



**PLANNING COMMISSION STAFF REPORT  
CONDITIONAL USE PERMIT USE2023 0007  
HEARING DATE: JUNE 13, 2023**

(907) 586-0715

CDD\_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

**DATE:** May 26, 2023  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Jennifer Shields, Planner II *Jennifer A. Shields*  
**THROUGH:** Jill Maclean, AICP, Director

**PROPOSAL:** Applicant requests a Conditional Use Permit Modification for SEARHC/JYS to revert from administrative offices to residential treatment dorm rooms in Montana Creek House.

**STAFF RECOMMENDATION:** Approval with conditions.

**KEY CONSIDERATIONS FOR REVIEW:**

- JYS has been providing residential treatment services on the property since the 1990's.
- In 2022, a Conditional Use Permit Modification was approved for administrative offices in Montana Creek house (USE2022-0010).
- The maximum number of residents permitted to live on site is twenty-four (24); the applicant is not proposing to change this number.

GENERAL INFORMATION	
<b>Property Owner</b>	Juneau Youth Services, Inc.
<b>Applicant</b>	Southeast Alaska Regional Health Consortium
<b>Property Addresses</b>	10685 Mendenhall Loop Road, 10801 Black Bear Road, and 10815 Black Bear Road
<b>Legal Description</b>	Black Bear Lot 2
<b>Parcel Number</b>	4B2601020042
<b>Zoning</b>	D3
<b>Land Use Designation</b>	Urban / Low Density Residential (ULDR)
<b>Lot Size</b>	463,146 square feet (10.6 acres)
<b>Water/Sewer</b>	Public water and public sewer
<b>Access</b>	Mendenhall Loop Road & Black Bear Road
<b>Existing Land Use</b>	Assisted Living
<b>Associated Applications</b>	N/A

**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:
  - CBJ 49.15.330
  - CBJ 49.25.300
  - CBJ 49.80

*The Commission shall hear and decide the case per CBJ 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 (D1)	Residential / Vacant
South (D3 & D1(T)D5)	Residential / Vacant
East (D1)	Montana Creek / Vacant
West (D3)	Residential

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

**BACKGROUND INFORMATION**

**Project Description** – Due to a recent merger between Southeast Alaska Regional Health Consortium (SEARHC) and Juneau Youth Services (JYS), the applicant proposes to revert the currently approved use of Montana Creek House from administrative offices back to a residential treatment building with dorm rooms (Attachment A). Current administrative and community services staff will be relocated to other SEARHC locations.

Under the current permit, the maximum number of residents allowed to live on site is twenty-four (24); the applicant is not requesting a change to this number at this time.



Lighthouse and Black Bear House will remain as residential treatment facilities with dorm rooms.

SEARHC/JYS will provide behavioral health care using the nationally recognized Teaching-Family Model (TFM). Their youth program “Raven’s Way” will help residents focus on increasing their coping skills, self-confidence, social functioning, and life skills. The Raven’s Way program is licensed by the State of Alaska and accredited by The Joint Commission, the nation’s oldest and largest standards-setting and accrediting body in health care.

**Background** – JYS purchased the property in 1995. Development of three residential treatment facilities occurred in 1998, 2003, and 2006 respectively, with each building receiving a Conditional Use Permit at the time of development. Over the years, both the number of residents in each building and the number of staff members on site have fluctuated due to a variety of factors, including funding and program changes. A detailed description of previous Conditional Use Permits issued for the site can be found in Attachment B.

In August 2022, a Conditional Use Permit Modification (USE2022-0010, Attachment C) was issued for JYS to convert existing dorm rooms in Montana Creek House into administrative offices. This Conditional Use Permit superseded previous Conditional Use Permits for the lot, and was subject to the following conditions of approval:

1. Maximum number of residents living on site is twenty-four (24).
2. The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance.
3. The Community Development Department and Juneau Youth Services will conduct a Nonconforming Certification Review of the property. *[NCC2022-0033 was issued on January 31, 2023, Attachment D.]*

Table of Permissible Uses (CBJ 49.25.300):

The Conditional Use Permits issued between 1998 and 2006, including two modifications, were approved under CBJ’s Table of Permissible Uses, USE 7.200: *“Nursing care, immediate care, disabled or infirm, and child care institutions, and boarding homes for sheltered care.”*

In 2015, Ordinance 2015-34(am) modified USE 7.200 to: *“Assisted living”*, and defined Assisted Living as, *“A facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services or emergency shelter. Assisted living use that occurs within a single-family dwelling is regulated as a single-family dwelling use.”*

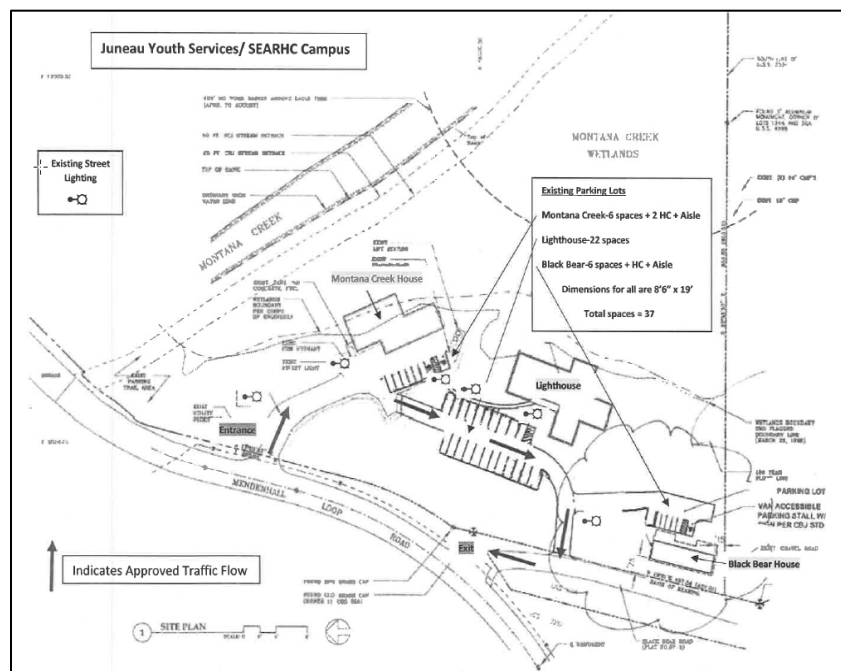
The current and proposed Conditional Use Permits fall under the Assisted Living USE 7.200 classification.



**ZONING REQUIREMENTS**

Standard		Requirement	Proposed	Existing	Code Reference
<b>Lot</b>	Size	12,000 square feet	No Change	463,146 square feet (~10.6 acres)	CBJ 49.25.400
	Width	100 feet	No Change	~990 feet	CBJ 49.25.400
	Depth	N/A	No Change	~900 feet	CBJ 49.25.400
<b>Setbacks</b>	Front	25 feet	No Change	25 feet	CBJ 49.25.400
	Rear	25 feet	No Change	~600 feet	CBJ 49.25.400
	Side (north)	10 feet	No Change	~100 feet	CBJ 49.25.400
	Side (south)	10 feet	No Change	15 feet	CBJ 49.25.400
	Street Side	N/A	N/A	N/A	CBJ 49.25.400
<b>Lot Coverage Maximum</b>		35%	No Change	~15%	CBJ 49.25.400
<b>Vegetative Cover Minimum</b>		20%	No Change	~75%	CBJ 49.50.300
<b>Height</b>	Permissible	35 feet	No Change	Two-story	CBJ 49.25.400
	Accessory	25 feet	No Change	One-story	CBJ 49.25.400
<b>Maximum Dwelling Units</b>		2	No Change	N/A	CBJ 49.25.500
<b>Use</b>		Residential	7.200, Assisted Living (w/offices)	7.200, Assisted Living (w/offices)	CBJ 49.25.300

**SITE PLAN**

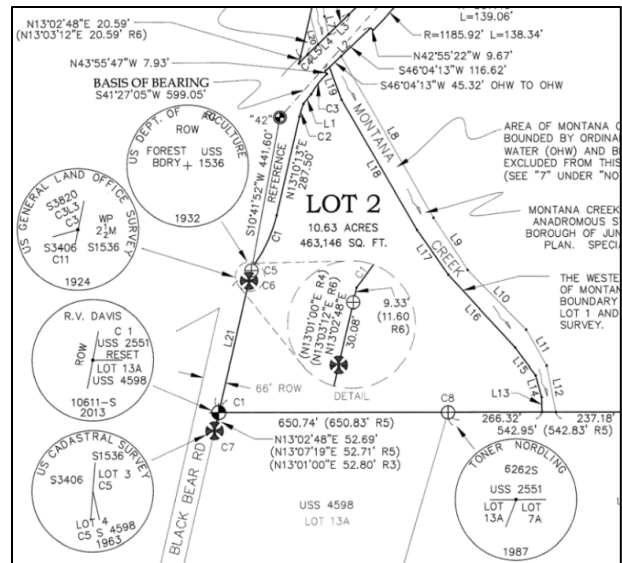


**ANALYSIS**

**Project Site** – In 1995, JYS purchased 160 acres originally platted in 1945 with USS 2551 (Attachment E). Development of the three residential treatment facilities began in 1998, 2003, and 2006 respectively. In 2013, the property was subdivided with the Black Bear Subdivision plat (Attachment F); three structures are now located on a triangular shaped lot (Lot 2), which encompasses 10.6 acres.

A significant portion of the lot is composed of undeveloped, forested wetlands. The lot is bordered on the east by Montana Creek, and land owned by the Southeast Alaska Land Trust, which is zoned D1. The site is served by public water and public sewer.

**Condition:** None.



**Project Design** – The previous Conditional Use Permit requests presented to the Planning Commission between 1998 and 2006 stated, *“The long-range plan for the site was to consolidate the various JYS facilities into a campus complex of residential, educational, and administrative buildings.”*

A natural landscape buffer is maintained between the lot and Mendenhall Loop Road. The developed area on the lot is surrounded by trees on all sides, and secluded from adjacent properties. The three buildings are of a similar architectural style, although Black Bear House is the only two-story structure.

No exterior construction or changes are proposed on the lot at this time.

**Condition:** None.

**Traffic** – Mendenhall Loop Road is an Alaska Department of Transportation and Public Facilities (ADOT&PF) maintained road, classified as a Collector according to the CBJ adopted Roadway Classification Map. Access to and from the site is one-way traffic only, with an entrance off of Mendenhall Loop Road (ingress) and an exit off of Black Bear Road (egress).

Development of Black Bear Road first involved the platting of several U.S. Surveys. In 2003, the State transferred the land encompassing the road to CBJ with Patent 18044, subject to a 66-foot wide public access easement, creating what is now known as “Black Bear Road” (Attachment G). The road is not, however, an accepted or maintained CBJ right-of-way (ROW). In 2006, the road was paved from Mendenhall Loop Road through the extent of the SEARHC/JYS site as part of the development of Black Bear House; the paved distance is approximately 140 feet up an approximately 11% slope. In addition to the use of Black Bear Road by SEARHC/JYS and the owners of 11001 Black Bear Road, the road also provides access to a trailhead to Montana Creek Trail. The trailhead is located entirely within University of Alaska property, between SEARHC/JYS to the north and the private lot to the south.

A nonconforming situation review completed in January 2023 (Attachment D) found the following situations on the lot, specifically relating to Black Bear Road, to be certified nonconforming to Title 49:

Nonconforming Lots (CBJ 49.30.260):

- Secondary access (egress) without improvements or maintenance agreements.
- Lack of direct and practical access through the frontage.

Driveway access to the site has been a cause of concern. Due to curves, grades, and icy winter driving conditions along Mendenhall Loop Road, driveways in this area generally require more than the minimum site distance required by DOT/PF design standards. Previous conditions of approval required the applicant to clear and maintain the brush and alder trees along Mendenhall Loop Road to maintain clear sight distance from the exit driveway.

According to CBJ 49.40.300(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) projections for an Assisted Living Facility on a weekday, based upon the total number of employees. This projection represents the highest estimated Average Daily Trips (ADTs) across all categories including employees, occupied beds, and beds available.

**Condition: The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance as long as the site is occupied.**

Use	Total # Employees	Trips Generated	Total Trips
Assisted Living	26	3.93 per Employee	102.18
<b>Total ADTs:</b>			<b>102.18</b>



Men. Loop Entrance  
Looking North



Men. Loop Entrance  
Looking South



Black Bear Exit  
Looking North



Black Bear Exit  
Looking South

**Vehicle Parking & Circulation** – According to CBJ 49.40.210, 10 off-street parking spaces are required based upon an assisted living use, including two ADA accessible spaces (see table below). The site currently has a total of 37 parking spaces, including three ADA-accessible spaces. No additional parking is required.

**Condition:** None.

Use	Total	Spaces Required	Total Spaces
<b>Assisted Living</b> Max. # Residents per USE2022-0010	24	0.4 / resident	9.6 = 10
<b>Total Parking Requirement:</b>			<b>10</b>
<b>Off-Street Loading Spaces Required:</b>			<b>0</b>
<b>ADA Accessible Spaces Required:</b>			<b>2</b>

**Non-motorized Transportation** – Both Mendenhall Loop Road and Black Bear Road do not have any sidewalk, curb, or gutter. A gravel shoulder borders the roadways on both sides.

**Condition:** None.

**Proximity to Transit** – Capital Transit operates Route 3 (counterclockwise) and Route 4 (clockwise) along Mendenhall Loop Road. Bus stops are located approximately 1,000 feet to the south and 2,000 feet to the north.

**Condition:** None.

**Noise** – The site is buffered from adjacent residential development by distance, vegetation, and topography. It is not anticipated that any appreciable increase in noise would occur by converting administrative offices in the Montana Creek House into dorm rooms.

**Condition:** None.

**Lighting** – Parking areas have existing exterior lighting. The applicant is not proposing any new lighting at this time.

**Condition:** None.

**Vegetative Cover & Landscaping** – CBJ 49.50.300 requires a minimum vegetative cover of 20%. This standard is met with ~ 83% vegetative cover.

**Condition:** None.

**Habitat** – The developed area of the lot lies outside of the Montana Creek anadromous stream setbacks. The Army Corps of Engineers has identified the lot as being within a forested wetland; management authority of these wetlands lies with the Army Corps of Engineers. An eagle’s nest was identified on the property in 2006 outside of the development area, which is regulated by the U.S. Fish and Wildlife Service. No exterior construction or changes are proposed that would affect natural habitat areas.

**Condition:** None.

**Drainage and Snow Storage** – No modifications to existing drainage are proposed at this time. The lot has ample space off of driveways and parking areas for snow storage.

**Condition:** None.

**Hazard Zones** – A portion of the lot outside of the developed area lies within a relatively flat Special Flood Hazard Area. No exterior construction or changes are proposed that would affect the floodplain.

**Condition:** None.

**Public Health, Safety, and Welfare** – The developed area of the lot is surrounded by trees on all sides and secluded from adjacent properties. The use appears to be in harmony with the surrounding neighborhood. No exterior construction or changes are proposed, and no information has been reviewed that suggests the proposal will materially endanger the public health, safety, or welfare.

**Condition:** None.

**Property Value or Neighborhood Harmony** – Staff finds this use is in harmony with the zoning for the area and will not decrease property values. For approximately 25 years, the applicants have managed activities while preserving the residential character of the neighborhood.

**Condition:** None.

### **AGENCY REVIEW**

CDD conducted an agency review comment period between May 3, 2023 and May 10, 2023.

<b>Agency</b>	<b>Summary</b>
General Engineering	No comments received.
Building	No comments received.
Fire	No concerns with this change as long as the fire alarm and fire sprinkler systems were not modified due to the previous change.
ADOT&PF	I have reviewed and do not see any need for comment from DOT Right of Way. I appreciate you passing this along for review.

### **PUBLIC COMMENTS**

CDD conducted a public comment period between May 4, 2023 and May 22, 2023. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment H). A public notice sign was also posted on site at least two weeks prior to the scheduled hearing (Attachment I). No written comments were received during the comment period.



**CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Comprehensive Plan.

<b>PLAN</b>	<b>Chapter</b>	<b>Page No.</b>	<b>Item</b>	<b>Summary</b>
2013 Comprehensive Plan	4	36	Housing Policy 4.1-SOP1	Fund, or assist in securing funding for, emergency shelters, transitional housing, permanent supportive housing, and appropriate supportive services for people who are homeless or near homeless, particularly families and unaccompanied youth, and an increasing aging population.
	4	37	Housing Policy 4.1-IA7	Facilitate the provision of special needs and housing and supportive services in residential neighborhoods that are readily accessible to public transit and supportive services.
	13	213	Community Services Policy 13.3	Promote quality medical and social services to ensure the safety, health, well-being, and self-sufficiency of its residents.
	13	213	Community Services 13.3 SOP1	Provide public funds for programs for the indigent and for high-risk groups such as youth, the elderly, disabled persons, and homeless persons and families.
	13	213	Community Services Policy 13.3-IA2	Establish and maintain an integrated near-homeless and homeless client assessment and referral system linking all housing, medical, and social service providers, to develop greater efficiencies, client tracking, and program funding and evaluation tools.
	13	213	Community Services 13.3 – IA3	Provide transportation assistance to homeless clients, including high school students, to support transport for job search efforts, to shelter, and for medical and social service care.
	13	213	Community Services Policy 13.3-IA4	Establish and maintain a coordinated substance abuse prevention program, and comprehensive treatment, rehabilitation, and recovery programs for Juneau residents.

## **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 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 Assisted Living dorm rooms. The use is listed at CBJ 49.25.300, Section 7.200 for the D3 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 further analysis needed.

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

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

**Analysis:** No further analysis needed.

**Finding: No.** There is no evidence to suggest that with appropriate conditions, the requested Assisted Living dorm rooms, in a D3 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 further analysis needed.

**Finding: No.** There is no evidence to suggest that with appropriate conditions, the requested Assisted Living dorm rooms, in a D3 zoning district will substantially decrease the value of 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 further analysis needed.

**Finding: Yes.** The proposed Assisted Living dorm rooms, with the recommended conditions, 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 Modification. The permit would allow for the development of SEARHC / Juneau Youth Services' conversion of Montana Creek House administrative offices into dorm rooms, with USE2023-0007 superseding USE2022-0010.

Approval is subject to the following conditions:

1. Maximum number of residents permitted to live on site is twenty-four (24).
2. The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance as long as the site is occupied.

### **STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	Application Packet
<b>Attachment B</b>	Conditional Use Permit History
<b>Attachment C</b>	2022 Conditional Use Permit Modification USE2022-0010
<b>Attachment D</b>	2022 Nonconforming Certification NCC22-33
<b>Attachment E</b>	1945 USS 2551
<b>Attachment F</b>	2013 Black Bear Subdivision Plat
<b>Attachment G</b>	2003 Patent 18044 transferring U.S. Survey 3406 land from the State of Alaska to CBJ
<b>Attachment H</b>	Abutters Notice
<b>Attachment I</b>	Public Notice Sign Photo



# DEVELOPMENT PERMIT APPLICATION

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

<b>PROPERTY LOCATION:</b>	
Physical Address: 10685 Mendenhall Loop Rd., 10801 Black Bear Rd. and 10815 Black Bear Rd.	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot): Black Bear Lot 2	
Parcel Number(s): 4B2601020042	
<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____	
<b>LANDOWNER/ LESSEE</b>	
Property Owner: Southeast Alaska Regional Health Consortium	Contact Person: Kyle Paw
Mailing Address: 3100 Channel Drive, Juneau, AK 99801	Phone Number(s): 907-364-4472
E-mail Address: kpaw@searhc.org	
<b>LANDOWNER/ LESSEE CONSENT</b>	
Required for Planning Permits, not needed on Building/ Engineering Permits.	
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:	
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.	
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.	
<i>Kyle Paw on behalf of Searhc</i> _____ Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)	
X	<i>[Signature]</i> _____ Landowner/Lessee (Signature) Date: 4/24/23
<b>BRENT FISCHER ON BEHALF OF SEARHC</b> _____ Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)	
X	<i>[Signature]</i> _____ Landowner/Lessee (Signature) Date: 5/8/23
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.	
<b>APPLICANT</b> <small>If same as LANDOWNER, write "SAME"</small>	
Applicant (Printed Name): Kyle Paw	Contact Person: Kyle Paw
Mailing Address: 3100 Channel Drive	Phone Number(s):
E-mail Address: K.Paw@searhc.org	
X	<i>[Signature]</i> _____ Applicant's Signature Date of Application: 4/24/23

To be completed by Applicant

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Intake Initials
65023-007	JLS
	Date Received
	4/24/23



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

To be completed by Applicant

**PROJECT SUMMARY**  
SEARHC/JYS proposes revert use of Montana Creek House back to its original approved use as a Residential Treatment Facility

**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: \_\_\_\_\_

**IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?**     YES – Case # USE2022-0010     NO

**UTILITIES PROPOSED**      **WATER:**  Public  On Site      **SEWER:**  Public  On Site

**SITE AND BUILDING SPECIFICS**  
 Total Area of Lot 463,146 square feet      Total Area of Existing Structure(s) 20,266 square feet  
 Total Area of Proposed Structure(s) N/A square feet

**EXTERNAL LIGHTING**  
 Existing to remain       No       Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures  
 Proposed       No       Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

**ALL REQUIRED DOCUMENTS ATTACHED**

**Narrative including:**

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

**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)

*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

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

ALLOWABLE/CONDITIONAL USE FEES				Check No.	Receipt	Date
Application Fees	Fees					
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>					
<b>Total Fee</b>	<b>\$ <u>650.00</u></b>					

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>USC23-007</u>	<u>4/24/23</u>

Attachment A- Application Packet

Juneau Youth Services (JYS)/SouthEast Alaska Regional Health Consortium  
(SEARHC)

Montana Creek House Conversion back to Residential Treatment Facility

Case Number: CUP23-

**PROJECT DESCRIPTION:**

This request is to modify the approved use (USE2022 0010) of the Montana Creek House located on our Mendenhall Loop Campus from Community Services and Administrative office use back to its original approved use as a Residential Treatment Facility.

**BACKGROUND:**

Due to the recent merger with SEARHC, our organization can now fulfill the original plan to maximize the campus' potential to support the increasing need for youth behavior health services. There will be no changes to the 2 other existing facilities on campus, Lighthouse and Black Bear. There also will be no changes to the approved number of youth we can serve, which is 24.

All current administrative and community services staff will be relocated to other SEARHC locations allowing the campus offices to accommodate youth.

Juneau Youth Services, operating since 1961, provides residential, and community-based mental health, collectively known as behavioral health care.

JYS/SEARHC employs a team of behavioral health and clinical professionals. Our philosophy is contained in the nationally recognized Teaching-Family Model (TFM). It prioritizes therapeutic relationships with JYS/SEARHC caregivers as the primary providers of effective treatment in supportive, family-style settings. With over 60 years of experience, we are Juneau's leading youth and family-focused behavioral health provider.

With SEARHC joining forces with JYS we can combine the existing youth program Raven's Way. The New Raven's way program will engage in hands-on experiences that provide opportunities to learn and practice the new skills necessary to choose a healthy, substance-free lifestyle. Our educational, behavioral, emotional, and cultural components focus on increasing their coping skills, self-confidence, social functioning, and life skills. Raven's Way is accredited by The Joint Commission and licensed by the State of Alaska. All while adhering to the ethical standards of the National Association of Alcohol and Drug Abuse Counselors.

### **CURRENT USE:**

The JYS/SEARHC Campus contains 3 facilities, Montana Creek House, Lighthouse and Black Bear House. Lighthouse and Black Bear House are licensed and permitted as residential treatment facilities. Last year JYS applied and was granted a conditional use permit to change the usage of Montana Creek House from a licensed and permitted residential treatment facility to administrative offices and outpatient therapy.

### **PROPOSED USE:**

Now that JYS and SEARHC have merged, we would like to reinstate the use of Montana Creek House to its original purpose as a residential treatment facility. All current administrative and community services staff will be relocated to other SEARHC locations allowing the campus offices to accommodate youth. The area used for patient record storage will return to its former use as a school classroom.

### **COMPLIANCE WITH COMPREHENSIVE PLAN:**

This transition back to its original licensed and permitted use requires no new construction or expansion of the current footprint, nor changes to the parking, traffic flow, utilities or grounds. There are no changes planned for the existing remaining facilities.

Since there is no expansion of the facilities or changes to the driveway, parking areas, flow of traffic or vegetation cover, the proposed plan for Montana Creek House to revert back to a residential treatment facility remains consistent with the previously approved Conditional Use Permits.

This reversion back to a residential treatment facility is consistent with the CBJ Table of Permissible Uses 49.25.300, 7.2000 Assisted Living and complies with the Juneau Comprehensive Plan, Chapter 4-Housing Element, facilitating the provision of special needs and adaptive housing and supportive services in residential neighborhoods that are readily accessible to public transit, shopping, public amenities and supportive services.

The reversion also complies with Chapter 3-Community Form, Suburban Area, because no changes are being made to the vegetation of buffer zones that surround the Montana Creek building.

### **See Attached:**

- A) Campus Arial Photo
- B) Campus Site Plan
- C) Campus Site existing Lighting Cut Sheets
- D) Montana Creek House Current Floor Plan
- E) Montana Creek House Proposed Floor Plan
- F) Montana Creek Elevation Plan
- G) Lighthouse Floor Plan
- H) Lighthouse Elevation Plan
- I) Black Bear House Floor Plan
- J) Black Bear House Elevation Plan
- K) Pre-Application Conference Notes (April 12, 2023)

## Juneau Youth Services/SEARHC Campus

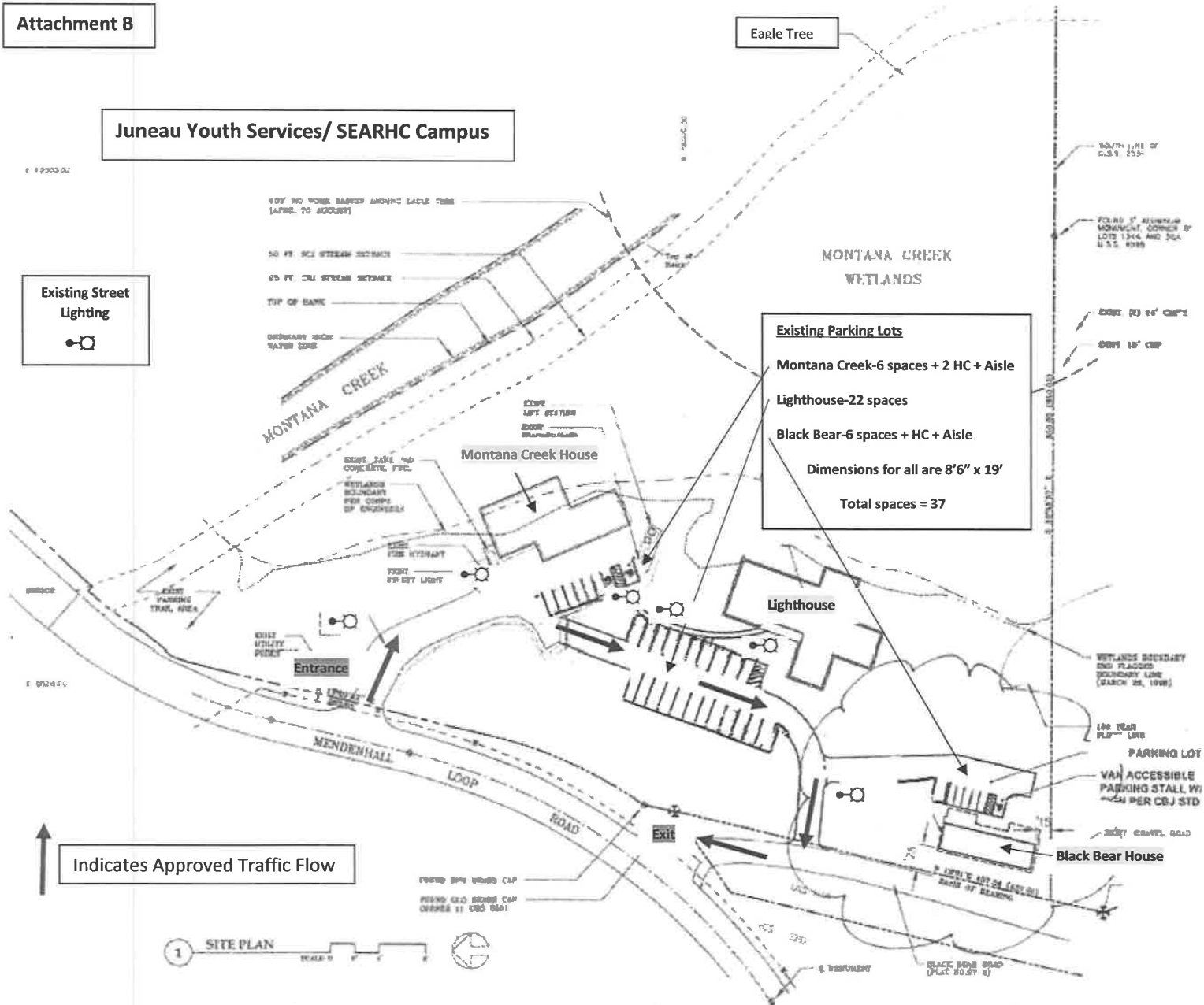
Attachment A





Attachment B

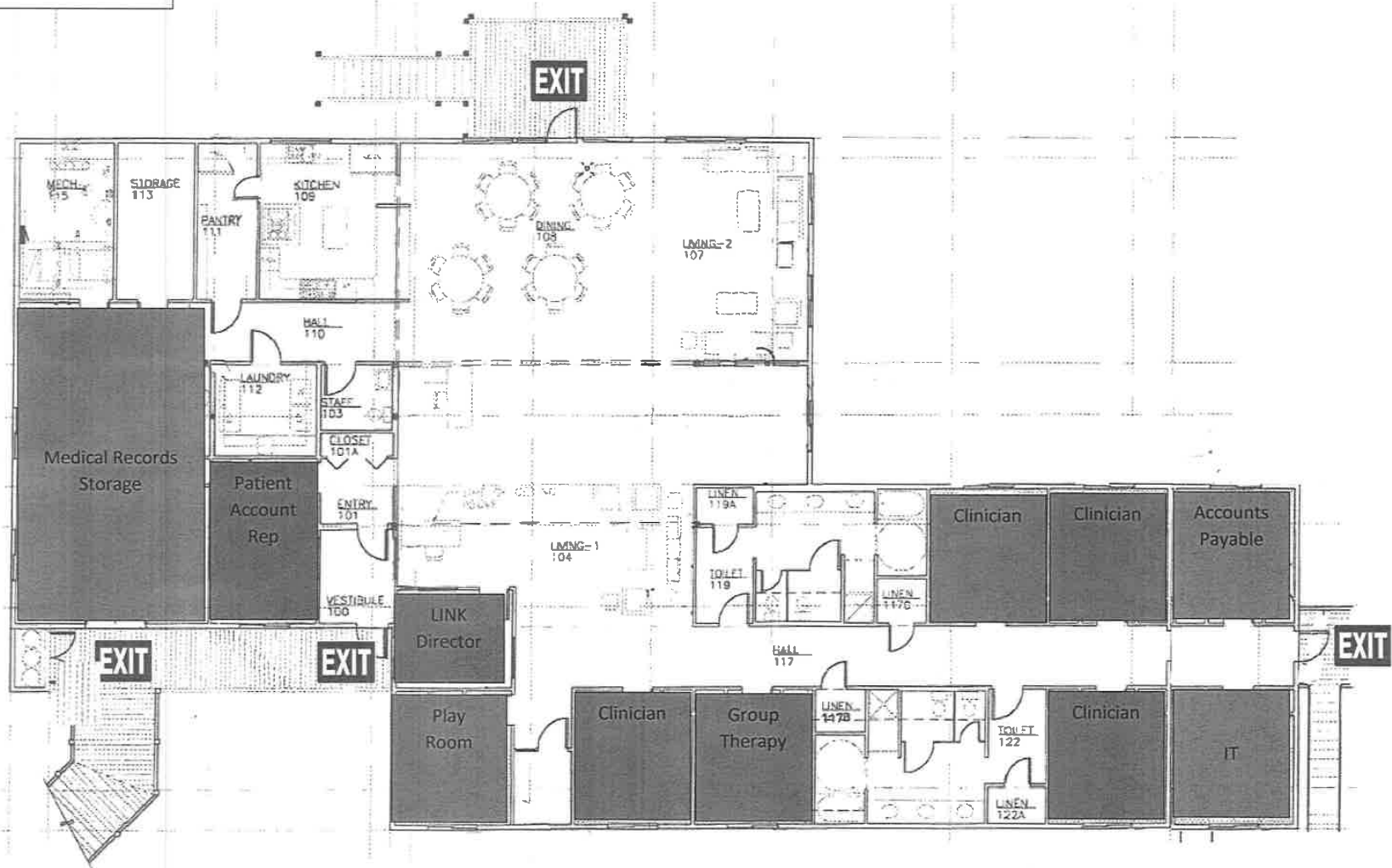
Juneau Youth Services/ SEARHC Campus



Existing Street Lighting

Indicates Approved Traffic Flow

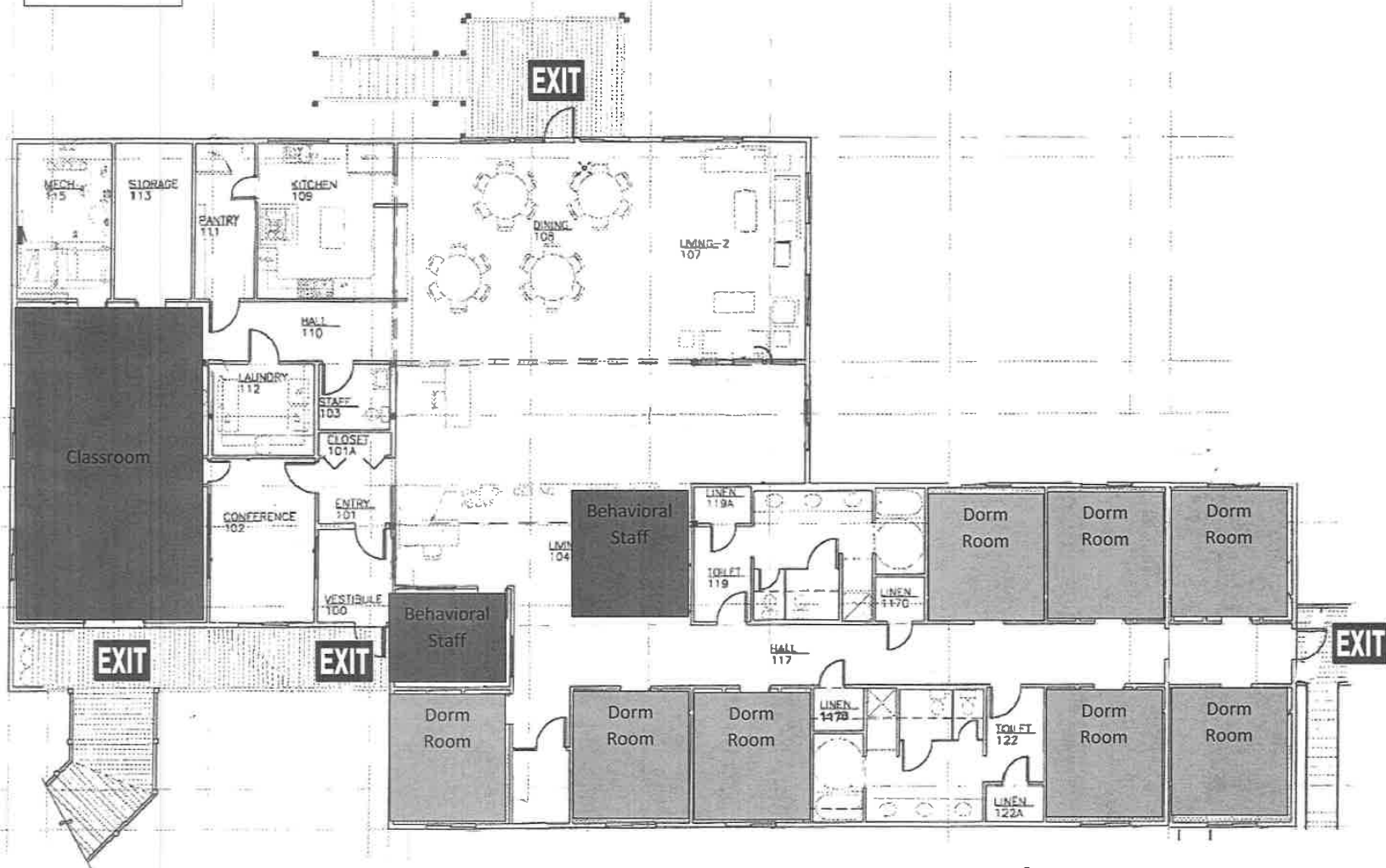
1 SITE PLAN SCALE: 1" = 10' 0"



# Montana Creek House

Current Use

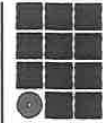
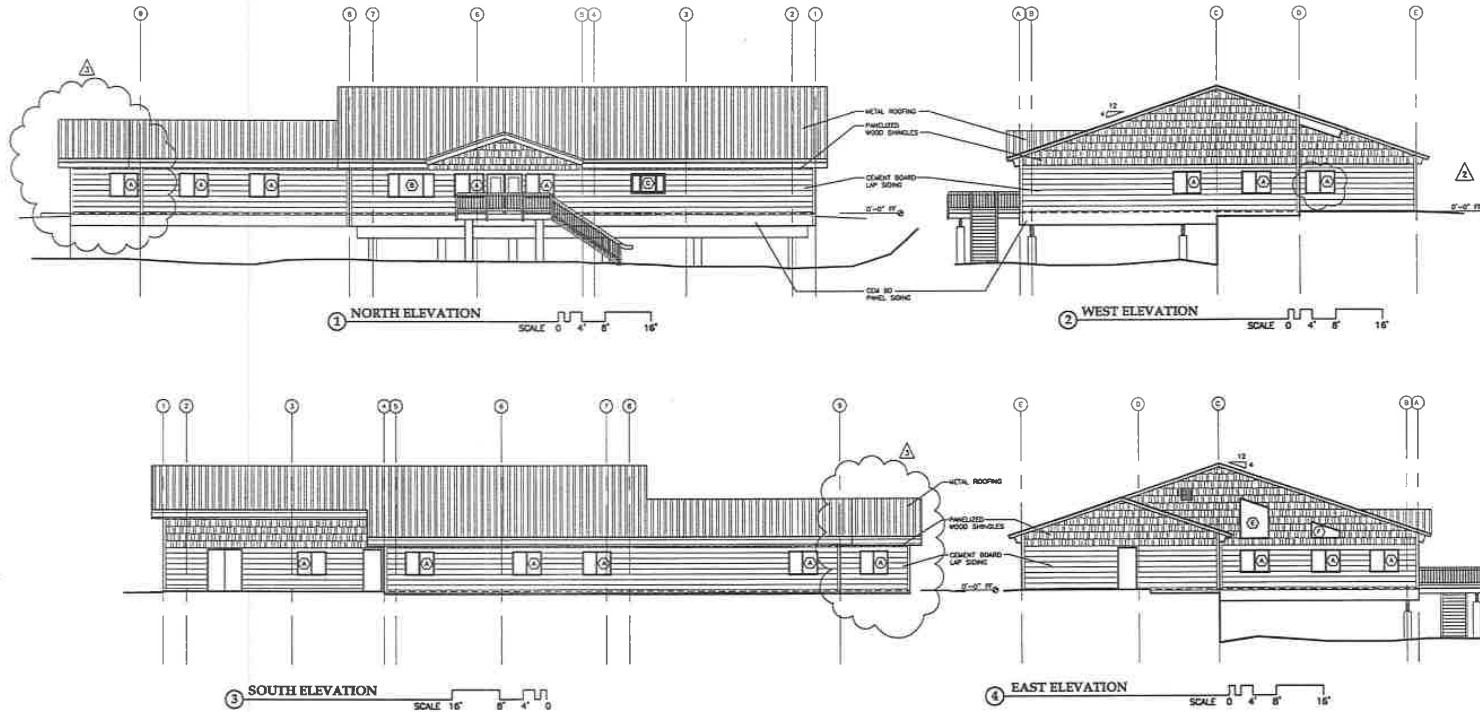
Attachment E



# Montana Creek House

Proposed Use

# ATTACHMENT F



**Jensen  
Yorba  
Lott  
Inc.**

522 West 10th Street  
Juneau, Alaska 99801  
phone 907-586-1070  
fax 907-586-3059  
jyl@alaska.net



**MONTANA CREEK HOUSE**  
 Juneau Youth Services, Inc.  
 Miller House Replacement  
 Mendenhall Loop Road  
 Juneau, Alaska

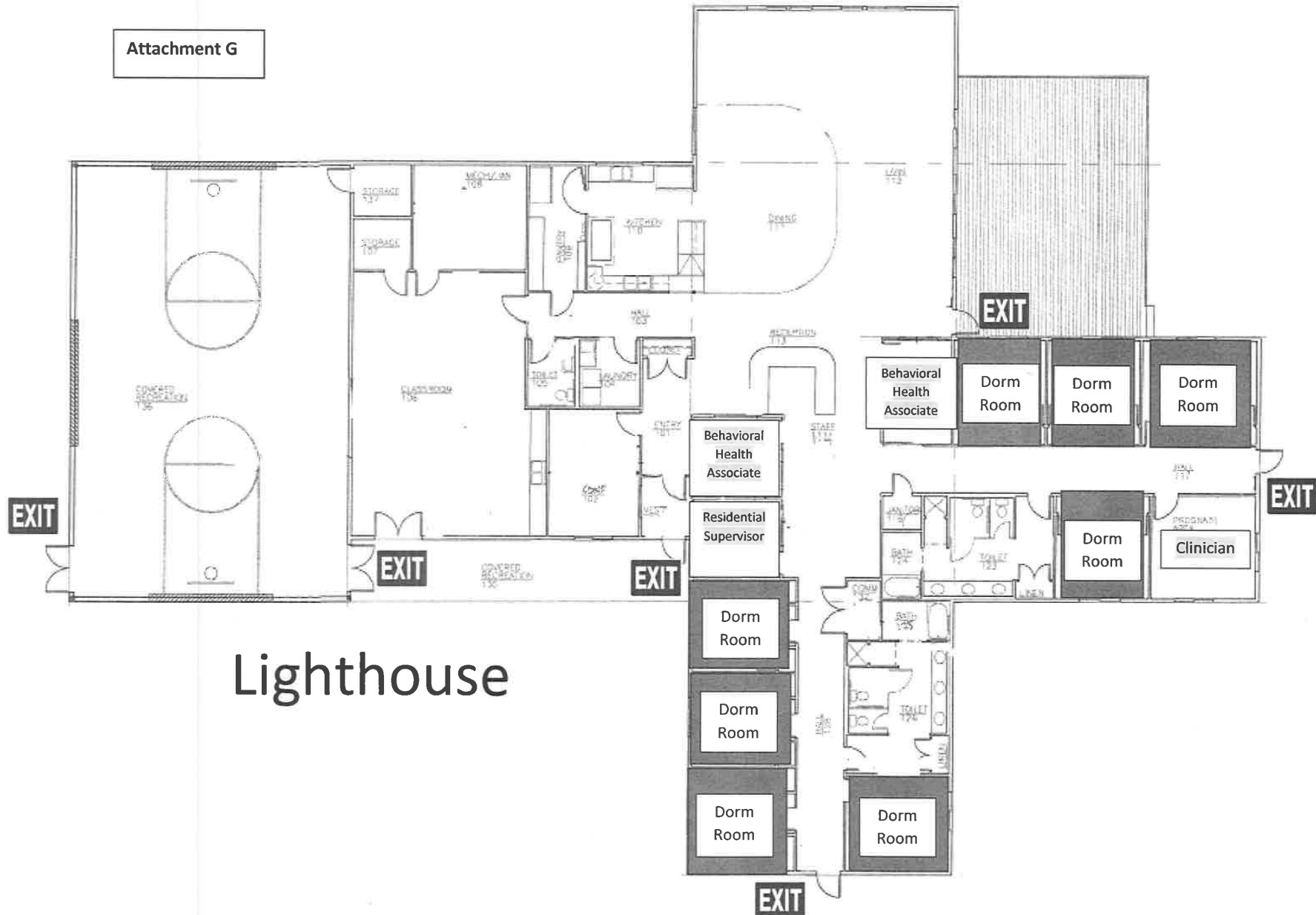
REVISIONS  
 1 4/17/99  
 2 7/28/99 Coldway Windows  
 3 1/27/01 Blg. Addition  
 4

SHEET TITLE  
 ELEVATIONS

DATE: May 12, 1999  
 FILE: 970

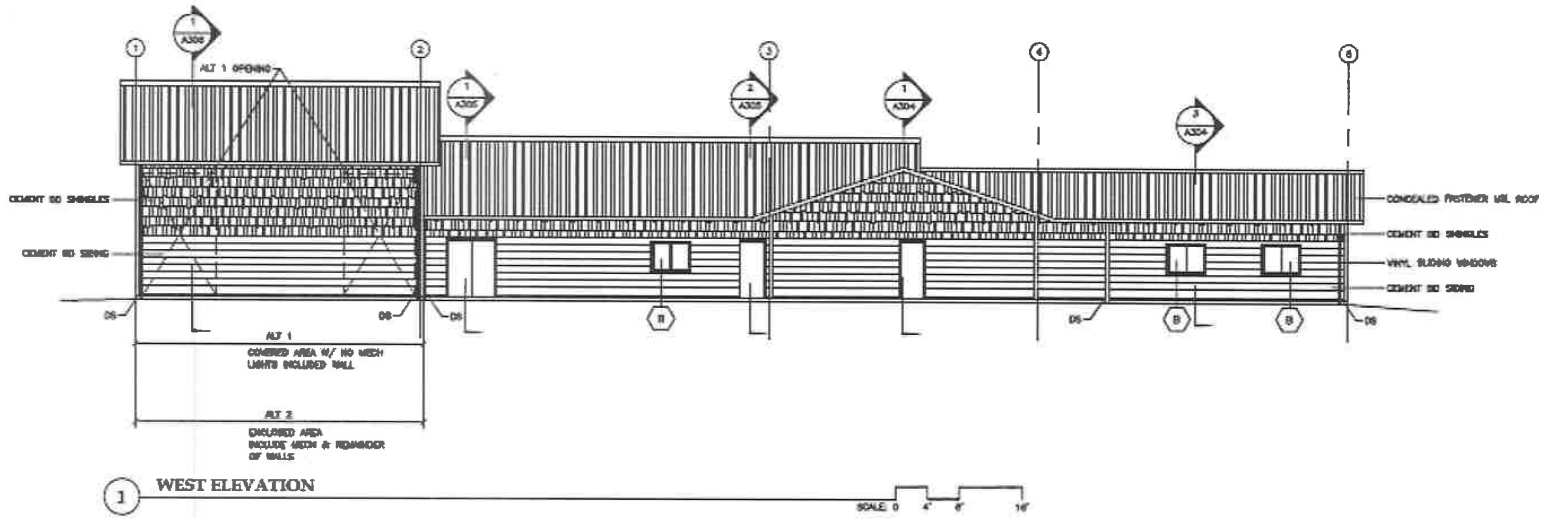
**A301**

Attachment G

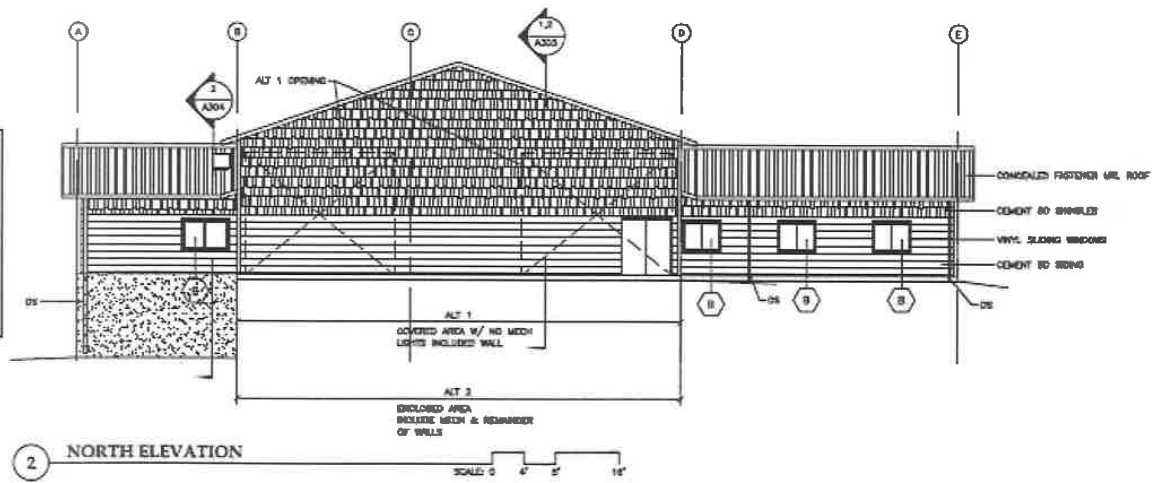


Lighthouse

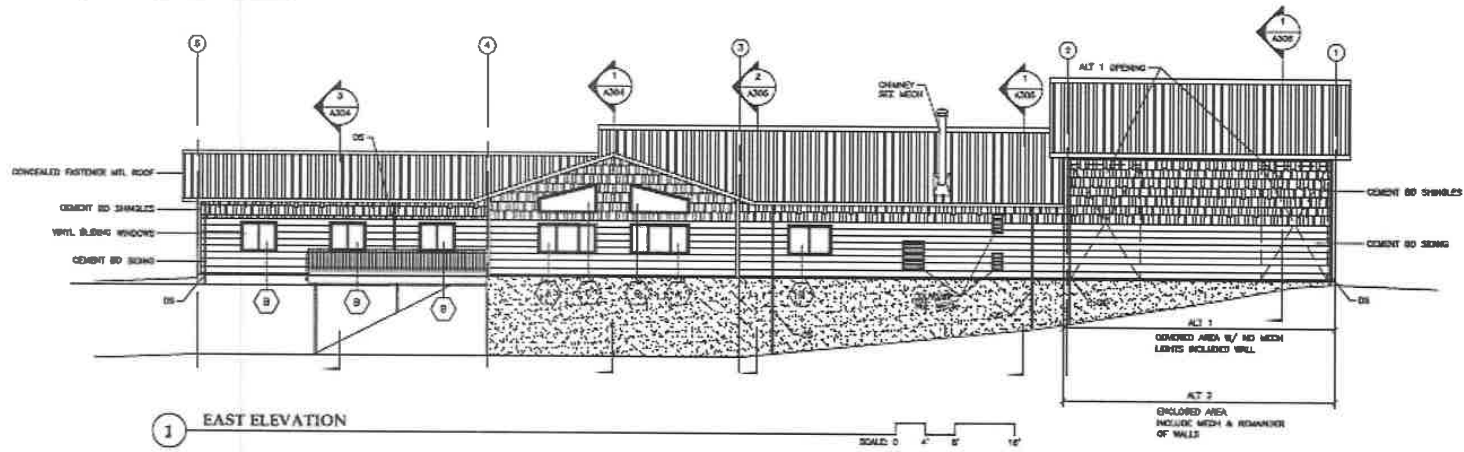
Attachment H 1



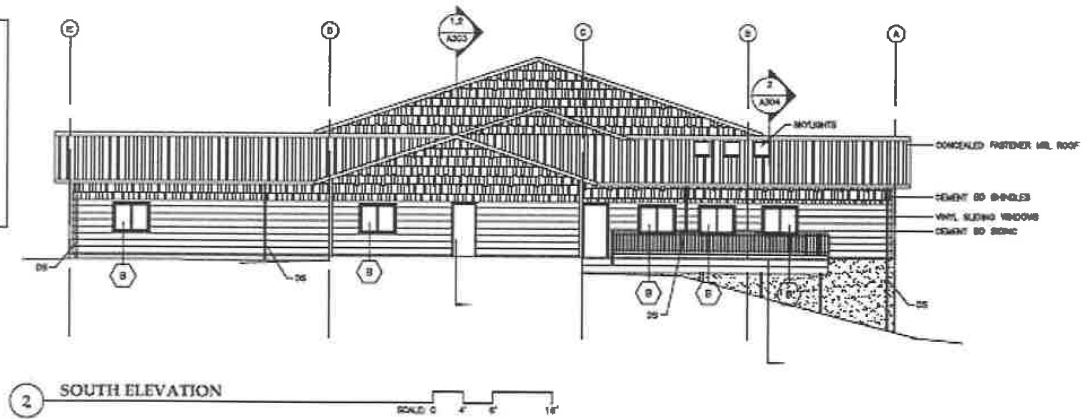
Lighthouse  
Elevations  
West/North

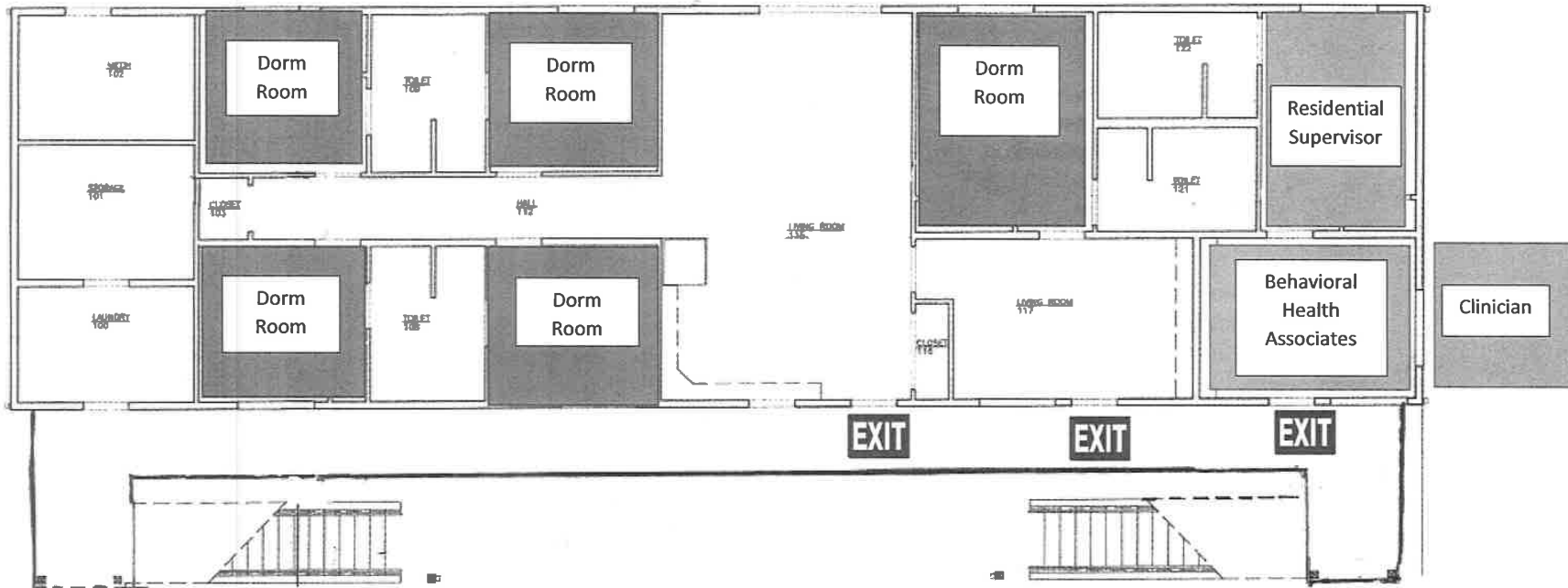


Attachment H 2



Lighthouse  
Elevations  
East/South





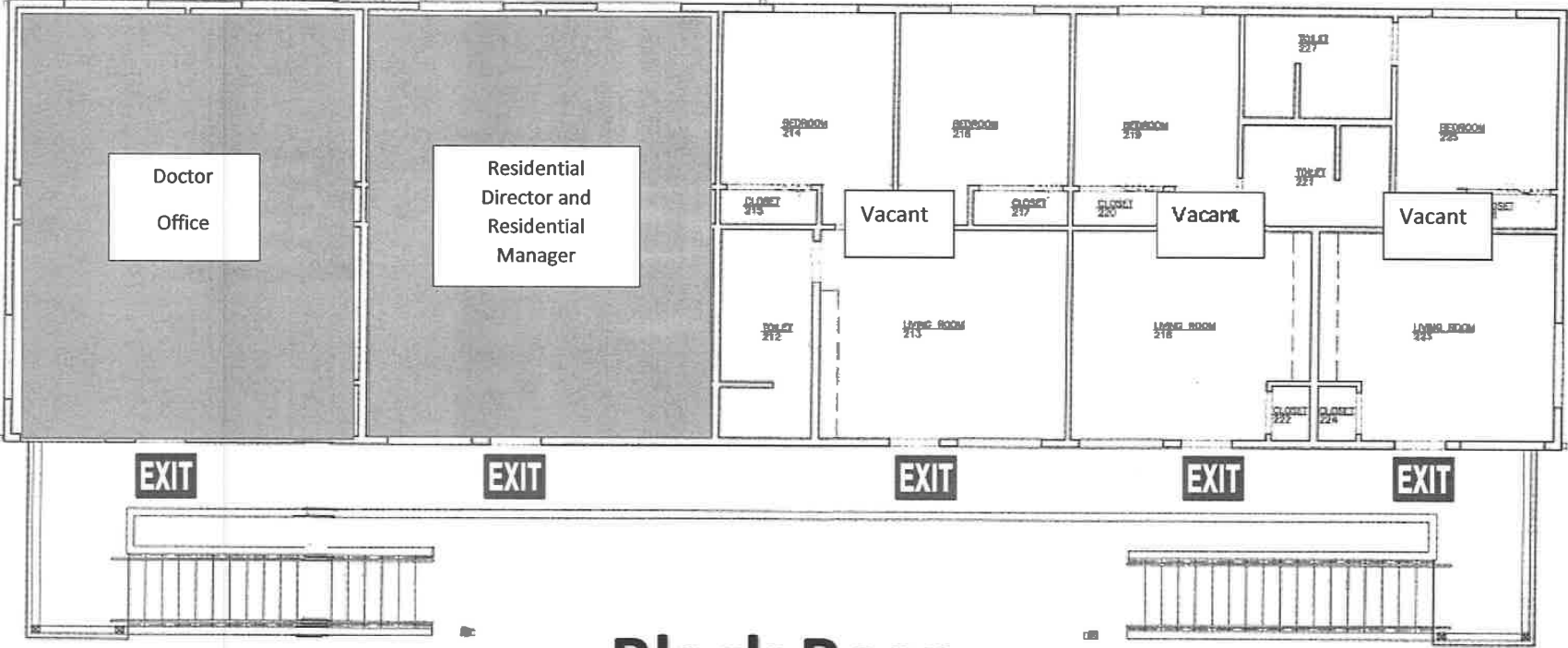
# Black Bear

Northern Lights Residential

1<sup>st</sup> Floor

Current Use

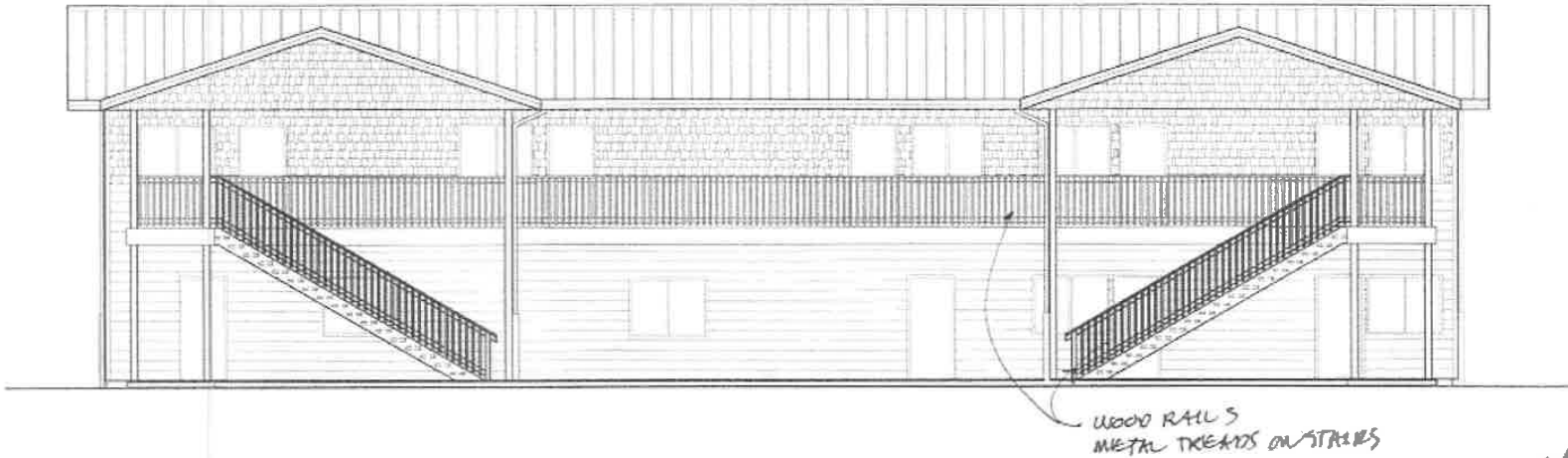




# Black Bear

Residential Support  
2nd Floor  
Current Use

Attachment J 1



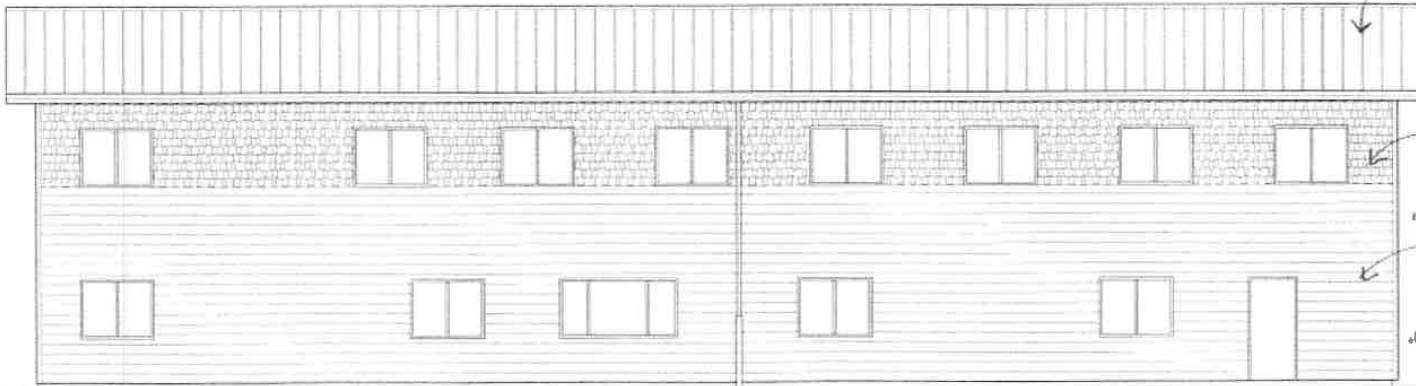
1 EAST EXTERIOR ELEVATION

SCALE 0 2 4 8

WOOD RAILS  
METAL TREADS ON STAIRS

"SKULLINE, ACC"

CONCRETE  
PATIENK  
METAL  
ROCKING  
BARREL STAIR



WEST EXTERIOR ELEVATION

SCALE 0 2 4 8

CEMENT  
BOARD  
SHINGLES  
SIDING  
"HARDIE SH"

CEMENT  
BOARD  
PLANK  
SIDING  
"HARDI PLANK"

Black Bear Building  
East/West Elevations

**Attachment J 2**



1

**SOUTH EXTERIOR ELEVATION**



2

**NORTH EXTERIOR ELEVATION**



**Black Bear Building  
South/North Elevations**

# ATTACHMENT C



## FEATURES & SPECIFICATIONS

**INTENDED USE** – Ideal for parking areas, street lighting, walkways and car lots.

**CONSTRUCTION** – Rugged, die-cast, soft corner aluminum housing with 0.12" nominal wall thickness. Die-cast door frame has impact-resistant, tempered, glass lens that is fully gasketed with one-piece tubular silicone. Finish: Standard finish is dark bronze (DDB) polyester powder finish, with other architectural colors available.

**OPTICS** – Anodized, aluminum reflectors: IES full cutoff distributions R2 (asymmetric), R3 (asymmetric), R4 (forward throw) and R5S (square) are interchangeable. High-performance anodized, segmented aluminum reflectors IES full cutoff distributions SR2 (asymmetric), SR3 (asymmetric) and SR4SC (forward throw, sharp cutoff). High-performance reflectors attach with tool-less fasteners and are rotatable and interchangeable.

**ELECTRICAL** – Ballast: High pressure sodium: 150W is high reactance, high power factor. Constant wattage autotransformer for 400W. Super CWA (pulse start ballast), is required for metal halide 400W (SCWA option). Ballast is 100% factory-tested.

Socket: Mogul base socket for 250M and above, and 70-400S, with copper alloy, nickel-plated screw shell and center contact. UL listed 1500W, 600V.

**LISTINGS** – UL Listed (standard). CSA Certified (see Options). UL listed for 25°C ambient and wet locations. IP65 rated in accordance with standard IEC 529.

**BUY AMERICAN ACT** – This product is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT regulations. Please refer to [www.acuitybrands.com/buy-american](http://www.acuitybrands.com/buy-american) for additional information.

**WARRANTY** – 1-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: [www.acuitybrands.com/support/warranty/terms-and-conditions](http://www.acuitybrands.com/support/warranty/terms-and-conditions)

**Note:** Actual performance may differ as a result of end-user environment and application. Specifications subject to change without notice.



Catalog Number
Notes
Type



Soft Square Lighting

# KAD



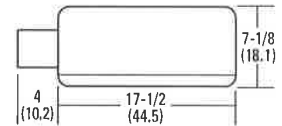
### Specifications

- EPA: 1.2 ft.<sup>2</sup>
- \*Weight: 35.9 lbs (16.28 kg)
- Length: 17-1/2 (44.5)
- Width: 17-1/2" (44.5)
- Depth: 7-1/8 (18.1)

All dimensions are inches (centimeters) unless otherwise specified.

\*Weight as configured in example below.

METAL HALIDE: 400W  
HIGH PRESSURE SODIUM: 150-400W  
20'TO 35' MOUNTING



### ORDERING INFORMATION For shortest lead times, configure product using **bolded options**.

**Example:** KAD 400M R3 TB SCWA SPD04 LPI

KAD	Wattage		Distribution		Voltage	Ballast	Mounting <sup>2</sup>	
<b>KAD</b>	<b>Metal halide 400M<sup>1</sup></b>	<b>High pressure sodium<sup>7</sup></b> <b>150S</b> <b>250S</b> <b>400S</b>	<b>Standard reflectors</b> R2 IES type II asymmetric <sup>3</sup> <b>R3 IES type III asymmetric<sup>3</sup></b> R4 IES type IV forward throw <sup>8</sup> R5S IES type V square	<b>High performance reflectors<sup>3</sup></b> SR2 IES type II asymmetric <sup>3</sup> SR3 IES type III asymmetric <sup>3</sup> SR4SC IES type IV forward throw	<b>120</b> 208 240 <b>277</b> <b>347</b> <b>480</b> <b>TB<sup>4</sup></b>	(blank) Magnetic ballast <b>Pulse Start</b> <b>SCWA</b> Super CWA pulse-start ballast	<b>Ships in fixture carton</b> <b>SPD</b> ___ Square pole RPD ___ Round pole WBD ___ Wall bracket WWD ___ Wood or pole wall <b>Ships separately<sup>6,7</sup></b> DAD12P Degree arm (pole) DAD12WB Degree arm (wall) KMA Mast arm external fitter WBA Decorative wall bracket <sup>8</sup>	<b>Arm length</b> <b>04</b> 4" arm <b>09</b> 9" arm 12 12" arm

Options				Finish <sup>11</sup>				Lamp <sup>12</sup>	
<b>Shipped installed in fixture</b>		<b>CSA</b> CSA Certified		PE3 NEMA twist-lock PE (347V)		<b>(blank)</b> Dark bronze		DNAXD Natural aluminum	<b>LPI</b> Lamp included <b>L/LP</b> Less lamp
SF Single fuse (120, 277, 347V) <sup>9</sup>	<b>Shipped separately<sup>6</sup></b>		PE4 NEMA twist-lock PE (480V)	PE7 NEMA twist-lock PE (277V)		<b>DWH</b> White	DNATXD Textured natural aluminum		
DF Double fuse (208, 240, 480V) <sup>9</sup>	HS House side shield		PE1 NEMA twist-lock PE (120, 208, 240V)	SC Shorting cap for PER option		<b>DBL</b> Black	DDBTXD Textured dark bronze		
<b>PER</b> NEMA twist-lock receptacle only (no photocontrol)	PE1 NEMA twist-lock PE (120, 208, 240V)		VG Vandal guard <sup>10</sup>		SC Shorting cap for PER option		DBLXBD Textured black		
		WG Wire guard <sup>10</sup>		VG Vandal guard <sup>10</sup>		<b>DNA</b> Natural aluminum	DNATXD Textured natural aluminum		
				WG Wire guard <sup>10</sup>		<b>Super Durable Finishes</b>	DWHGXD Textured white		
						DDBXBD Dark bronze			
						DBLXBD Black			

Accessories: Tenon Mounting Slipfitter (RPDXX required.) Order as separate catalog number. Must be used with pole mounting.							
Number of fixtures							
Tenon O.D.	One	Two@180°	Two@90°	Three@120°	Three@90°	Four@90°	
2-3/8"	T20-190	T20-280	T20-290 <sup>13</sup>	T20-320 <sup>13</sup>	T20-390 <sup>13</sup>	T20-490 <sup>13</sup>	
2-7/8"	T25-190	T25-280	T25-290 <sup>13</sup>	T25-320	T25-390 <sup>13</sup>	T25-490 <sup>13</sup>	
4"	T35-190	T35-280	T35-290 <sup>13</sup>	T35-320	T35-390 <sup>13</sup>	T35-490 <sup>13</sup>	

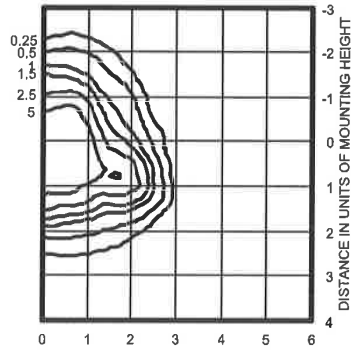
### Notes

- Reduced jacket ED28 required for SR2, SR3 and SR4SC optics. SCWA required.
- Not available with SCWA. 250S is not available with 480V. 400S is not available with 347V.
- House-side shield available.
- Optional multi-tap ballast (120, 208, 240, 277V; in Canada: 120, 277, 347V).
- 9" or 12" arm is required when two or more luminaires are oriented on a 90° drilling pattern.
- May be ordered as an accessory.
- Must specify finish when ordered as an accessory.
- Only available with SPD04 and SPD09. Can be ordered as separate line item.
- Must specify voltage. N/A with TB.
- Prefix with KAD when ordered as an accessory.
- See [www.lithonia.com/archcolors](http://www.lithonia.com/archcolors) for additional color options.
- Must be specified. L/LP not available with MHC.
- Must use RPD09 or RPD12.

# KAD Metal Halide, Arm-mounted Soft Square Cutoff

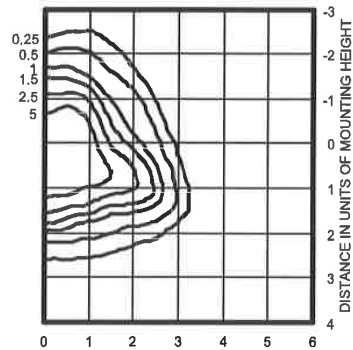
Coefficient of Utilization   
 Initial Footcandles 

**KAD 400M R2** Test no. 1193083101P  
**ISOILLUMINANCE PLOT (Footcandle)**



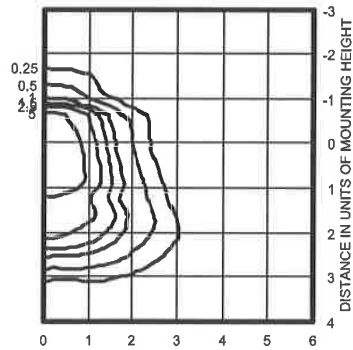
400W pulse start metal halide lamp, rated 38000 lumens. Footcandle values based on 20' mounting height.  
 Classification: Type II, Short, Full Cutoff

**KAD 400M R3** Test no. 1192040902P  
**ISOILLUMINANCE PLOT (Footcandle)**



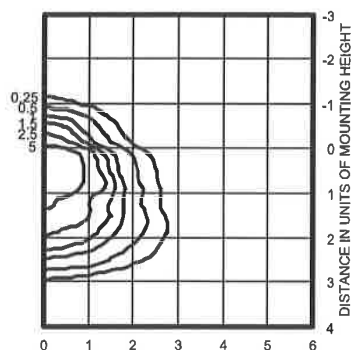
400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.  
 Classification: Type II, Short, Full Cutoff

**KAD 400M R4** Test no. 1191110101P  
**ISOILLUMINANCE PLOT (Footcandle)**



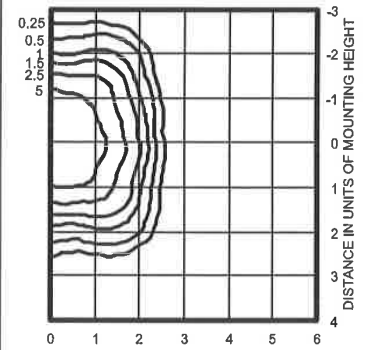
400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.  
 Classification: Unclassified (Type III, Very Short), Full Cutoff

**KAD 400M R4HS** Test no. 1192061101P  
**ISOILLUMINANCE PLOT (Footcandle)**



400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.  
 Classification: Unclassified (Type III, Very Short), Full

**KAD 400M R5S** Test no. 1194040801P  
**ISOILLUMINANCE PLOT (Footcandle)**



400W pulse start metal halide lamp, rated 38000 lumens. Footcandle values based on 20' mounting height.  
 Classification: Unclassified (Type NC, Very Short), Full Cutoff

**Notes**

- 1 Photometric data for other distributions can be accessed at [www.lithonia.com](http://www.lithonia.com).
- 2 Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory data and actual field measurements. Dimensions and specifications on this sheet are based on the most current available data and are subject to change without notice.
- 3 For electrical characteristics, consult outdoor technical data specification sheets on [www.lithonia.com](http://www.lithonia.com).

**Mounting Height Correction Factor**

(Multiply the fc level by the correction factor)

25 ft. = 0.64

35 ft. = 0.32

40 ft. = 0.25

$$\left( \frac{\text{Existing Mounting Height}}{\text{New Mounting Height}} \right)^2 = \text{Correction Factor}$$



## FEATURES & SPECIFICATIONS

**INTENDED USE** — Ideal for car lots, street lighting or parking areas.

**CONSTRUCTION** — Rugged, .063" thick, aluminum rectilinear housing. Formed for weather-tight seal and integrity. Naturally anodized, extruded aluminum door frame with mitered corners, is retained with two .188" diameter hinge pins and secured with one quarter-turn, quick-release fastener. Weatherproof seal between housing and door frame is accomplished with an integrally designed, extruded silicone gasket that snaps into the door frame, and another gasket applied to the housing.

Finish: Standard finish is dark bronze (DDB), polyester powder finish with other architectural colors available.

**OPTICS** — Reflectors are anodized and segmented for superior uniformity and control. Reflectors attach with tool-less fasteners and are rotatable and interchangeable. Three cutoff distributions available: Type II (roadway), Type III (asymmetric), Type IV (forward throw, sharp cutoff). Lens is .125" thick impact-resistant tempered glass with thermally applied silk-screened shield.

**ELECTRICAL** — Ballast: Metal halide: 100W is high-reactance, high power factor and standard with pulse-start ignitor technology. "SCWA" not required. Constant wattage autotransformer for 250W. Super CWA (pulse start ballast), DOE 2017 compliant, is required for 200W (SCWA option) for U.S. shipments only. CSA or INTL required for probe-start shipments outside the U.S. Pulse-start ballast (SCWA) required for 200M. Ballasts are 100% factory-tested.

Socket is porcelain, horizontally mounted medium base socket for 100M and position-oriented mogul base socket for HPS and 250M, with copper alloy, nickel-plated screw shell and center contact. UL listed 1500W-600V.

**INSTALLATION** — Extruded aluminum arm for pole or wall mounting is shipped in fixture carton. Optional mountings available.

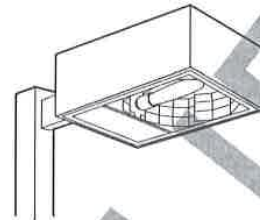
**LISTING** — UL listed for wet locations. Listed and labeled to comply with Canadian standards (see Options).

**WARRANTY** — 1-year limited warranty. Complete warranty terms located at: [www.acuitybrands.com/CustomerResources/Terms\\_and\\_conditions.aspx](http://www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx)

**Note:** Actual performance may differ as a result of end-user environment and application.

Specifications subject to change without notice.

Catalog Number
Notes
Type



# Area Lighting KSF1

METAL HALIDE: 100-250W  
HIGH PRESSURE SODIUM: 70-200W  
15' to 25' Mounting

### Specifications

EPA: 1.5 ft<sup>2</sup> (.14 m<sup>2</sup>) (includes arm)  
Length: 21-1/4 (54.0)  
Width: 15-15/32 (39.3)  
Depth: 7-1/4 (18.4)  
Arm: 4 (10.2)  
\*Weight: 35 lbs (15.9 kg)  
\*Weight as configured in example below.  
All dimensions are inches (centimeters) unless otherwise specified.



Mounting option	Drilling template
SPxx, RPxx, DA12P	5
WBxx, DA12WB	6
WWxx	7

### ORDERING INFORMATION

For shortest lead times, configure product using **bolded options**.

**Example:** KSF1 150S R3 TB SP04 LPI

Series	Wattage	Distribution	Voltage	Ballast	Mounting
<b>KSF1</b>	Metal halide 100M <sup>1</sup> <b>250M<sup>2</sup></b> Ceramic metal halide <sup>3</sup> 100MHC <sup>1</sup> High pressure sodium <sup>4</sup> 70S <sup>4</sup> 150S <sup>4</sup>	R2 Type II roadway R3 Type III asymmetric R4SC Type IV forward throw, sharp cutoff	120 347 208 <sup>4</sup> 480 <sup>4</sup> 240 <sup>4</sup> TB <sup>5</sup> 277 23050HZ <sup>6</sup>	(blank) Magnetic CWI Constant wattage isolated <sup>6</sup> <b>Pulse Start</b> SCWA Super CWA pulse-start ballast NOTE: For shipments to U.S. territories, SCWA must be specified to comply with EISA.	Type <b>SP</b> Square pole RP Round pole WB Wall bracket WW Wood pole or wall bracket Arm length <sup>7</sup> <b>04</b> 4" arm 06 6" arm 09 9" arm 12 12" arm Shipped separately DA12P Degree arm, pole DA12WB Degree arm, wall KMA Mast arm adapter KTMB Twin mounting bar

Options	Finish <sup>13</sup>	Lamp <sup>15</sup>
Shipped installed in fixture PER NEMA twist-lock receptacle only (no photocontrol) SF Single fuse (120, 277, 347V) n/a TB DF Double fuse (208, 240, 480V) n/a TB QRS Quartz restrike system <sup>8</sup> QRSTD QRS time delay <sup>6,8</sup>	(blank) Dark bronze DWH White DBL Black DMB Medium bronze DNA Natural aluminum CRT Non-stick protective coating <sup>14</sup> Super Durable Finishes DDBXD Dark bronze	LPI Lamp included L/LP Less lamp NIGHTTIME FRIENDLY

Accessories: Tenon Mounting Slipfitter Number of fixtures.				
Tenon O.D.	One	Two@180°	Two@90° <sup>17</sup>	Three@120° Three@90° <sup>17</sup> Four@90° <sup>17</sup>
2-3/8" (6)	T20-190	T20-280	T20-290	T20-320 T20-390 T20-490
2-7/8" (7.3)	T25-190	T25-280	T25-290	T25-320 T25-390 T25-490
4" (10.2)	T35-190	T35-280	T35-290	T35-320 T35-390 T35-490

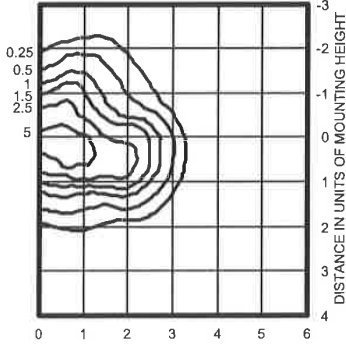
### Notes

- Not available with SCWA.
- These wattages require the REGC1 option to be chosen for shipments into California for Title 20 compliance. 250M REGC1 is not available in 347V or 480V.
- Not available with L/LP.
- Must specify CWI for use in Canada.
- Optional multi-tap ballast (120, 208, 240, 277V); (120, 277, 347V in Canada).
- Consult factory for available wattages.
- Use 9" arm when two or more luminaires are oriented on a 90° drilling pattern.
- Maximum allowable wattage lamp included.
- KiloWatch® controls are available only with 150S.
- May be ordered as an accessory.
- Prefix with KSF1 when ordering as an accessory.
- Available with R2 and R3 distributions only.
- See [www.lithonia.com/archcolors](http://www.lithonia.com/archcolors) for additional color options.
- Black finish only.
- Must be specified.
- Must use RP09 or RP12.

# KSF1 Arm-Mounted Rectilinear Cutoff Lighting

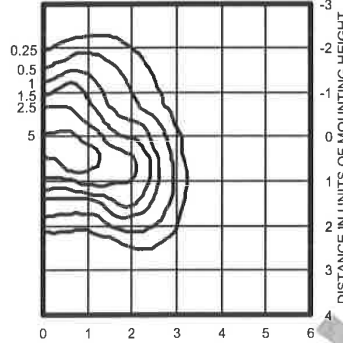
Coefficient of Utilization \_\_\_\_\_  
Initial Footcandles \_\_\_\_\_

KSF1 250M R2 TEST NO: 1194090701P  
ISOILLUMINANCE PLOT (Footcandle)



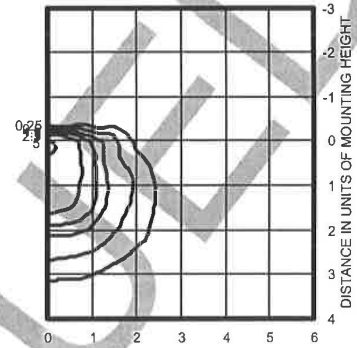
250W pulse start metal halide lamp, rated 22500 lumens. Footcandle values based on 20' mounting height.  
Classification: Type II, Short, Full Cutoff

KSF1 250M R3 TEST NO: 1194080302P  
ISOILLUMINANCE PLOT (Footcandle)



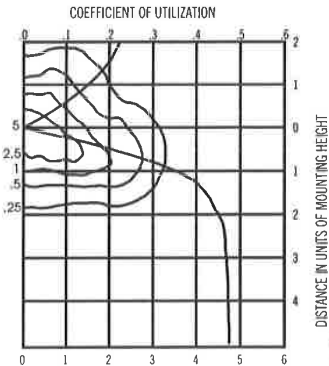
250W pulse start metal halide lamp, rated 22500 lumens. Footcandle values based on 20' mounting height.  
Classification: Type III, Short, Full Cutoff

KSF1 250M R4SC TEST NO: 1194080901P  
ISOILLUMINANCE PLOT (Footcandle)



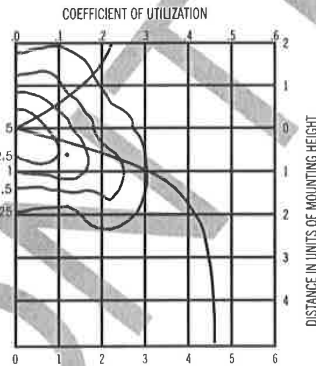
250W pulse start metal halide lamp, rated 22500 lumens. Footcandle values based on 20' mounting height.  
Classification: Unclassified (Type IV, Very Short), Full Cutoff

KSF1 150S R2 Test No. TEST NO. 1194090802



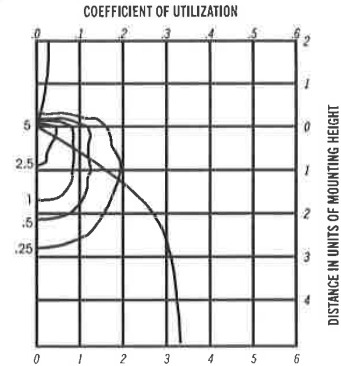
150W high pressure sodium lamp, 20000 rated lumens. Footcandle values based on 35' mounting height, Distribution II, full cutoff.

KSF1 150S R3 Test No. TEST NO. 1194081603



150W high pressure sodium lamp, 16000 rated lumens. Footcandle values based on 35' mounting height, Distribution III, full cutoff.

KSF1 150S R4SC Test No. TEST NO. 1194081502



150W high pressure sodium lamp, 16000 rated lumens. Footcandle values based on 35' mounting height, Distribution IV, full cutoff.

**NOTES:**

- 1 Photometric data for other distributions can be accessed from the Lithonia Lighting website. ([www.Lithonia.com](http://www.Lithonia.com))
- 2 For electrical characteristics, consult outdoor technical data specification sheets on [www.Lithonia.com](http://www.Lithonia.com).
- 3 Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory and actual field measurements. Dimensions and specifications are based on the most current available data and are subject to change.

**Mounting Height Correction Factor**

(Multiply the fc level by the correction factor)

35' mounting height	20' mounting height
15 ft.= 5.4	15 ft.= 1.78
30 ft.= 1.36	30 ft.= 0.45
40 ft.= 0.77	40 ft.= 0.25

$$\left( \frac{\text{Existing Mounting Height}}{\text{New Mounting Height}} \right)^2 = \text{Correction Factor}$$



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

## Raven’s Way Residential Treatment Campus – Montana Creek House Modification (formerly Juneau Youth Services)

Case Number: PAC2023 0007  
 Applicant: Kyle Paw  
 Property Owner: Juneau Youth Services Inc.  
 Property Address: 10685 Mendenhall Loop Rod, 10801 Black Bear Road, and 10815 Black Bear Road  
 Parcel Code Number: 4B2601020042  
 Site Size: 463,146 square feet (10.6324 acres)  
 Zoning: D3 (Single-Family & Duplex Residential)  
 Existing Land Use: Assisted Living (adolescent residential treatment)

Conference Date: April 12, 2023  
 Report Issued: April 21, 2023

***DISCLAIMER: Pre-application conferences are conducted for purposes 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
Kyle Paw	Project Coordinator, Lands & Property	<a href="mailto:KPaw@searhc.org">KPaw@searhc.org</a>
Brent Fischer	Facilities Director	<a href="mailto:BrentF@jys.org">BrentF@jys.org</a>
Sierra Gadaire	Project Manager, Planning & Development	<a href="mailto:SierraG@searhc.org">SierraG@searhc.org</a>
Maegan Bosak	Sr. Manager, Lands & Property	<a href="mailto:MaeganB@searhc.org">MaeganB@searhc.org</a>
Steve Helgeson	Sr. Manager, Adolescent Programs	<a href="mailto:SteveH@searhc.org">SteveH@searhc.org</a>
Jennifer Shields	Planner II	<a href="mailto:Jennifer.Shields@juneau.gov">Jennifer.Shields@juneau.gov</a>
Emily Suarez	Planner II	<a href="mailto:Emily.Suarez@juneau.gov">Emily.Suarez@juneau.gov</a>
Sydney Hawkins	Permit Technician II	<a href="mailto:Sydney.Hawkins@juneau.gov">Sydney.Hawkins@juneau.gov</a>



## 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.

### Project Overview

The original 160 acre property was platted in 1945 with USS 2551. In 1995, Juneau Youth Services (JYS) purchased the property. Development of the three existing buildings for residential treatment occurred in 1998, 2003, and 2006, with each building receiving a Conditional Use Permit at the time of development. In 2013, the property was subdivided with the Black Bear Subdivision plat; all three buildings are located on Lot 2 (10.6 acres).

In 2022, a new Conditional Use Permit (USE22-10) was issued for Juneau Youth Services to convert existing dorm rooms in Montana Creek House into administrative offices, subject to the following conditions of approval:

1. **Maximum number of residents living on site is twenty-four (24).**
2. The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance. [ongoing]
3. The Community Development Department and Juneau Youth Services will conduct a Nonconforming Certification Review of the property. [NCC22-03 issued on January 31, 2023.]

In order to modify the use of the Montana Creek House by converting offices into dorm rooms, staff has determined that a new Conditional Use Permit will be required.

The process for a [Conditional Use Permit](#) includes:

- A pre-application conference. These notes document discussions from that meeting.
- Application for the permit.
- Public notice to land owners within 500 feet of the proposed development.
- A public notice sign, provided by CBJ, must be posted on the site two weeks before the Planning Commission meeting.
- Planning Commission meeting, where the Commission may:
  - Continue the hearing for more information.
  - Deny the permit.
  - Approve the permit with conditions.
  - Approve the permit.

### Planning Division

1. **Zoning** – The property is zoned D3 (Single-Family Residential). The current Conditional Use Permit (USE22-10) for the property was approved under USE 7.200 – Assisted Living, which is defined as: “A facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services or emergency shelter. Assisted living use that occurs within a single-family dwelling is regulated as a single-family dwelling use.”
2. **Subdivision** – N/A
3. **Setbacks** – N/A - no new buildings or external construction is proposed at this time.
4. **Height** – Maximum 35' permitted for permissible uses, 25' for accessory uses. Height is met for all structures.

5. **Access** – A Nonconforming Certificate (NCC22-33) was issued for the property on January 31, 2023, and found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:
  - Nonconforming Lots (CBJ 49.30.260):
    - **Secondary access (egress) without improvements or maintenance agreements.**
    - Lack of direct and practical access through the frontage.
6. **Parking & Circulation** – Parking requirements will include the following, as determined by the primary use of each building:
  - ❖ Assisted Living: 0.4 spaces per resident  
[Example: 24 residents x 0.4 = 9.6 = 9 spaces]  
[Example: 45 residents x 0.4 = 18 spaces]
  - ❖ Offices: 1 space per 300 square feet of gross floor area  
[Example: Montana Creek House – 6,000sf / 300sf = 20 spaces]
7. **Lot Coverage** – N/A - no new buildings or external construction is proposed at this time.
8. **Vegetative Coverage** – Exceeds 20% minimum required.
9. **Lighting** – All parking areas shall be suitably lighted with full cut-off design and not produce off-site glare.
10. **Noise** – No comments at this time, though comments may arise during public comment process for a Conditional Use Permit.
11. **Flood** – N/A - no new buildings or external construction is proposed at this time. Note: a portion of the property lies within a Special Flood Hazard Area
12. **Hazard / Mass Wasting / Avalanche/ Hillside Endorsement** – N/A
13. **Wetlands** – N/A - no new buildings or external construction is proposed at this time. Note: a significant portion of the property is composed of wetlands. Any future addition of fill material on the lot would require a permit from the Army Corps of Engineers.
14. **Habitat** – N/A - no new buildings or external construction is proposed at this time. Note: the property contains a portion of Montana Creek, which is designated as an anadromous waterbody.
15. **Plat or Covenant Restrictions** – N/A
16. **Traffic** – N/A
17. **Nonconforming situations** – N/A

**Building Division**

18. **Building** – N/A
19. **Outstanding Permits** –
  - a. BLD20220598 – “Remove gas stove and install electrical to accommodate electric stove”
  - b. BLD20220537 – “Heat pump installation”
  - c. BLD20200740 – “Install 2 HRVs in Juneau Youth Services Montana Creek Buildings”
  - d. BLD20200555 – “Vault and drainage improvements with private hydrant replacement”
  - e. BLD20200530 – “Fire alarm replacement – Lighthouse”

- f. BLD20200478 – “Replacement fire alarm system- Montana Creek House”
- g. BLD20200077 – “Install interior door at 10685 Mendenhall Loop”
- h. BLD2004-00850 – “Site grading of 6,500 cubic yards of fill for future JYS residential care building. Modified 10/7/04 to include an access driveway off of Black Bear Rd.”

#### **General Engineering/Public Works**

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

#### **Fire Marshal**

- 1. **Fire Items/Access** – No comments at this time.

#### **Other Applicable Agency Review**

- 2. N/A

#### **List of required applications**

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

- 1. Development Permit Application
- 2. Conditional Use Permit Application (Major Development)

#### **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.

#### **Fee Estimates**

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. Development Permit Application – N/A
- 2. Conditional Use Permit Application (Major Development): \$500
- 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](http://www.juneau.org/community-development).

#### **Submit your Completed Application**

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

OR in person with payment made to:

City & Borough of Juneau, Permit Center  
230 South Franklin Street

Pre-Application Conference Final Report

---

Fourth Floor Marine View Center  
Juneau, AK 99801

Phone: (907) 586-0715

Web: [www.juneau.org/community-development](http://www.juneau.org/community-development)

**Attachments:**

49.15.330 – Conditional Use Permit  
Development Permit Application  
Conditional Use Permit Application

**JUNEAU YOUTH SERVICES CAMPUS**

<b>TABLE A – CONDITIONAL USE PERMITS</b>			
<b>FACILITY</b>	<b>CASE #</b>	<b>SIZE</b>	<b>APPROVALS</b>
Montana Creek House (formerly Miller House)	USE1998-00026	5,200 square feet	10 residents (plus staff)
	Staff Determination	6,000 square feet	12 residents (plus staff)
	USE2000-00003 (modification)	6,000 square feet	16 residents (plus staff)
Lighthouse	USE2003-00026	5,200 square feet	12 residents (plus staff)
	USE2004-00018 (modification)	5,200 square feet	14 residents (plus staff)
Black Bear House	USE2006-00028 plus	4,800 square feet	15 residents (plus staff)
	Staff Determination	5,100 square feet (2-story)	15 residents (plus staff)
<b>COMBINED CAMPUS (ALL 3 FACILITIES)</b>	<b>USE2022-0010 (modification)</b>	<b>16,300 square feet</b>	<b>24 residents (plus staff)</b>

<b>TABLE B – CONDITIONS OF APPROVAL</b>		
<b>CASE #</b>	<b>CONDITIONS</b>	<b>STATUS</b>
USE2000-00003 (Montana Creek House)	1. The applicant shall obtain a Design Review Permit as approved by the Design Review Board.	Met
	2. The applicant shall design and construct a turn-around at the end of the access driveway adequate to allow a fire truck to enter and exit the property without backing onto Mendenhall Loop Road. The turn-around shall be reviewed and approved by the CBJ Fire Marshall at the time of the Building Permit review process.	Met
	3. The applicant shall clear and maintain the brush and alder trees along Mendenhall Loop Road to allow clear sight distance from the exit driveway to the Montana Creek Bridge.	See USE2022-0010
	4. The applicant shall comply with the stipulations and advisories contained in the letter of May 27, 1998 by Terry Stone, CBJ Planner, regarding the Juneau Coastal Management Program and attached to this report. <i>[The Coastal Management Program was repealed in 2011 by the State; CBJ ordinance 49.70.900 was repealed in 2021.]</i>	N/A
	5. The applicant shall obtain all required Building Permits as determined by the CBJ Building Division.	Met
USE2004-00018 (Lighthouse)	1. The applicant shall clear brush and small trees along the Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway as required by the Alaska Department of Transportation. The applicant will be responsible for maintaining safe driveway sight distance as long as the site is occupied.	See USE2022-0010
	2. If sight distance is not maintained at the driveway entrance to the site, the facility will be closed until safe sight distance has been restored.	Void
	3. Construction of any additional buildings on the site, beyond the one approved under USE2003-00026 and revised under this application, will require that the current driveway access be removed and a new driveway	Met

	to be constructed which accesses Mendenhall Loop Road through Black Bear Road.	
	4. Fire hydrant location will have to be identified and approved by the CBJ Fire Marshall prior to issuance of a Building Permit.	Met
USE2006-00028 (Black Bear House)	1. Prior to issuance of a Building Permit, a parking plan with clear dimensions shall be submitted and approved by staff.	Met
	2. All fire hydrant locations shall be identified and approved by the CBJ Fire Marshal prior to issuance of a Building Permit.	Met
	3. An exterior lighting plan that reduces off-site glare shall be reviewed and approved by staff prior to issuance of a Building Permit.	Met
	4. The applicant shall have the access drives reviewed and approved by CBJ and Alaska Department of Transportation and Public Facilities (DOT/PF) prior to commencement of use of the housing facility.	Met
USE2022-0010 (Combined Campus)	1. <b>Maximum number of residents living on site is twenty-four (24).</b>	<b>Ongoing</b>
	2. <b>The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance.</b>	<b>Ongoing</b>
	3. <b>The Community Development Department and Juneau Youth Services will conduct a Nonconforming Certification Review of the property.</b>	<b>Met</b> <b>NCC2022-0033</b> <b>issued on</b> <b>January 31,</b> <b>2023.</b>



## Planning Commission

(907) 586-0715

PC\_Comments@juneau.org

[www.juneau.org/community-development/planning-commission](http://www.juneau.org/community-development/planning-commission)

155 S. Seward Street • Juneau, AK 99801

### **PLANNING COMMISSION NOTICE OF DECISION**

Date: September 1, 2022

Case No.: USE2022 0010

Juneau Youth Services  
Attn: Brent Fischer  
2075 Jordan Avenue  
Juneau, AK 99801

Proposal: Conditional Use Permit Modification for Juneau Youth Services (to convert existing dorm rooms into administrative offices in Montana Creek House).

Property Address: 10685 Mendenhall Loop Road

Legal Description: Black Bear Lot 2

Parcel Code No.: 4B2601020042

Hearing Date: August 23, 2022

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandums dated August 11, 2022, August 17, 2022, and August 17, 2022, and approved the Conditional Use Permit Modification for assisted living facilities in Lighthouse and Black Bear House, and administrative offices in Montana Creek House, to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Maximum number of residents living on site is twenty-four (24).
2. The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance.
3. The Community Development Department and Juneau Youth Services will conduct a Nonconforming Certification Review of the property.

Attachment R - 2022 Conditional Use Permit Modification USE2022-0010

Attachment C- 2022 Conditional Use Permit Modification USE2022-0010

Attachments:

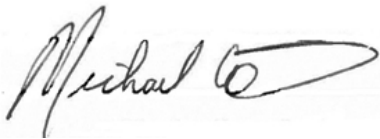
- August 11, 2022, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2022 0010.
- August 17, 2022, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2022 0010.
- August 17, 2022, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2022 0010.

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

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

Effective Date: The permit is effective upon approval by the Commission, August 23, 2022.

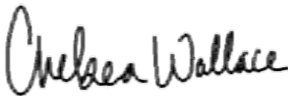
Expiration Date: The permit will expire 18 months after the effective date, or February 23, 2024, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair  
Planning Commission

September 6, 2022

Date



Filed With City Clerk

September 6, 2022

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 USE2022 0010  
HEARING DATE: AUGUST 23, 2022**

(907) 586-0715

CDD\_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

**DATE:** August 11, 2022  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Jennifer Shields, Planner II *Jennifer L. Shields*  
**THROUGH:** Jill Maclean, AICP, Director

**PROPOSAL:** Applicant requests a Conditional Use Permit Modification for Juneau Youth Services (to convert existing dorm rooms into administrative offices in Montana Creek House).

**STAFF RECOMMENDATION:** Approval with conditions.

**KEY CONSIDERATIONS FOR REVIEW:**

- In 1995, Juneau Youth Services (JYS) purchased the property.
- Residential treatment facilities were approved in 1998, 2003, and 2006, with separate Conditional Use Permits issued for each one.
- Lighthouse and Black Bear House will remain as residential dorms.
- Montana Creek House administrative offices will support residential treatment programs as well as additional JYS programs.

GENERAL INFORMATION	
<b>Property Owner</b>	Juneau Youth Services
<b>Applicant</b>	Juneau Youth Services
<b>Property Address</b>	10685 Mendenhall Loop Road
<b>Legal Description</b>	Black Bear Lot 2
<b>Parcel Number</b>	4B2601020042
<b>Zoning</b>	D3
<b>Land Use Designation</b>	Urban / Low Density Residential (ULDR)
<b>Lot Size</b>	463,146 square feet (10.6 acres)
<b>Water/Sewer</b>	Public water and public sewer
<b>Access</b>	Mendenhall Loop Road & Black Bear Road
<b>Existing Land Use</b>	Assisted Living
<b>Associated Applications</b>	USE2000-00003, USE2004-00018, and USE2006-00028

**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:
  - CBJ 49.15.330
  - CBJ 49.25.300
  - CBJ 49.80

*The Commission shall hear and decide the case per CBJ 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.*

*Fostering excellence in development for this generation and the next.*

**SITE FEATURES AND ZONING**



SURROUNDING ZONING AND LAND USES	
North (D1)	Residential / Vacant
South (D3 & D1(T)D5)	Residential / Vacant
East (D1)	Montana Creek / Vacant
West (D3)	Residential

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

**BACKGROUND INFORMATION**

**Project Description** – The applicant, Juneau Youth Services (JYS), is proposing to convert seven dorm rooms in the currently vacant Montana Creek House into office spaces for JYS staff. This will allow JYS to move staff and programs from their secondary location on Jordan Avenue to the JYS residential treatment campus. This consolidation will allow JYS to provide on-site support services directly related to the existing residential treatment uses, as well as complementary programs run by JYS (Attachment A).



The application states, *“Not only the frontline staff in our residential units, but each and every administrative staff, work shifts in our residential units. All are required to be on campus to provide intermittent immediate staff relief on the floor.”* Specifically, nine direct care staff (Director, Clinicians, Patient Account Representatives, Medical Records Specialist, Behavioral Health Associate, and Case Managers) and three support staff (Accounts Payable, Human Resources, and Information Technology) are proposed to have administrative offices located in the Montana Creek House.

Lighthouse and Black Bear House will remain as residential treatment facilities with dorm rooms, and are currently licensed by the State of Alaska for a total of 16 residents plus support staff. No exterior construction or changes are proposed on the site at this time.

**Background** – JYS purchased the property in 1995, and development of three residential treatment facilities occurred in 1998, 2003, and 2006 respectively. With each new building, an additional Conditional Use Permit was approved for the lot. In addition to conditions of approval regarding site design, such as access and vegetation, previous Notices of Decision placed limits on the square footage of each facility and the maximum number of residents. However, none of the Notices of Decision placed limits on the number of staff allowed on site (see Attachments B, C, D, E, F, and G). Over the years, both the number of residents in each building and the number of staff members on site have fluctuated due to a variety of factors, including funding and program changes.

The applicant is seeking to modify the three active Conditional Use Permits – USE2000-00003 (Montana Creek House), USE2004-00018 (Lighthouse), and USE2006-00028 (Black Bear House) – in the following ways:

1. Combine the three permits into one permit – USE2022 0010, superseding the previous Conditional Use Permits listed in Table A, and described in detail below;
2. Modify or remove previously listed conditions of approval, as appropriate, listed in Table B below; and
3. Approve the conversion of dorm rooms into administrative offices as proposed in Montana Creek House.

Relevant Changes to Table of Permissible Uses (CBJ 49.25.300): The previous Conditional Use Permits issued between 1998 and 2006, including two modifications, were approved under CBJ’s Table of Permissible Uses, USE 7.200: *“Nursing care, immediate care, disabled or infirm, and child care institutions, and boarding homes for sheltered care.”*

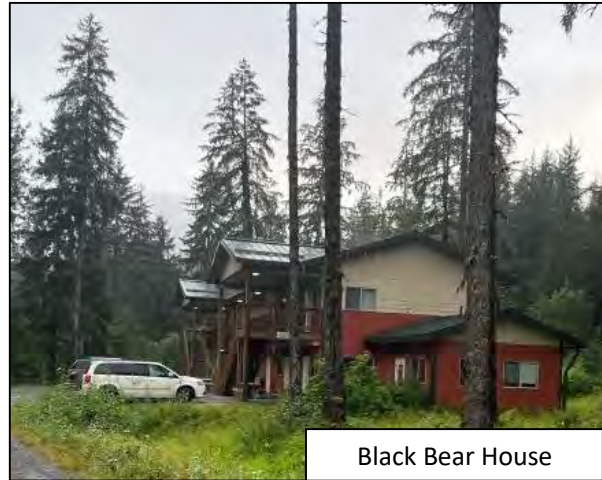
In 2015, Ordinance 2015-34(am) modified USE 7.200 to: *“Assisted living”*, and defined Assisted Living as, *“A facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services or emergency shelter. Assisted living use that occurs within a single-family dwelling is regulated as a single-family dwelling use.”*

Montana Creek House (formerly Miller House): On July 14, 1998, the Planning Commission (Commission) approved a Conditional Use Permit (Attachment B, USE1998-00026) for the development of a 5,200 square foot structure with a maximum occupancy of ten residents. On December 28, 1998, a Staff Determination approved a Conditional Use Permit Modification to increase the structure size to 6,000 square feet with a maximum occupancy of 12 residents (Attachment C). On February 8, 2000, the Commission approved a Conditional Use Permit Modification (Attachment D, USE2000-00003) to increase the maximum occupancy to 16 residents.

Lighthouse: On October 14, 2003, the Commission approved a Conditional Use Permit (Attachment E, USE2003-00026) for the development of a 5,200 square foot structure with a maximum occupancy of 12 residents. This increased the total maximum occupancy of residents on the property from 16 to 28. On May 11, 2004, the Commission approved a Conditional Use Permit Modification (Attachment F, USE2004-00018) to increase the total maximum occupancy of residents on the property from 28 to 30.



Black Bear House: On July 11, 2006, the Commission approved a Conditional Use Permit (Attachment G, USE2006-00028) for the development of a 4,800 square foot structure with a maximum occupancy of 15 residents, and providing space for one live-in staff residence manager. On December 24, 2007, a Staff Determination approved a 300 square foot office/activity room addition, to increase the structure size to 5,100 square feet (Attachment H).



Black Bear House

Table A summarizes relevant Conditional Use Permit history for the property and the proposed Modification.

TABLE A – Conditional Use Permit (CUP) APPROVALS					
Facility	CUP #	Size	CUP Approvals	Current Use	Proposed Use
Montana Creek House (formerly Miller House)	USE1998-00026	5,200 square feet	10 residents (plus staff)	Vacant	<u>Administrative Offices</u> • 9 direct care staff • 3 administrative staff
	Staff Determination	6,000 square feet	12 residents (plus staff)		
	USE2000-00003 (modification)	6,000 square feet	16 residents (plus staff)		
Lighthouse	USE2003-00026	5,200 square feet	12 residents (plus staff)	8 residents 6 staff	<u>Residential Treatment</u> • 8 residents • 6 staff
	USE2004-00018 (modification)	5,200 square feet	14 residents (plus staff)		
Black Bear House	USE2006-00028 plus	4,800 square feet	15 residents (plus staff)	8 residents 6 staff 1 live-in staff 1 psychologist	<u>Residential Treatment</u> • 8 residents • 6 staff • 1 live-in staff • 1 psychologist office
	Staff Determination	5,100 square feet (2-story)	15 residents (plus staff)		
TOTALS		16,300 square feet	45 residents (plus staff)	16 residents 14 staff	• 16 residents • 26 staff

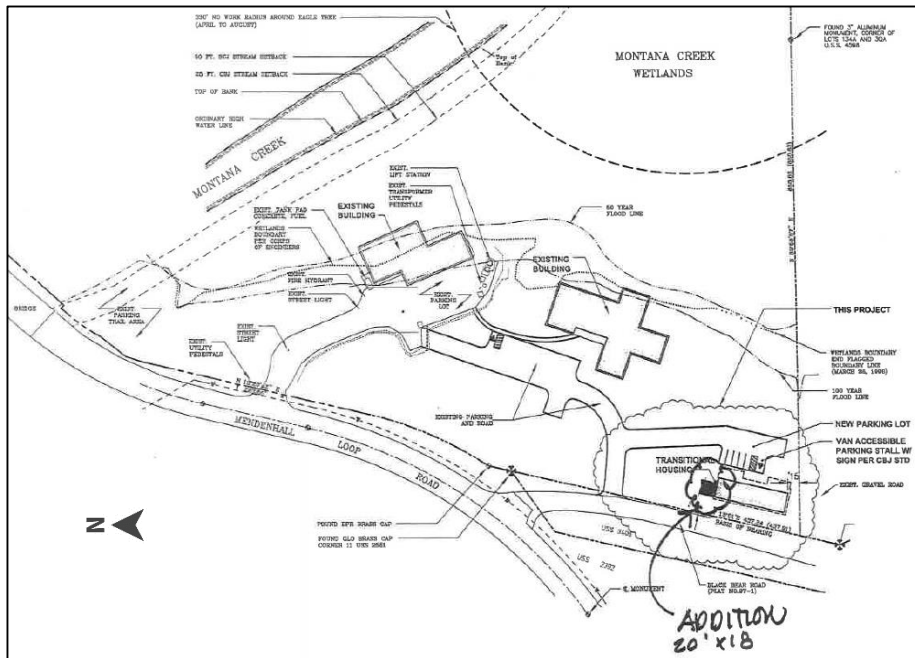
Table B summarizes conditions placed upon each of the three Conditional Use Permits, which are still active, for the site.

<b>TABLE B – CUP CONDITIONS OF APPROVAL</b>		
<b>Active CUP</b>	<b>Condition</b>	<b>Status</b>
USE2000-00003 (Montana Creek House)	1. The applicant shall obtain a Design Review Permit as approved by the Design Review Board.	Met
	2. The applicant shall design and construct a turn-around at the end of the access driveway adequate to allow a fire truck to enter and exit the property without backing onto Mendenhall Loop Road. The turn-around shall be reviewed and approved by the CBJ Fire Marshall at the time of the Building Permit review process.	Met
	3. The applicant shall clear and maintain the brush and alder trees along Mendenhall Loop Road to allow clear sight distance from the exit driveway to the Montana Creek Bridge.	Ongoing
	4. The applicant shall comply with the stipulations and advisories contained in the letter of May 27, 1998 by Terry Stone, CBJ Planner, regarding the Juneau Coastal Management Program and attached to this report.	N/A (Coastal Management Program was repealed in 2011 by the State; CBJ ordinance 49.70.900 was repealed in 2021)
	5. The applicant shall obtain all required Building Permits as determined by the CBJ Building Division.	Met
USE2004-00018 (Lighthouse)	1. The applicant shall clear brush and small trees along the Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway as required by the Alaska Department of Transportation. The applicant will be responsible for maintaining safe driveway sight distance as long as the site is occupied.	Ongoing
	2. If sight distance is not maintained at the driveway entrance to the site, the facility will be closed until safe sight distance has been restored.	Ongoing
	3. Construction of any additional buildings on the site, beyond the one approved under USE2003-00026 and revised under this application, will require that the current driveway access be removed and a new driveway to be constructed which accesses Mendenhall Loop Road through Black Bear Road.	Met
	4. Fire hydrant location will have to be identified and approved by the CBJ Fire Marshall prior to issuance of a Building Permit.	Met
USE2006-00028 (Black Bear House)	1. Prior to issuance of a Building Permit, a parking plan with clear dimensions shall be submitted and approved by staff.	Met
	2. All fire hydrant locations shall be identified and approved by the CBJ Fire Marshal prior to issuance of a Building Permit.	Met
	3. An exterior lighting plan that reduces off-site glare shall be reviewed and approved by staff prior to issuance of a Building Permit.	Met
	4. The applicant shall have the access drives reviewed and approved by CBJ and Alaska Department of Transportation and Public Facilities (DOT/PF) prior to commencement of use of the housing facility.	Met

**ZONING REQUIREMENTS**

Standard		Requirement	Proposed	Existing	Code Reference
<b>Lot</b>	Size	12,000 square feet	No Change	463,146 square feet	CBJ 49.25.400
	Width	100 feet	No Change	~990 feet	CBJ 49.25.400
	Depth	N/A	No Change	~900 feet	CBJ 49.25.400
<b>Setbacks</b>	Front	25 feet	No Change	25 feet	CBJ 49.25.400
	Rear	25 feet	No Change	~600 feet	CBJ 49.25.400
	Side (north)	10 feet	No Change	~100 feet	CBJ 49.25.400
	Side (south)	10 feet	No Change	15 feet	CBJ 49.25.400
	Street Side	N/A	N/A	N/A	CBJ 49.25.400
<b>Lot Coverage Maximum</b>		35%	No Change	~15%	CBJ 49.25.400
<b>Vegetative Cover Minimum</b>		20%	No Change	~75%	CBJ 49.50.300
<b>Height</b>	Permissible	35 feet	No Change	Two-story	CBJ 49.25.400
	Accessory	25 feet	No Change	One-story	CBJ 49.25.400
<b>Maximum Dwelling Units</b>		2	No Change	N/A	CBJ 49.25.500
<b>Use</b>		Residential	7.200, Assisted Living (w/offices)	7.200, Assisted Living (w/offices)	CBJ 49.25.300

**SITE PLAN**

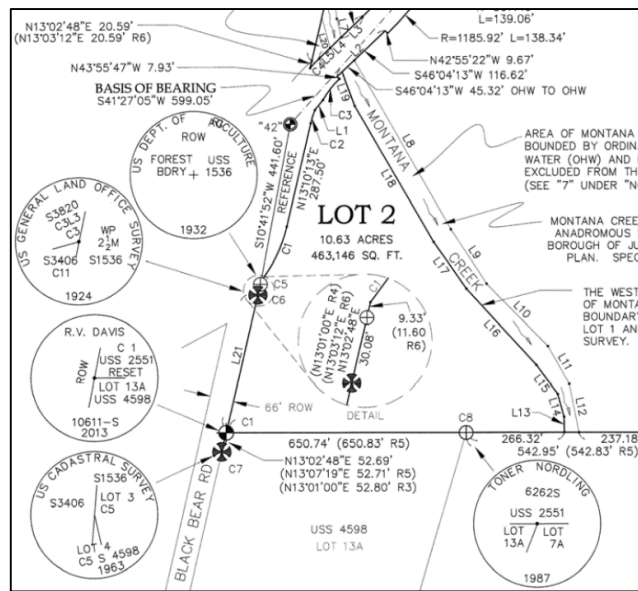


**ANALYSIS**

**Project Site** – In 1995, JYS purchased 160 acres originally platted in 1945 with USS 2551 (Attachment I). Development of the three residential treatment facilities began in 1998, 2003, and 2006 respectively. In 2013, the property was subdivided with the Black Bear Subdivision plat (Attachment J); three structures are now located on a triangular shaped lot (Lot 2), which encompasses 10.6 acres (see below).

A significant portion of the lot is composed of undeveloped, forested wetlands. The lot is bordered on the east by Montana Creek, and land owned by the Southeast Alaska Land Trust, which is zoned D1. The lot has two points of ingress/egress per DOT/PF requirement – Mendenhall Loop Road (ingress) and Black Bear Road (egress). The site is served by public water and public sewer.

**Condition:** None.



**Project Design** – The previous Conditional Use Permit requests presented to the Planning Commission between 1998 and 2006 stated, “The long-range plan for the site was to consolidate the various JYS facilities into a campus complex of residential, educational, and administrative buildings.” It is clear from the extensive record that since 1998, the Commission has understood the intent for the property to include administrative offices; the current request is in line with this plan.

A natural landscape buffer is maintained between the lot and Mendenhall Loop Road. The developed area on the lot is surrounded by trees on all sides, and secluded from adjacent properties. The three buildings are of a similar architectural style, although Black Bear House is the only two-story structure.

Minimal interior renovations are proposed to convert dorm rooms into administrative offices. No exterior construction or changes are proposed on the lot at this time.

**Condition:** None.

**Traffic** – Mendenhall Loop Road is classified as a Collector according to the CBJ adopted Roadway Classification Map. Access to and from the site is one-way traffic only, with an entrance off of Mendenhall Loop Road and an

exit off of Black Bear Road. Black Bear Road is paved from Mendenhall Loop Road through the extent of the JYS site, at which point it turns to gravel.

Driveway access to the site had been a cause of concern. Due to curves, grades, and icy winter driving conditions along Mendenhall Loop Road, driveways in this region generally require more than the minimum site distance required by DOT/PF design standards. As listed in Table B, previous conditions of approval required the applicant to clear and maintain the brush and alder trees along Mendenhall Loop Road to maintain clear sight distance from the exit driveway. A site visit conducted by staff on August 2, 2022 found this condition currently met at both the entrance and exit driveways (see photos below).

According to CBJ 49.40.300(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) projections for an Assisted Living Facility on a weekday, based upon the total number of employees. This projection represents the highest estimated Average Daily Trips (ADTs) across all categories including employees, occupied beds, and beds available.

**Condition:** None.

Use	Total # Employees	Trips Generated	Total Trips
Assisted Living	26	3.93 per Employee	102.18
<b>Total ADTs:</b>			<b>102.18</b>



Men. Loop Entrance  
Looking North



Men. Loop Entrance  
Looking South



Black Bear Exit  
Looking North



Black Bear Exit  
Looking South



**Vehicle Parking & Circulation** – According to CBJ 49.40.210, 32 off-street parking spaces are required based upon a mix of assisted living and administrative office space use, including two ADA accessible spaces (see table below). The site currently has a total of 37 parking spaces, including three ADA-accessible spaces. No additional parking is required.

**Condition:** None.

Use	Total	Spaces Required	Total Spaces
<b>Assisted Living – Lighthouse</b> Max. # Residents per USE2004-00018	14	0.4 / resident	5.6 = 6
<b>Assisted Living – Black Bear House</b> Max. # Residents per USE2006-00028	15	0.4 / resident	6
<b>Administrative Offices – Montana Creek House</b>	6,000 square feet	1 space / 300 square feet of gross floor area	20
<b>Total Parking Requirement:</b>			<b>32</b>
<b>Off-Street Loading Spaces Required:</b>			<b>0</b>
<b>ADA Accessible Spaces Required:</b>			<b>2</b>

**Non-motorized Transportation** – Both Mendenhall Loop Road and Black Bear Road do not have any sidewalk, curb, or gutter. A gravel shoulder borders the roadways on both sides.

**Condition:** None.

**Proximity to Transit** – Capital Transit operates Route 3 (counterclockwise) and Route 4 (clockwise) along Mendenhall Loop Road. Bus stops are located approximately 1,000 feet to the south and 2,000 feet to the north.

**Condition:** None.

**Noise** – The site is buffered from adjacent residential development by distance, vegetation, and topography. It is not anticipated that any appreciable increase in noise would occur by converting dorm rooms in the Montana Creek House into administrative offices.

**Condition:** None.

**Lighting** – Parking areas have existing exterior lighting. The applicant is not proposing any new lighting at this time.

**Condition:** None.



**Vegetative Cover & Landscaping** – CBJ 49.50.300 requires a minimum vegetative cover of 20%. This standard is met with ~ 83% vegetative cover.

**Condition:** None.

**Habitat** – The developed area of the lot lies outside of the Montana Creek anadromous stream setbacks. The Army Corps of Engineers has identified the lot as being within a forested wetland; management authority of these wetlands lies with the Army Corps of Engineers. An eagle’s nest was identified on the property in 2006 outside of the development area, which is regulated by the U.S. Fish and Wildlife Service. No exterior construction or changes are proposed that would affect natural habitat areas.

**Condition:** None.

**Drainage and Snow Storage** – No modifications to existing drainage are proposed at this time. The lot has ample space off of driveways and parking areas for snow storage.

**Condition:** None.

**Hazard Zones** – A portion of the lot outside of the developed area lies within a relatively flat Special Flood Hazard Area. No exterior construction or changes are proposed that would affect the floodplain.



**Condition:** None.

**Public Health, Safety, and Welfare** – The developed area of the lot is surrounded by trees on all sides and secluded from adjacent properties. The use appears to be in harmony with the surrounding neighborhood. No exterior construction or changes are proposed, and no information has been reviewed that suggests the proposal will materially endanger the public health, safety, or welfare.

**Condition:** None.

**Property Value or Neighborhood Harmony** – Staff finds this use is in harmony with the zoning for the area and will not decrease property values. For approximately 24 years, the applicants have managed activities while preserving the residential character of the neighborhood. As of the date of this report, staff has received three telephone inquiries from nearby property owners regarding specifics of the requested Conditional Use Permit Modification. Once explained, the three owners expressed no concerns with the proposal.

**Condition:** None.

**AGENCY REVIEW**

CDD conducted an agency review comment period between July 14 and July 25, 2022. No agency comments were received.

**PUBLIC COMMENTS**

CDD conducted a public comment period between July 19 and August 1, 2022. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment K). A public notice sign was also posted on site at least two weeks prior to the scheduled hearing (Attachment L). No written comments were received during the comment period.

**CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	4	36	Housing Policy 4.1-SOP1	Fund, or assist in securing funding for, emergency shelters, transitional housing, permanent supportive housing, and appropriate supportive services for people who are homeless or near homeless, particularly families and unaccompanied youth, and an increasing aging population.
	4	37	Housing Policy 4.1-IA7	Facilitate the provision of special needs and housing and supportive services in residential neighborhoods that are readily accessible to public transit and supportive services.
	13	213	Community Services Policy 13.3	Promote quality medical and social services to ensure the safety, health, well-being, and self-sufficiency of its residents.
	13	213	Community Services 13.3 SOP1	Provide public funds for programs for the indigent and for high-risk groups such as youth, the elderly, disabled persons, and homeless persons and families.
	13	213	Community Services Policy 13.3-IA2	Establish and maintain an integrated near-homeless and homeless client assessment and referral system linking all housing, medical, and social service providers, to develop greater efficiencies, client tracking, and program funding and evaluation tools.
	13	213	Community Services 13.3 – IA3	Provide transportation assistance to homeless clients, including high school students, to support transport for job search efforts, to shelter, and for medical and social service care.
	13	213	Community Services Policy 13.3-IA4	Establish and maintain a coordinated substance abuse prevention program, and comprehensive treatment, rehabilitation, and recovery programs for Juneau residents.

## **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 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 Assisted Living administrative offices. The use is listed at CBJ 49.25.300, Section 7.200 for the D3 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 further analysis needed.

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

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

**Analysis:** No further analysis needed.

**Finding: No.** There is no evidence to suggest that with appropriate conditions, the requested Assisted Living administrative offices, in a D3 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 further analysis needed.

**Finding: No.** There is no evidence to suggest that with appropriate conditions, the requested Assisted Living administrative offices, in a D3 zoning district will substantially decrease the value of 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 further analysis needed.

**Finding: Yes.** The proposed Assisted Living administrative offices, with the recommended conditions, 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 Modification. The permit would allow for the development of Juneau Youth Services' conversion of Montana Creek House dorm rooms into administrative offices with USE2022 0010 superseding USE2000-00003, USE2004-00018, and USE2006-00028.

The approval is subject to the following conditions:

1. Maximum number of residents approved on site is 29, the total maximum previously approved for Lighthouse and Black Bear House.
2. The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public Facilities. The applicant will be responsible for maintaining safe driveway sight distance as long as the site is occupied.

**STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	Application Packet
<b>Attachment B</b>	1998 Notice of Decision and Staff Report for USE1998-00026
<b>Attachment C</b>	1998 Staff Determination for USE1998-00026
<b>Attachment D</b>	2000 Notice of Decision and Staff Report for USE2000-00003
<b>Attachment E</b>	2003 Notice of Decision and Staff Report for USE2003-00026
<b>Attachment F</b>	2004 Notice of Decision and Staff Report for USE2004-00018
<b>Attachment G</b>	2006 Notice of Decision and Staff Report for USE2006-00028
<b>Attachment H</b>	2007 Black Bear House Addition
<b>Attachment I</b>	1945 USS 2551
<b>Attachment J</b>	2013 Black Bear Subdivision Plat
<b>Attachment K</b>	Abutters Notice
<b>Attachment L</b>	Public Notice Sign Photo



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

## NONCONFORMING CERTIFICATE

Date: January 31, 2023  
File No.: NCC2022 0033

Juneau Youth Services  
Attn: Brent Fischer  
2075 Jordan Avenue  
Juneau, AK 99801

Proposal: A Nonconforming Situation Review for lots.

Property Address: 10685 Mendenhall Loop Road  
Property Legal Description: Black Bear Lot 2  
Property Parcel Code No.: 4B2601020042

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated January 30<sup>th</sup>, 2023, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Lots (CBJ 49.30.260):
  - Secondary access (egress) without improvements or maintenance agreements.
  - Lack of direct and practical access through the frontage.

This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development on the lot is in compliance with this certification and the CBJ Title 49 Land Use Code.

**CBJ 49.30.215: Accidental damage or destruction.** *Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.*

This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 PM on the day twenty days from the date the decision is filed.

If you have any questions regarding your project or anticipate any changes to your plans, please call the Community Development Department at (907) 586-0715.

Juneau Youth Services  
File No.: NCC2022 0033  
January 31, 2023  
Page 2 of 2

*Jennifer Shields*

Project Planner:

\_\_\_\_\_  
Jennifer Shields, Planner II  
Community Development Department

*Jill Maclean*

\_\_\_\_\_  
Jill Maclean, Director, AICP  
Community Development Department

**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.



**DIRECTOR'S REVIEW STAFF REPORT  
NONCONFORMING CERTIFICATION  
NCC2022 0033**

(907) 586-0715

CDD\_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

**DATE:** January 31, 2023  
**TO:** Jill Maclean, AICP | Director  
**BY:** Jennifer Shields, Planner II *Jennifer Shields*

**PROPOSAL:** A Nonconforming Situation Review for lots.

**KEY CONSIDERATIONS FOR REVIEW:**

- The original 160-acre lot was platted as U.S. Survey 2551, prior to the establishment of zoning in the Juneau area.
- In 1995, Juneau Youth Services (JYS) purchased the property. Three residential treatment facilities were approved in subsequent years, with separate Conditional Use Permits issued for each one.
- In 2013, the 160-acre lot was subdivided with the Black Bear Subdivision plat; all three facilities are located on the resulting Lot 2.
- Access to the lot is through Mendenhall Loop Road, a State Highway. Black Bear Road, used for egress, is not a maintained CBJ ROW; only three private property owners utilize it and a maintenance agreement has not been established. This access no longer meets code and is nonconforming.

**STAFF RECOMMENDATION:**

**Staff recommends the following situations receive Nonconforming Certification:**

- Nonconforming Lots (CBJ 49.30.260)

**ABANDONMENT:**

If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

**NONCOMPLIANCE:**

If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

GENERAL INFORMATION	
<b>Property Owner</b>	Juneau Youth Services
<b>Applicant</b>	Juneau Youth Services
<b>Property Address</b>	10685 Mendenhall Loop Road
<b>Legal Description</b>	Black Bear Lot 2
<b>Parcel Number</b>	4B2601020042
<b>Zoning</b>	D3
<b>Lot Size</b>	463,146 square feet (10.6 acres)
<b>Water/Sewer</b>	Public water and public sewer
<b>Access</b>	Mendenhall Loop Road & Black Bear Road
<b>Existing Land Use</b>	Assisted Living
<b>Associated Applications</b>	USE2022-0010

**CBJ 49.30.215: Accidental damage or destruction.** Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

*Fostering excellence in development for this generation and the next.*



**SITE FEATURES AND ZONING**

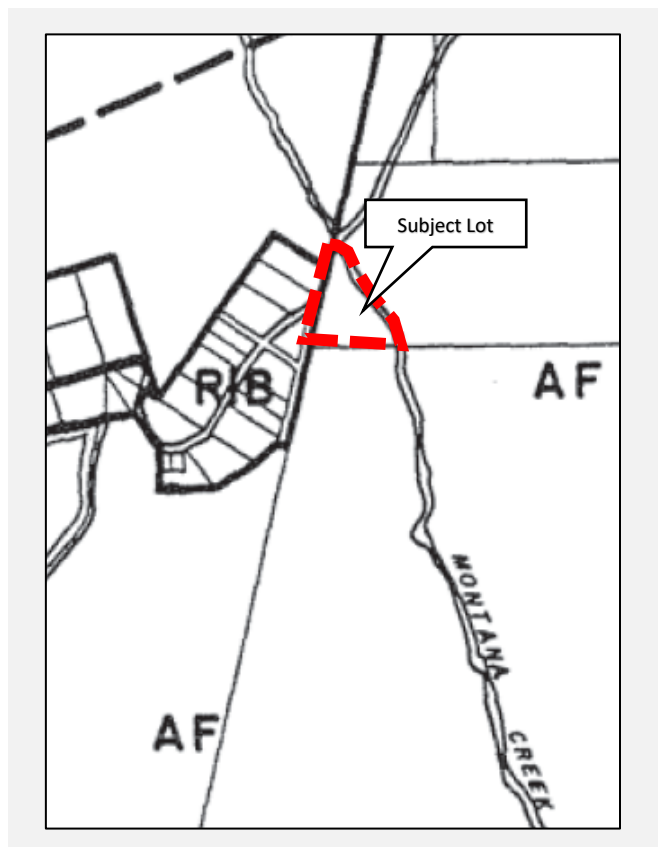
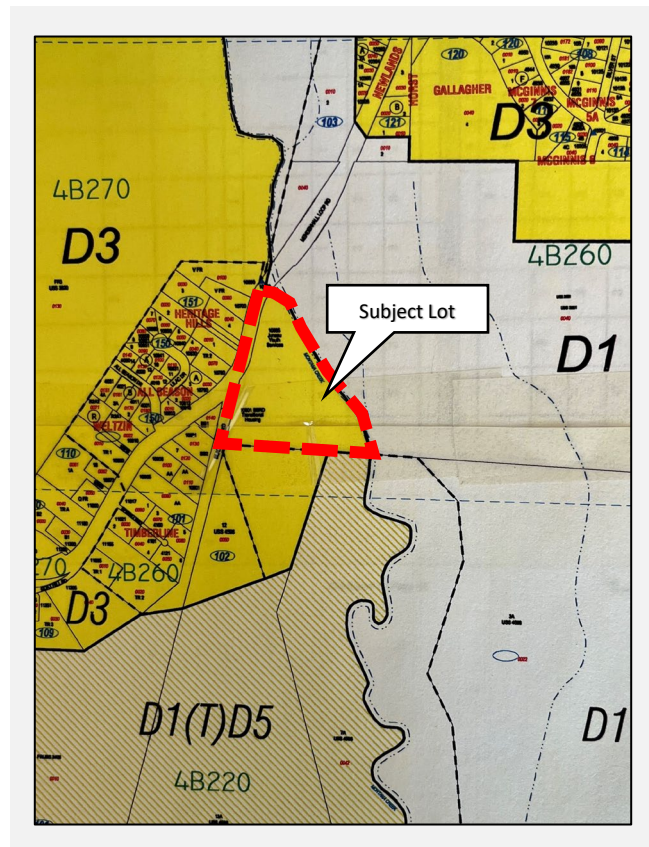


SURROUNDING ZONING AND LAND USES	
North (D1)	Residential / Vacant
South (D3 & D1(T)D5)	Residential / Vacant
East (D1)	Montana Creek / Vacant
West (D3)	Residential

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

**CURRENT ZONING MAP**

**ZONING AT TIME OF ESTABLISHMENT**



**ZONING HISTORY**

<b>Year</b>	<b>Zoning District</b>	<b>Summary</b>
1945	N/A	The original 160-acre lot was platted as U.S. Survey 2551, prior to the establishment of zoning in the Juneau area (Attachment B).
1956	N/A	The City of Juneau first established zoning regulations in 1956. (CBJ Ord. 394: Title XI, Zoning)  The property did not fall within the municipal zoning boundaries of Juneau at this time.
1964	AF Agricultural & Forest	In 1964, the Comprehensive Zoning Ordinance for the Greater Juneau Borough first zoned the 160-acre lot and surrounding area as AF. The AF zoning district required a 5-acre minimum lot size, 260-foot minimum lot width, and 260-foot minimum lot depth. Required setbacks were 25 feet front, 25 feet rear, and 20 feet on each side.  Dimensional requirements were met at the time of establishment.
1969	R40 Residential Reserve	In 1969, the 160-acre lot was rezoned R40. The R40 zoning district required a 40,000 square foot minimum lot size, 200-foot minimum lot width, and 100-foot minimum lot depth. Required setbacks were 25 feet front, 25 feet rear, and 15 feet on each side.  Dimensional requirements were met at the time of establishment.
1987	D3 Single-Family & Duplex Residential	In 1987, the 160-acre lot was rezoned D1 and D3, with the portion rezoned D3 eventually becoming Black Bear Subdivision Lot 2 in 2013 (subject lot). The D3 zoning district required a 12,000 square foot minimum lot size, 100-foot minimum lot width, and 100-foot minimum lot depth. Required setbacks were 25 feet front and rear, along with 10 feet on each side. Two off-street parking spaces were required per dwelling unit.  Dimensional requirements were met at the time of establishment.
1998	D3 Single-Family & Duplex Residential	On July 14, 1998, the Planning Commission (Commission) approved a Conditional Use Permit for the development of a 5,200 square foot structure with a maximum occupancy of ten residents (Attachment F, USE1998-00026).
1998	D3 Single-Family & Duplex Residential	On December 28, 1998, a Staff Determination approved a Conditional Use Permit Modification to increase the structure size to 6,000 square feet with a maximum occupancy of 12 residents (Attachment G).
2000	D3 Single-Family & Duplex Residential	On February 8, 2000, the Commission approved a Conditional Use Permit Modification to increase the maximum occupancy to 16 residents (Attachment H, USE2000-00003).
2003	D3 Single-Family & Duplex Residential	On October 14, 2003, the Commission approved a Conditional Use Permit for the development of a 5,200 square foot structure. This increased the total maximum occupancy of residents on the property from 16 to 28 (Attachment J, USE2003-00026).

Year	Zoning District	Summary
2004	D3 Single-Family & Duplex Residential	On May 11, 2004, the Commission approved a Conditional Use Permit Modification to increase the total maximum occupancy of residents on the property from 28 to 30 (Attachment L, USE2004-00018).
2006	D3 Single-Family & Duplex Residential	On July 11, 2006, the Commission approved a Conditional Use Permit for the development of a 4,800 square foot structure with a maximum occupancy of 15 residents, and providing space for one live-in staff residence manager (Attachment M, USE2006-00028).
2007	D3 Single-Family & Duplex Residential	On December 24, 2007, a Staff Determination approved a 300 square foot office/activity room addition, to increase the structure size to 5,100 square feet (Attachment N).
2013	D3 Single-Family & Duplex Residential	In 2013, the 160-acre lot was subdivided with the Black Bear Subdivision plat and the current lot occupied by JYS buildings was created (Attachment O).  Dimensional requirements were met at the time of establishment.
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard. Other dimensional standards for the D3 zoning district remain the same.
2022	D3 Single-Family & Duplex Residential	On August 23, 2022, the Commission approved a Conditional Use Permit Modification for JYS to convert existing dorm rooms into administrative offices in Montana Creek House (Attachment R, USE2022-0010).

**BACKGROUND INFORMATION**

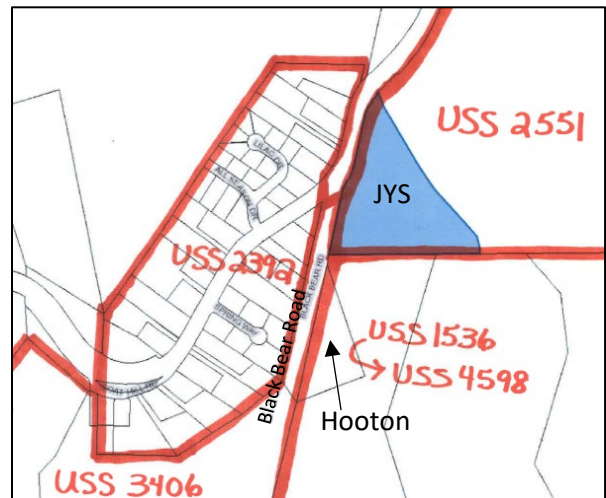
The original 160-acre lot was platted in 1945 with USS 2551 (Attachment B).

Development of the area that ultimately created the strip of land known as “Black Bear Road” first involved the platting of several U.S. Surveys:

- 1926 – U.S. Survey 1536 (Mendenhall Valley Elimination)
- 1940 – U.S. Survey 2392
- 1945 – U.S. Survey 2551
- 1958 – U.S. Survey 3406. At this time a **remainder strip of land** between U.S. Survey 1536 and U.S. Survey 2392 was created within the boundaries of the surveys (Attachment C).
- 1962 – U.S. Survey 4598 (within the boundaries of U.S. Survey 1536)

In 1963, the Bureau of Land Management transferred the land within U.S. Survey 3406 to the State of Alaska, **subject to a 66 foot wide public access easement from Mendenhall Loop Road to U.S. Survey 4598, which is now known as Black Bear Road.**

In 1992, CBJ granted access to the Hooton lot south of JYS via the Black Bear Road public access easement by issuing a grading permit to create a 16-foot-wide gravel driveway of approximately 700-750 feet to establish a



building site (Attachment D). Since this gravel driveway was first established in 1992, the Hooton property has had the following developments: a single-family detached dwelling (1995), a two-story addition (2001), a detached storage building (2008), and a detached accessory apartment with a garage (2016). **A private access maintenance agreement for Black Bear Road was not required with any of these improvements.**

JYS purchased the 160-acre lot in 1995, and development of three residential treatment facilities occurred in 1998, 2003, and 2006 respectively. With each new building, an additional Conditional Use Permit was approved for the lot (Attachments F, G, H, J, L, M, N, and R).

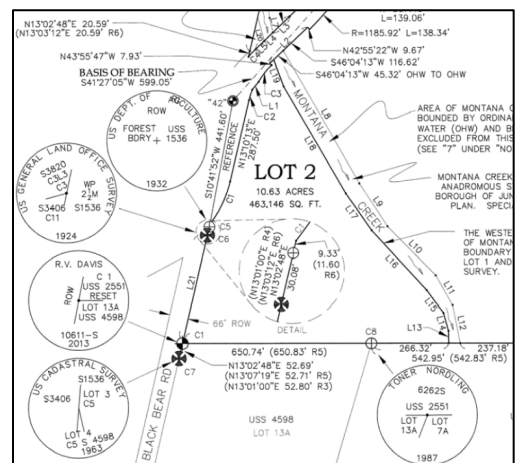
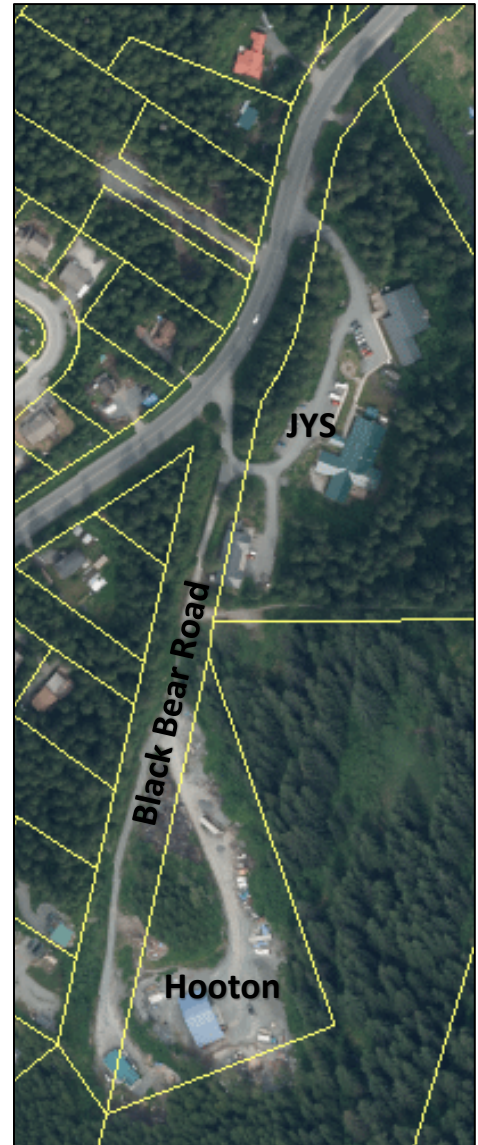
In 1997, the owner of the Hooton property platted Black Bear Estates, a 16-lot subdivision (Attachment E). However, in 2004 this subdivision was vacated with Plat 2004-53 (Attachment K), and **the Black Bear Road public access easement was never constructed nor accepted as a CBJ maintained ROW.**

In 2003, the State transferred the land within U.S. Survey 3406 to CBJ via Patent 18044, **subject to the 66 foot wide public access easement known as Black Bear Road** (Attachment I).

In 2006, the Black Bear Road driveway access onto Mendenhall Loop Road, first developed by Hooton in 1992, was improved as required by the Alaska Department of Transportation and Public Facilities (DOT&PF) for JYS's development of Black Bear House (Attachment M). The JYS lot now has two points of ingress/egress – Mendenhall Loop Road (ingress) and Black Bear Road (egress). **A private access maintenance agreement for Black Bear Road was not required with any of these improvements.**

In 2013, the 160-acre lot was subdivided with the Black Bear Subdivision plat (Attachment O, not to be confused with the previously vacated Black Bear Estates Subdivision). All three residential treatment facilities are located on the resulting, triangular-shaped Lot 2, which encompasses 10.6 acres. **No improvements to or maintenance agreements for Black Bear Road were required at the time of this subdivision.**

In 2022, the Commission approved a Conditional Use Permit Modification for JYS to convert existing dorm rooms into administrative offices in Montana Creek House (Attachment R, USE2022-0010). This Conditional Use Permit superseded all previous Conditional Use Permits for the lot. Additionally, one of the conditions of approval required a nonconforming situation review of the property, specifically as it relates to the privately maintained access in Black Bear Road, in accordance with CBJ 49.35.272.



**INFORMATION REVIEWED**

<b>Year</b>	<b>Type</b>	<b>Summary</b>
1945	Plat	U.S. Survey 2551 created the original 160-acre lot (Attachment B).
1958	Plat	U.S. Survey 3406 created the strip of land now known as Black Bear Road (Attachment C).
1992	Letters	Letters from CBJ granting access to the Hooton lot regarding issuance of a grading permit to create a 16-foot-wide gravel driveway of approximately 700-750 feet ("Black Bear Road") to establish a building site (Attachment D).
1997	Plat	Black Bear Estates Subdivision plat 1997-1, a 16-lot subdivision of the Hooton lot (Attachment E).
1998	Conditional Use Permit NOD and Staff Report	On July 14, 1998, the Planning Commission (Commission) approved a Conditional Use Permit for the development of a 5,200 square foot structure (Attachment F, USE1998-00026).
1998	Staff Determination Letter	On December 28, 1998, a Staff Determination approved a Conditional Use Permit Modification (Attachment G).
2000	Conditional Use Permit NOD and Staff Report	On February 8, 2000, the Commission approved a Conditional Use Permit Modification (Attachment H, USE2000-00003).
2003	Patent	Patent 18044 transferring U.S. Survey 3406 land from the State of Alaska to CBJ, subject to the creation of a 66 foot wide public access easement from Mendenhall Loop Road to U.S. Survey 4598; this created what is now known as "Black Bear Road" (Attachment I).
2003	Conditional Use Permit NOD and Staff Report	On October 14, 2003, the Commission approved a Conditional Use Permit for the development of a 5,200 square foot structure (Attachment J, USE2003-00026).
2004	Plat	Subdivision Plat 2004-53 vacating the Black Bear Estates Subdivision plat1997-1 (Attachment K).
2004	Conditional Use Permit NOD and Staff Report	On May 11, 2004, the Commission approved a Conditional Use Permit Modification (Attachment L, USE2004-00018).
2006	Conditional Use Permit NOD and Staff Report	On July 11, 2006, the Commission approved a Conditional Use Permit for the development of a 4,800 square foot structure (Attachment M, USE2006-00028).
2007	Staff Determination Email	On December 24, 2007, a Staff Determination approved a 300 square foot office/activity room addition, to increase the structure size to 5,100 square feet (Attachment N).
2013	Plat	In 2013, the 160-acre lot was subdivided with the Black Bear Subdivision plat and the current lot occupied by JYS buildings was created (Attachment O, not to be confused with the previously vacated Black Bear Estates Subdivision).
2013	Aerial Photography	Aerial photography shows vegetative cover (Attachment P).
2022	Photographs	Site photographs showing 2 one-story structures and 1 two-story structure (Attachment Q).
2022	Conditional Use Permit NOD and Staff Report	On August 23, 2022, the Commission approved a Conditional Use Permit Modification for JYS to convert existing dorm rooms into administrative offices in Montana Creek House (Attachment R, USE2022-0010).

**ANALYSIS**

**Zoning District Comparison Table** – The table below lists the required standards for the D3 zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		Requirement	Existing	Code Reference
<b>Lot</b>	Size	12,000 square feet	463,146 square feet	CBJ 49.25.400
	Width	100 feet	~990 feet	CBJ 49.25.400
<b>Setbacks</b>	Front	25 feet	25 feet	CBJ 49.25.400
	Rear	25 feet	~600 feet	CBJ 49.25.400
	Side (north)	10 feet	~100 feet	CBJ 49.25.400
	Side (south)	10 feet	15 feet	CBJ 49.25.400
	Street Side	17 feet	N/A	CBJ 49.25.400
<b>Lot Coverage</b>		35%	~15%	CBJ 49.25.400
<b>Height</b>	Permissible	35 feet	Two-story	CBJ 49.25.400
	Accessory	25 feet	One-story	CBJ 49.25.400
<b>Maximum Dwelling Units</b>		2	N/A	CBJ 49.25.500
<b>Use</b>		Residential	7.200 Assisted Living (with offices)	CBJ 49.25.300
<b>Vegetative Cover</b>		20%	~75%	CBJ 49.50.300
<b>Parking</b>		32	37	CBJ 49.40.210(a)

**Minimum Lot Requirements** – The lot meets the minimum lot size and width requirements for the D3 zoning district.

All lots must have direct and practical access for development. Primary access (ingress) to the lot is through Mendenhall Loop Road, a DOT&PF ROW. In 2006, due to the development of Black Bear House (Attachment H), DOT&PF required JYS to develop a secondary access (egress) for the lot through the Black Bear Road public access easement owned by CBJ. This condition was required by DOT&PF because the sight distance at the intersection of Black Bear Road and Mendenhall Loop Road is better than at the driveway adjacent to Mendenhall Loop Road. Black Bear Road is now paved from Mendenhall Loop Road through the extent of the JYS site, at which point it turns to gravel.

At this time Black Bear Road is not a maintained CBJ ROW, only three private property owners (JYS, Shane Hooton, and the University of Alaska via a trailhead to Montana Creek Trail) utilize it for ingress and/or egress, and a maintenance agreement has not been established.

CBJ 49.35.272 requires an access agreement between CBJ and all property owners served by a privately maintained access road. However, no such agreement has been required by the State or CBJ of any property owners served by Black Bear Road, and one is not currently in place.

**Finding: Staff finds the lot conforming for lot size and lot width.**

**Finding: Staff finds the lot nonconforming for access.**

**Minimum Setback Requirements** – The structures meet required yard setbacks, demonstrated by Site Plans and scale measurements.

**Finding: Staff finds the structure(s) conforming for setbacks.**

**Lot Coverage** – According to 2013 GIS aerial imagery, lot coverage is not exceeded.

**Finding: Staff finds the lot conforming for lot coverage.**

**Structure Height** – Site photographs showing 2 one-story structures and 1 two-story structure. Maximum height is not exceeded.

**Finding: Staff finds the structure(s) conforming for height.**

**Residential Density** – The lot contains 0 residential dwelling units. “Density” represents the number of residential dwelling units where people reside on a long-term basis, whereas “occupancy” represents an institutional facility as a residential use of a more transient nature such as an assisted living facility.

**Finding: N/A**

**Use** – The current use of the lot is for assisted living facilities with offices, currently permitted under Conditional Use Permit USE2022-0010.

**Finding: Staff finds the lot conforming for use.**

**Vegetative Cover** – 2013 GIS aerial imagery shows the lot has approximately 75% vegetative cover.

**Finding: Staff finds the lot conforming for vegetative cover.**

**Parking** – According to CBJ 49.40.210, 32 off-street parking spaces are required based upon a mix of assisted living and administrative office space use, including two ADA accessible spaces (see table below). The site currently has a total of 37 parking spaces, including three ADA-accessible spaces. No additional parking is required.

Use	Total	Spaces Required	Total Spaces
Assisted Living – Lighthouse Max. # Residents per USE2004-00018	14	0.4 / resident	5.6 = 6
Assisted Living – Black Bear House Max. # Residents per USE2006-00028	15	0.4 / resident	6
Administrative Offices – Montana Creek House	6,000 square feet	1 space / 300 square feet of gross floor area	20
Total Parking Requirement:			32
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			2

**Finding: Staff finds the use conforming for number and/or type of off-street parking spaces.**

### **NONCOMPLIANT SITUATIONS**

**CBJ 49.30.310(j) Failure of a situation to qualify for nonconforming certification.** If a situation does not qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

No information has been found to suggest noncompliant situations exist on the lot.

### **ABANDONMENT**

**CBJ 49.30.220(b) Abandonment of a nonconforming situation.** A nonconforming situation is abandoned if any of the following events occur:

- (1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;*
- (2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;*
- (3) The nonconforming structure is moved;*
- (4) The owner takes action consistent with an intent to abandon the nonconforming situation;*
- (5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;*
- (6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or*
- (7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.*

No information has been submitted to suggest the nonconforming situations on the lot have been abandoned.

### **FINDINGS**

**1. Was the nonconforming situation allowed, or not prohibited by law, when it was established?**

**Analysis:** DOT&PF required JYS to develop a secondary access (egress) for the lot due to sight distance at the primary access.

**Finding: Yes. The nonconforming situation was allowed, or not prohibited by law, when established.**

**2. Has the nonconforming situation been abandoned?**

**Analysis:** Staff finds none of the above listed abandonment events have taken place.

**Finding: No. The nonconforming situation has not been abandoned.**



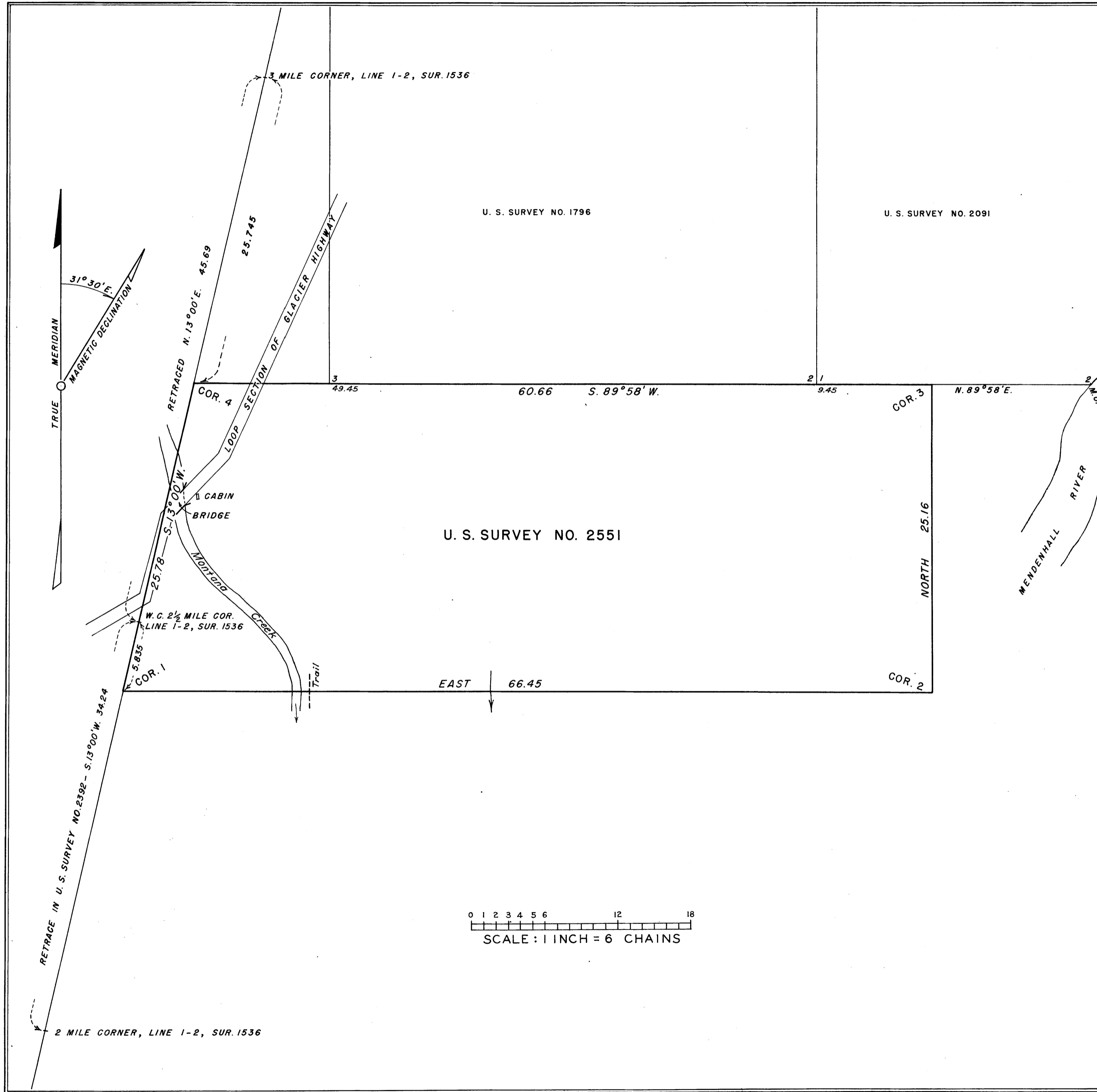
**RECOMMENDATION**

Staff recommends that the Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Lots (CBJ 49.30.260):
  - Secondary access (egress) without improvements or maintenance agreements.
  - Lack of direct and practical access through the frontage.

**STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	Application Packet
<b>Attachment B</b>	1945 U.S. Survey 2551.
<b>Attachment C</b>	1958 U.S. Survey 3406.
<b>Attachment D</b>	1992 CBJ grading permit letters.
<b>Attachment E</b>	1997 Black Bear Estates Subdivision plat.
<b>Attachment F</b>	1998 Conditional Use Permit USE1998-00026.
<b>Attachment G</b>	1998 Staff Determination for a Conditional Use Permit Modification.
<b>Attachment H</b>	2000 Conditional Use Permit Modification USE2000-00003.
<b>Attachment I</b>	2003 Patent 18044 transferring U.S. Survey 3406 land from the State of Alaska to CBJ.
<b>Attachment J</b>	2003 Conditional Use Permit USE2003-00026.
<b>Attachment K</b>	2004 Subdivision Plat 2004-53 vacating the Black Bear Estates Subdivision.
<b>Attachment L</b>	2004 Conditional Use Permit Modification USE2004-00018.
<b>Attachment M</b>	2006 Conditional Use Permit USE2006-00028.
<b>Attachment N</b>	2007 Staff Determination.
<b>Attachment O</b>	2013 Black Bear Subdivision plat.
<b>Attachment P</b>	2013 Aerial Photography
<b>Attachment Q</b>	2022 Site Photographs
<b>Attachment R</b>	2022 Conditional Use Permit Modification USE2022-0010.



**PLAT**  
of  
**U.S. SURVEY NO. 2551**  
of the  
**Homestead**  
of  
**Bill Sakieff**  
Executed under the Act of Congress,  
Approved June 28, 1918  
situated  
on Loop Section of Glacier Highway about  
16 miles N.W. of Juneau in Mendenhall  
Elimination from Tongass National Forest

**TERRITORY OF ALASKA**  
-----  
Area: 159.77 acres  
Declination: 31° 30' E.  
Scale: 6 chains to the inch  
Latitude 58° 23' 30" N. Longitude 134° 38' W.

Survey executed by  
**F. W. Williamson, Associate Cadastral Engineer**  
March 15 - 17, 1941

**CERTIFICATE OF APPROVAL**  
**PUBLIC SURVEY OFFICE**  
Juneau, Alaska, **OCT. 23, 1943.**

*The original field notes of Survey No. 2551, of the  
Homestead of Bill Sakieff  
from which this plat has been made, have been examined  
and approved, and are on file in this office, and I hereby  
certify that they furnish such an accurate description of  
said claim as will, if incorporated into a patent, serve fully  
to identify the premises, and that such reference is made  
therein to natural objects and permanent monuments, as  
will perpetuate and fix the Locus thereof.  
And I further certify that this is a correct plat of  
said claim, made in conformity with said original field  
notes of the survey thereof, and the same is hereby ap-  
proved.*

*Geo. G. Parks*  
District Cadastral Engineer

**UNITED STATES**  
**DEPARTMENT OF THE INTERIOR**  
**GENERAL LAND OFFICE**  
Washington, D.C., **APRIL 4, 1945**

*The survey represented by this plat having been cor-  
rectly executed in accordance with the requirements of  
law and the regulations of this office, is hereby accepted.*

*Joel David Wolfson*  
Assistant Commissioner.

Vol. 467, p. 440

**NOTES:**

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE COMPUTED RECORD BEARING OF N41°27'05"E BETWEEN RECOVERED STATE OF ALASKA - D.O.T. SHOULDER/CONTROL MONUMENTS "42" AND "43" AS SHOWN ON PLAT #2006-61, "RIGHT OF WAY MAP, JUNEAU, BACK LOOP ROAD REHABILITATION, IN-0966(2) 68542," BOTH MONUMENTS BEING 3" DIA. BRASS CAPS SET IN WELL CASES ALONG THE SHOULDER OF LOOP ROAD.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARING, AND DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES IN U.S. SURVEY FEET.
3. THE ERROR OF CLOSURE OF POINTS MEASURED FOR THIS SURVEY IS BETTER THAN 1:5000.
4. WHERE MEASURED BEARINGS AND DISTANCES DIFFER FROM RECORD THOSE OF RECORD ARE SHOWN IN PARENTHESES AND REFERENCED AS NOTED.
5. THE PURPOSE OF THIS SURVEY/PLAT IS TO SUBDIVIDE U.S. SURVEY 2551 AS DEPICTED AND DESCRIBED UPON THE ORIGINAL PLAT OF THAT SURVEY IN TO LOTS 1, 2 AND 3 OF WHAT WILL BE CALLED "BLACK BEAR SUBDIVISION."
6. THE NATURAL, ORDINARY HIGH WATER (OHW) LINE ALONG THE WEST SIDE OF MONTANA CREEK FORMS THE TRUE BOUNDS LOT 2. AS SHOWN, THE APPROXIMATE LINE OF ORDINARY HIGH WATER, IS FOR AREA COMPUTATIONS ONLY, AND IS WITNESSED BY THE MONUMENTS AS SHOWN.
7. THE AREA CONTAINED WITHIN AND BELOW ORDINARY HIGH WATER (OHW) OF MONTANA CREEK IS EXCLUDED FROM THIS SURVEY BECAUSE THE CREEK IS DEEMED NAVIGABLE, AND AS SUCH, BY STATUTE, OWNERSHIP IS RETAINED BY THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC USE AND ACCESS.
8. EFFECTIVE AUGUST 14, 2013, PARTS OF THESE PROPERTIES ARE LOCATED IN AN "A" FLOOD HAZARD AREA ACCORDING TO THE COMMUNITY - PANEL #02100-12380 - OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, FLOOD INSURANCE RATE MAP (FIRM), DATED AUGUST 14, 2013.
9. UTILITY STATEMENT: DOMESTIC WATER AND SEWER DISPOSAL PROVIDED BY THE CITY AND BOROUGH, PUBLIC UTILITIES DEPARTMENT.
10. SURFACE STORMWATER RUNOFF IS ACCEPTED AS IT EXISTS AT THE DATE OF THIS SURVEY. MODIFICATION OF EXISTING DRAINAGE REQUIRES APPROVAL BY THE CITY AND BOROUGH OF JUNEAU.
11. RECORD INFORMATION DERIVED FROM THE PLAT DEPICTING, AND FIELD NOTES DESCRIBING: U.S. SURVEY 2551; U.S. SURVEY 1536; U.S. SURVEY 1796; U.S. SURVEY 4598; PLAT #68-18 (A SUBDIVISION OF U.S. SURVEY 4598); PLAT #2006-61 (RIGHT OF WAY MAP, BACK LOOP ROAD); PLAT #69-33 (MCGINNIS NO. 58); DEED BOOK 0407, PAGES 929-932; BOOK 0411, PAGE 908; BOOK 0321, PAGE 493. ALL ON FILE AT THE RECORDER'S OFFICE, JUNEAU RECORDING DISTRICT.

**CERTIFICATE OF APPROVAL CITY AND BOROUGH OF JUNEAU, COMMUNITY DEVELOPMENT DEPARTMENT**

I hereby certify that the plat shown hereon has been found to comply with Title 4 Community Development Regulations, and is approved by City and Borough of Juneau, Community Development Department, for recording in the office of the Juneau Recording District, Juneau, AK.

*Walter Majors*  
Director, City & Borough of Juneau  
Community Development Department

*Jamie J. Allen*  
Attest: Clerk, City & Borough of Juneau

Date: September 9, 2013

**STATEMENT OF OWNERSHIP**

I hereby certify that Juneau Youth Services Inc. is the owner of USS 2551, as shown and described hereon and that I, as Executive Director of Juneau Youth Services Inc. hereby adopt this plat of subdivision with our free consent, and dedicate all streets, alleys, walks and other open spaces to public or private use as noted.

*Walter Majors*  
Water Majors, Executive Director

Date: 9/12/13

**NOTARY ACKNOWLEDGEMENT**

STATE OF ALASKA } S.S.  
FIRST JUDICIAL DISTRICT }  
This is to certify that on this 12 day of September 2013 before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared *Walter Majors*, Executive Director, Juneau Youth Services, to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he 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.

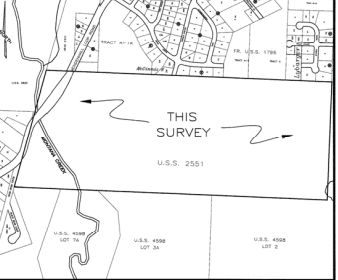
Notary Public for Alaska *Edgar*  
My commission expires: 7/15/15

**TYPICAL SECONDARY MONUMENT SET**



**FOUND/SET MONUMENT DESCRIPTION**

- C1 Set 3.25" dia. aluminum cap on 2.5" dia. aluminum pipe.
- C2 Found 2.5" dia. brass cap on 1" dia. iron pipe; up 0.6", firm, plumb
- C3 Found 2.5" dia. brass cap on 1" dia. iron pipe; up 1.0", firm, plumb
- C4 Set 3.25" dia. aluminum cap on 1" dia. aluminum pipe.
- C5 Found 3" dia. brass cap on 2.5" dia. iron pipe; up 1.6", firm, plumb
- C6 Found 2.5" dia. brass cap on 1" dia. iron pipe; up 1.3", firm, plumb
- C7 Found 3.25" dia. brass cap on 2.5" dia. iron pipe; down .20", firm, plumb
- C8 Found 3.25" alum. cap on 2.5" dia. alum. pipe; flush, firm, plumb
- C9 Found 3.25" alum. cap on 2.5" dia. alum. pipe; up .30", firm, plumb
- C10 Found 3.25" dia. brass cap on 2.5" dia. iron pipe; down .10", loose, plumb
- C11 Found 2.5" dia. brass cap on 1" dia. iron pipe; up 1.0", very loose, leaning
- C12 Found 2.5" dia. brass cap on 1" dia. iron pipe; down .40", fairly firm, plumb
- C13 Found 2.5" dia. brass cap in well case; "STATE OF AK DOT-PR" (typical)



**CONSERVATION LOT NOTE:**

THIS SUBDIVISION IS CREATED IN ACCORDANCE WITH THE TERMS SET FORTH IN CITY AND BOROUGH OF JUNEAU ORDINANCE, LOT 1 OF BLACK BEAR SUBDIVISION IS A CONSERVATION LOT UPON WHICH NO BUILDING DEVELOPMENT IS TO BE PERMITTED. "BUILDING DEVELOPMENT" MEANS: CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT OF ANY STRUCTURE HAVING A ROOF SUPPORTED BY COLUMNS OR WALLS AND INTENDED FOR THE SHELTER, HOUSING OR ENCLOSURE OF PERSONS, ANIMALS, PROCESSES, EQUIPMENT, GOODS OR MATERIALS, OR ANY SITE WORK IN PREPARATION OR ANTICIPATION OF SUCH CONSTRUCTION, RECONSTRUCTION, OR ENLARGEMENT.

**CURVE TABLE**

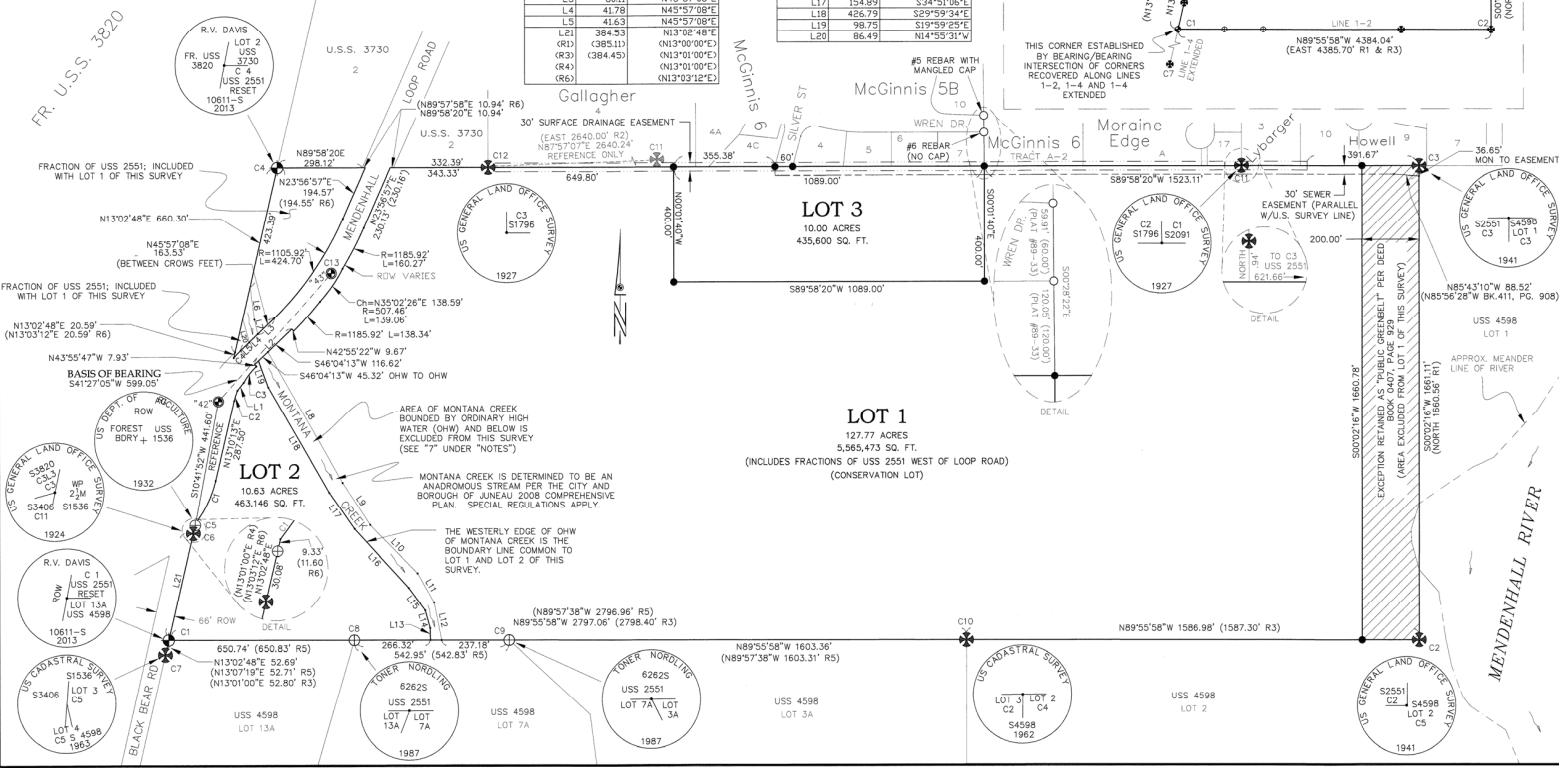
CURVE	LENGTH	RADIUS	DELTA	DIRECTION	C. LENGTH
C1	164.34	288.00	241°15'41"	N25°18'03"E	163.11
(R6)	(162.89)	(288.00)	(24°02'46")	(N25°11'37"E)	(162.69)
C2	37.41	256.48	8°15'21"	S17°20'55"W	37.38
C3	73.03	246.48	16°59'32"	S37°41'30"W	72.83
C4	35.70	377.03	5°25'32"	S43°14'22"W	35.69
(R6)	(34.26)	(377.03)	(5°12'33")	(S43°20'56"W)	(34.25)

**LINE TABLE**

LINE	LENGTH	BEARING
L1	25.27	S38°14'25"E
L2	180.81	N46°04'13"E
L3	80.11	N45°57'08"E
L4	41.78	N45°57'08"E
L5	41.63	N45°57'08"E
L6	384.53	N13°00'48"E
(R1)	(385.11)	(N13°00'00"E)
(R2)	(384.45)	(N13°01'00"E)
(R3)	(384.45)	(N13°01'00"E)
(R4)	(384.45)	(N13°01'00"E)
(R5)	(384.45)	(N13°02'12"E)

**LINE TABLE FOR ORDINARY HIGH WATER**

LINE	LENGTH	BEARING
L6	116.90	N07°18'00"W
L7	52.18	N12°38'35"W
L8	559.08	S29°36'52"E
L9	177.07	S33°02'10"E
L10	238.92	S44°14'29"E
L11	118.09	S9°16'43"E
L12	134.14	S11°09'40"E
L13	42.41	S00°48'17"E
L14	64.63	S15°32'44"E
L15	97.61	S36°09'55"E
L16	281.33	S42°15'51"E
L17	154.89	S34°51'06"E
L18	426.79	S29°59'34"E
L19	98.75	S19°59'25"E
L20	86.49	N4°55'31"W



**LEGEND**

- G.L.O./B.L.M. BRASS CAP PRIMARY MONUMENT RECOVERED
- ⊕ OTHER PRIMARY MONUMENT RECOVERED
- STATE OF ALASKA - DOT, MONUMENT (3263.03)
- SECONDARY MONUMENT RECOVERED
- ⊙ PRIMARY MONUMENT SET THIS SURVEY
- SECONDARY MONUMENT SET (THIS SURVEY - SEE TITLE AREA DETAIL ABOVE)
- PROPERTY LINE (MEASURED THIS SURVEY)
- SURVEYED LINE (BY OTHERS)
- DRAINAGE EASEMENT (BOOK 0321, PAGE 493)
- SEWER LINE EASEMENT (BOOK 0411, PAGE 908)

R1 = USS 2551  
R2 = USS 1796  
R3 = USS 4598  
R4 = USS 1536  
R5 = PLAT #68-18 (A SUBDIVISION OF USS 4598)  
R6 = PLAT #2006-61 (ROW MAP "BACK LOOP ROAD REHABILITATION")

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4, COMMUNITY DEVELOPMENT REGULATIONS, THAT ALL DIMENSIONS AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

*Randal V. Davis, LS #0611*  
DATE: 9/10/13

2013-26  
Plat #  
**Juneau**  
9-13-2013  
Time: 2:09 P.M.

STATE OF ALASKA  
49th  
Randal V. Davis, LS #0611  
Professional Land Surveyor

GRAPHIC SCALE  
0 100 200 400 800 FEET

**PLAT OF BLACK BEAR SUBDIVISION**  
A SUBDIVISION OF U.S. SURVEY NO. 2551  
WITHIN THE CITY AND BOROUGH OF JUNEAU, ALASKA  
JUNEAU RECORDING DISTRICT

OWNER:  
JUNEAU YOUTH SERVICES  
P.O. BOX 32859  
JUNEAU, AK 99801

PERIOD OF SURVEY:  
BEGINNING: 5/15/2013 ENDING: 8/04/13

DRAWN BY: *RVD* SURVEYOR: *RANDAL V. DAVIS, PLS*  
DATE: 6/23/2013 9240 N. DOUGLAS HWY. JUNEAU, AK 99801

CHECKED BY: *RVD* DRAWING SCALE: 1" = 200' SHEET 1 OF 1



2003-009538-0

Record Dist: 101 - Juneau  
9/8/2003 2:47 PM Pages: 1 of 3

A  
L  
A  
S  
K  
A



cc

# State of Alaska



## Patent

No. 18044

Know Ye By These Presents that the Grantor, the STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, 550 West 7th Avenue, Suite 1050A, Anchorage, Alaska 99501-3579, pursuant to AS 29.65.010-.140 and the regulations promulgated thereunder, and the Final Finding and Decision dated May 1, 1980, for good and valuable consideration, grants and conveys to the Grantee, the CITY AND BOROUGH OF JUNEAU, whose mailing address of record is 155 South Seward Street, Juneau, Alaska 99801, Grantee's successors and assigns, all that real property situated in the Juneau Recording District, State of Alaska, and described as follows:

U.S. SURVEY NO. 3406, ALASKA, CONTAINING 231.00 ACRES, MORE OR LESS, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C. ON FEBRUARY 20, 1958.

Excluding the Glacier Highway and the Mendenhall Loop Road right-of-way.

Subject to:

A continuous public access easement, 50 feet wide; upland of and along the ordinary high water mark of Auke Lake, in accordance with AS 38.05.127.

A public access easement, 66 feet wide, from Mendenhall Loop Road to U.S. Survey No. 4598.

Net chargeable acreage under AS 29.65.010 is 225.70 acres, more or less.

LOT 1 OF U.S. SURVEY NO. 5504, ALASKA, CONTAINING 965.09 ACRES, MORE OR LESS, ACCORDING TO THE SURVEY PLAT ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C. ON APRIL 9, 1973.

Excluding the North Douglas Highway.

Excluding the Fish Creek Road right-of-way, ADL 60676.

Subject to:

A continuous public access easement, 50 feet wide, upland of and along the ordinary high water mark, both sides of Fish Creek, in accordance with AS 38.05.127.

A public access easement for the Treadwell Ditch, RST #1169, AS 19.30.400.

Mendenhall Wetlands State Game Refuge, AS 16.20.034.

The continuous public access easement, 50 feet wide, upland of and along the mean high water line of Fritz Cove, in accordance with AS 38.05.127 is waived.

Net chargeable acreage under AS 29.65.010 is 936.536 acres, more or less.

And further all lands herein conveyed are subject to valid existing rights, including reservations, easements, and exceptions in the U.S. Patent or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any.

Aggregating 1,196.09 acres, more or less.

Aggregated net chargeable acreage under AS 29.65.010 is 1,162.236 acres more or less.

~~The Grantor~~ hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove

Patent No. 18044

Page 2 of 3



2 of 3

2003-009638-0



.. 23

U.S.S. 3819 Lot 2  
excluding ADL #22343 Glacier Highway Right-of-Way  
and excluding Tract A of Lot 2 U.S.S. 3819.

0.794 acres ±

Subject to:  
Public access and utility easements 30 feet wide  
for two driveways providing access to tidelands  
as shown on map #5 attached hereto and made a part  
hereof;  
A utility easement 10 feet wide under  
MLUP #SE-79-1 also identified as DOT/PF project  
No. F-093-2(6) permit #P-4;  
ADL #100941 Right-of-Way permit application also  
identified as DOT/PF project #F-093-2(6) easement  
E-4;  
A reservation for access to and along public or  
navigable water along Bay Creek pursuant to  
A.S. 38.05.127.

Sec. 23

U.S.S. 2391 Lot 6 excluding Glacier Highway  
Road Right-of-Way.

*- incorrect  
should be  
Mend. Loop Rd.*

0.80 acres ±

Sec. 23  
23

U.S.S. 3406 excluding Glacier Highway and  
Mendenhall Loop Road Right-of-Way.

227.00 acres ±

Subject to:  
An easement for floatplane tie-down facilities for  
Division of Commercial Fisheries, Alaska Dept. of  
Fish & Game, in the southwest corner Auke Lake,  
ADL #62168. At such time as the existing or similar  
use is no longer required, the easement will be  
vacated;  
An easement 66 feet wide providing public access  
from the Mendenhall Loop Road to USS 4598,  
University land.  
A reservation for access to and along the shore of  
Auke Lake pursuant to AS 38.05.127.

Sec. 24

U.S.S. 3820 Lot 4, excluding Mendenhall Loop  
Road Right-of-Way.

1.4 acres ±

Sec. 26

U.S.S. 2386 Lot N, excluding Glacier Highway  
Right-of-Way.

2.20 acres ±

Subject to:  
A public access easement on the entire lot providing  
access from the Glacier Highway to the remaining State  
land in U.S.S. 3817, which has been nominated for  
selection by the municipality. If and when all of  
U.S.S. 3817 is conveyed to the municipality, said  
easement shall be void.

ADL #100878:

Sec. 14 U.S.S. 2392 Lot DD of Tract A

4.50 acres ±

ADL #100879:

Sec. 26 U.S.S. 3260 Lot 20 excluding Mendenhall Peninsula  
Road Right-of-Way.

0.96 acres ±

Juneau 012202

4-1043

BOOK 70 PAGE 319  
Juneau Recording District

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the grant of lands under Section 6 (b) of the Act of Congress of July 7, 1958 (72 Stat. 339), the State of Alaska has selected the Lots M and N, embraced in U. S. Survey No. 2386; Lots 1, 2, 3, 4 and 6, embraced in U. S. Survey No. 2391; Lots 1, 2, 3, 4 and 5, embraced in U. S. Survey No. 2392; Public Service Site, embraced in U. S. Survey No. 2492; R.O.W., embraced in U. S. Survey No. 2909; the land embraced in U. S. Survey No. 3812; Lot 2, embraced in U. S. Survey No. 3819; Lots 2, 3, 4 and 5, embraced in U. S. Survey No. 3820; Lots 1, 2 and 4, embraced in U. S. Survey No. 3832; and the land embraced in U. S. Survey No. 3406, containing 653.53 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the said Act of Congress, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said State of Alaska, and to its assigns, the tracts of Land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said State of Alaska, and to its assigns forever; subject to any vested

ALASKA DIV. OF LANDS

OCT 11 1979

RECEIVED

JUNEAU

Attachment I - 2003 Patent 18044 transferring U.S. Survey 3406 land from the State of Alaska to CBJ



ATTch: B6

Juneau 012202

4-1044  
(July 1937)

BOOK 70 PAGE 220  
Juneau Recording District

and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States.

There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with section 1 of the act of March 12, 1914 (38 Stat. 305, 48 U. S. C. sec. 305).

Reserving unto the United States that certain right-of-way for the Glacier Highway and all appurtenances thereto, constructed by the United States, through, over or upon the land embraced in U. S. Survey No. 3812, and the right of the United States, its officers, agents, or employees to maintain, operate, repair, or improve the same, so long as needed or used for or by the United States.

RECORDED - FILED  
JUNEAU REC. DIST.  
OCT 15 1963  
A. M.  
By *[Signature]*



IN TESTIMONY WHEREOF, the undersigned officer of the Bureau of Land Management, in accordance with section 1 of the act of June 17, 1948 (62 Stat., 476, 43 U. S. C. sec. 15), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the FIFTEENTH day of OCTOBER in the year of our Lord one thousand nine hundred and SIXTY-THREE and of the Independence of the United States the one hundred and EIGHTY-EIGHTH.

For the Director, Bureau of Land Management.

By *Elizabeth B. Hucks*  
Chief, Patents Section.

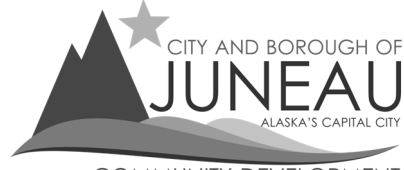
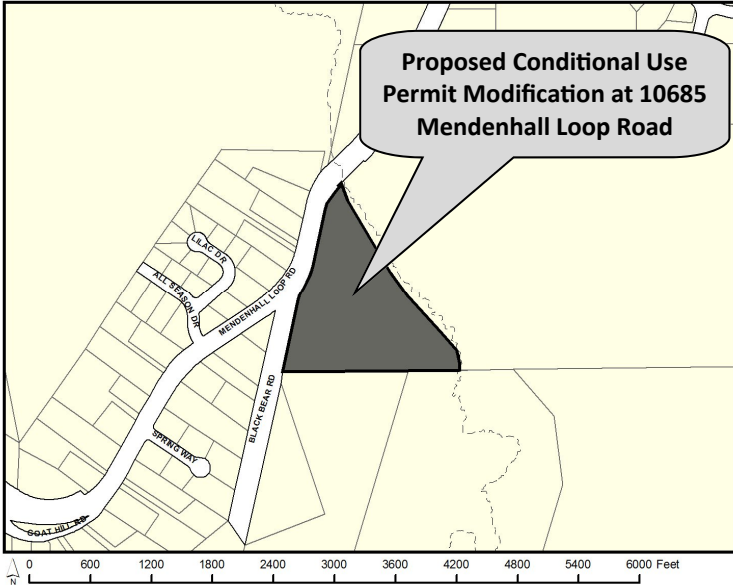
1233779

RECORD OF PATENTS: Patent Number

Attachment I - 2003 Patent 18044 transferring U.S. Survey 3406 land from the State of Alaska to CBJ

# Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission  
*Your Community, Your Voice*



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use Permit Modification** at 10685 Mendenhall Loop Road in a D3 zoning district. The applicant proposes to revert the current use of Montana Creek House from administrative offices back to a residential treatment building, due to a recent merger between SEARHC and Juneau Youth Services. **The currently permitted, maximum number of residents allowed to live on site is twenty-four (24); the applicant does not wish to change this number.**

## TIMELINE

Staff Report expected to be posted **June 5, 2023**, at <https://juneau.org/community-development/planning-commission>  
 Find hearing results, meeting minutes and more here as well.

Now through May 22	May 23 — noon, June 9	HEARING DATE & TIME: 7:00 pm, June 13, 2023	June 14
Comments received during this period will be sent to the Planner, <b>Jennifer Shields</b> , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <a href="https://juneau.zoom.us/j/82155532900">https://juneau.zoom.us/j/82155532900</a> and use the Webinar ID: 821 5553 2900 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 S. Seward Street, Juneau, Alaska.	The results of the hearing will be posted online.

### FOR DETAILS, QUESTIONS, OR TO SUBMIT COMMENT

Phone: (907)586-0753 ext. 4139 ♦  
 Email: [pc\\_comments@juneau.gov](mailto:pc_comments@juneau.gov)  
 Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Case No.: USE2023 0007  
 Parcel No.: 4B2601020042  
 CBJ Parcel Viewer: <http://epv.juneau.org>



Attachment I- Public Notice Sign Photo