit the following comments on the proposed Domino's Pizza Drive-Thru Restaurant parking waiver and development permit applications.

R&S Construction states in their parking waiver application that granting the parking waiver will "not result in adverse impacts to property in the neighboring areas". The VCPA disagrees because Clinton Drive is already full of cars during office business hours. R&S' development plans could reduce the current street parking by up to 10 spaces. The proposed two driveways to access and exit Domino's will reduce street parking by four. Depending on how many feet are between the existing driveway to the Sablefish LLC easement and the proposed Domino's drive-thru exit, one additional street parking space may be lost. R&S is proposing only 12 parking spaces and 1 disabled parking space, which is 5 spaces less than the 18 spaces that are required for restaurants. And the current parking plan does not appear to meet CBJ parking requirements for access and egress. The neighborhood's parking should not be compromised by up to 10 spaces because a developer purchased property with a historical easement that makes it difficult for them to comply with CBJ parking requirements. If the drive-thru was eliminated, there would be more property on which to put accessible and comprehensive Domino's parking.

R&S also states "that the granting of this waiver will supply ample parking for the Domino's employees and customers". This may be true for Domino's employee and customer numbers from June 2023 – September 2023, but what will the future parking needs be? It's safe to assume that a business investing over a million dollars to build a new restaurant is planning to grow the business, requiring more employee and customer parking.

VPCA is also concerned about the increased traffic Domino's will bring to our neighborhood during the day and late into the night. Domino's hours are 10:30 am to midnight. None of the other businesses near VPCA are open past 6 pm. Additionally, no other business near VPCA has traffic rapidly entering and leaving their property. Domino's noted in their application that 40% of their driver turnaround time is under 30 seconds and 50% is within 31-60 seconds. With over 100 delivery orders daily, that means delivery vehicles will be going as quickly as possible outside our condos over 200 times a day.

In the project application, it says that CBJ does not require a Traffic Impact Analysis for under 250 movements per day and that "if the use or user changes, the issue of requiring a Traffic Impact Analysis will need to be revisited". Domino's summer 2023 data approximates their vehicle movements at 218 per day. Without access to Domino's business data, how is the neighborhood able to prove to the city that a new traffic analysis is required? CBJ should

request Domino's projected customer growth over the next 3-5 years. The traffic at the intersection of Clinton Drive and Vintage Boulevard has already increased dramatically with the new SEARHC facility and the many cruise ship tour buses that come and go from rest-stops in Safeway's parking lot for six months a year.

Additionally, VPCA and all the businesses in the Vintage Business Park have issues with bears trying to get into their dumpsters. It is essential that the city mandate fully bear proof enclosures and latched dumpsters for a restaurant in this location. It would reduce both the noise and odor impacts on VPCA residents if the dumpsters were put on the north side of the Domino's property.

Our association would like CBJ to require R&S to install landscaping to minimize the impact of the headlights pointing towards VPCA when vehicles are in the drive-thru. We would also like CBJ to review the required landscaping that is installed. R&S very minimally landscaped both VPCA and the Clinton Drive Condos. Each association has had to supplement or reinstall the landscaping shortly after taking ownership from R&S. The landscaping that R&S installs is subpar compared to other recent developments in Vintage Park like Riverview Senior Center and SEARHC.

Thank you for your consideration of our concerns.

Sincerely,

Vintage Park Condominium Association Board of Directors

Mary Adelmeyer

Shawn Carey

Sean Edwards

Charlie Gerbi

John Hayes

Dylan Listberger

Dave Spargo



Planning Commission

(907) 586-0715

PC_Comments@juneau.gov

www.juneau.org/community-development/planning-commission

155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: January 25, 2024

File No.: PWP2023 0004

R&S Construction LLC

PO Box 210194

Auke Bay, AK 99821

roblisa@ak.net

Proposal: Parking Waiver to required off-street parking spaces for a 2,893 square foot Domino's Pizza restaurant with a drive-through window.

Property Address: TBD Clinton Drive

Legal Description: VINTAGE II BL A LT R2

Parcel Code No.: 5B1601420020

Hearing Date: January 23, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandums dated January 16, 2024, and January 19, 2024, and APPROVED a waiver for the requirement of two (2) parking spaces for a Domino's Pizza restaurant with a drive-through window to be conducted as described in the project description and project drawings submitted with the application.

Attachments:

- January 16, 2024, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding PWP2023 0004.
- January 19, 2024, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding PWP2023 0004.

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

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The waiver is effective upon approval by the Planning Commission, January 23, 2024.

Expiration Date: Approved Parking Waivers shall expire upon a change of use.

mandy cole

Mandy Cole, Chair
Planning Commission

1/26/24

Date

Lily Hagerup

Filed With City Clerk

1/26/24

Date

cc: Plan Review

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

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 CBJ 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) *Avalanche areas.* Development in moderate and severe avalanche hazard areas shown on the Avalanche Hazard Designation Mapping, dated April 27, 2022, and attached to Serial No. 2023-18(am) as Appendix A, must minimize the risk to life and property.
 - (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:

(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; Serial No. 2023-18(am), § 3, 12-11-2023, eff. 1-11-2024)

EXISTING SITE PLAN EXHIBIT

3020 Clinton Drive, Juneau, Alaska

Conditional Use Permit Application USE20260007

Project Description

Existing 2,552-square-foot commercial building. This application proposes no exterior modifications. The request is limited to occupancy of the existing second tenant suite. Existing parking, access, landscaping, circulation, utilities, and building footprint remain unchanged.



The City and Borough of Juneau is not responsible and shall not be liable to the user for damages of any kind arising out of the use of data or information provided by the City and Borough of Juneau, including the installation of the data or information, its use, or the results obtained from its use. ANY DATA OR INFORMATION PROVIDED BY THE City Borough of Juneau IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Data or information provided by the City Borough of Juneau shall be used and relied upon only at the user's sole risk, and the user agrees to indemnify and hold harmless the City Borough of Juneau, its officials, officers and employees from any liability arising out of the use of the data/information provided. NOT FOR ENGINEERING PURPOSES.

Existing Site Notes

- Existing Building contains two tenant suites.
- Suite 1 – Domino's Pizza: 1,457 SF.
- Suite 2 – Proposed Commercial Suite: 1,095 SF.
- Existing parking, driveway access, and circulation remain unchanged.
- No changes to landscaping, drainage, utilities, or building footprint are proposed.
- This exhibit is submitted to satisfy the site plan requirement for the Conditional Use Permit application.

From: [Elizabeth Clayton](#)
To: [Forrest Courtney](#)
Subject: Re: PLAN USE20260007
Date: Monday, July 20, 2026 9:44:53 AM
Attachments: [image001.png](#)

You don't often get email from eclaytonak@gmail.com. [Learn why this is important](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Yes, this is correct.

Thank you!

On Thu, Jul 16, 2026 at 2:19 PM Forrest Courtney <Forrest.Courtney@juneau.gov> wrote:

Good afternoon Elizabeth,

Can you confirm that this site plan submitted with the original use case remains valid:

Community Development Department | City & Borough of Juneau, AK

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

Office: 907.586.0753 x4208



Fostering excellence in development for this generation and the next.

From: Elizabeth Clayton <eclaytonak@gmail.com>
Sent: Wednesday, July 8, 2026 10:11 AM
To: Forrest Courtney <Forrest.Courtney@juneau.gov>
Subject: PLAN USE20260007

You don't often get email from eclaytonak@gmail.com. [Learn why this is important](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Forrest,

The site plan you requested has been uploaded to the portal and I will also attach here to this email. Thank you!

--

Elizabeth Clayton, Owner/REALTOR®

Juneau Real Estate

Cell: (907) 209-0336

Office: (907) 790-6655

8800 Glacier Hwy, Suite 221

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