



REGULAR PLANNING COMMISSION AGENDA

June 13, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/82155532900> or 1-253-215-8782 Webinar ID: 821 5553 2900

A. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. May 23, 2023 Draft Minutes, Regular Planning Commission- APPROVED

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR CONSIDERATION

H. CONSENT AGENDA

2. **USE2023 0007**- Applicant requests a Conditional Use Permit Modification for SEARHC/JYS to revert from administrative offices to residential treatment dorm rooms in Montana Creek House.- APPROVED AS RECOMMENDED

Applicant: Southeast Alaska Regional Health Consortium (SEARHC)

Location: 10685 Mendenhall Loop Road; 10801 & 10815 Black Bear Road.

DIRECTOR'S REPORT

Due to a recent merger between Southeast Alaska Regional Health Consortium and Juneau Youth Services, the applicant proposes to revert the use of Montana Creek House from administrative offices back to a residential treatment building with dorm rooms. Current administrative and community services staff will be relocated to other SEARHC locations. The maximum number of residents currently permitted to live on site is twenty-four (24); the applicant is not proposing changes at this time. Lighthouse and Black Bear House will remain as residential treatment facilities with dorm rooms. Services include behavioral health care to help residents focus on increasing their coping skills, self-confidence, social functioning, and life skills.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2023-0007 with conditions.

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.

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

3. SNC2023 0001: Street Name Change for approximately 345 feet of South Seward Street to Heritage Way.- APPROVED AS RECOMMENDED

Applicant: Sealaska Heritage Institute (SHI)

Location: South Seward Street

DIRECTOR'S REPORT

The applicant requests to rename approximately 345 feet of South Seward Street to Heritage Way. The street name change will be compatible with Heritage Square, the Walter Soboleff Building, the Arts Campus and the Sealaska Heritage Institute Campus. The primary driver for this request is to provide representation to the Northwest Coast People, and furthering Juneau as the Northwest Coast Arts Capital of the world. Unique street names may resolve addressing confusion between S Seward St. and Seward St. When naming new streets, code requires that the street name be unique for this purpose. The proposed name, Heritage Way, is unique to the borough.

RECOMMEDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Street Name Change SNC2023 0001 with the requested condition.

CONDITION

The street name change becomes effective November 1, 2023.

K. OTHER BUSINESS

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Acting Chairman

May 23, 2023

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Brown.

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Vice-Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7:03 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Vice Chair; Erik Pedersen, Deputy Clerk; Matthew Bell; Adam Brown; Nina Keller; David Epstein

Commissioners present via video conferencing – Michael LeVine, Chairman; Paul Voelckers

Commissioners absent: Travis Arndt, Clerk

Staff present: Jill Maclean, CDD Director; Teri Camery, Senior Planner; Lily Hagerup, CDD Administrative Assistant; Ilsa Lund, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: ‘Wáahlaal Gíidaak (Barbara) Blake

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - None

IV. APPROVAL OF MINUTES

A. May 9, 2023 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Pedersen to approve the May 9, 2023 Planning Commission Regular Meeting minutes.*

The motion passed with no objection.

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Read by Director Maclean

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

VII. ITEMS FOR RECONSIDERATION – None

VIII. CONSENT AGENDA – None

IX. UNFINISHED BUSINESS – None

X. REGULAR AGENDA

Prior to hearing **AME2021 0008**, Mr. Levine declared a conflict and recused himself.

AME2021 0008: An ordinance amending the land use code, related avalanche and landslide areas, and replacing the avalanche and landslide area maps.

Applicant: City & Borough of Juneau

Location: N Douglas Highway

Staff Recommendation

The proposed ordinance would modify requirements and restrictions for development in avalanche and landslide areas and adopt the April 2022 avalanche and landslide area maps.

Staff recommends that the Planning Commission adopt the Director’s analysis and findings and recommend approval of the ordinance to the CBJ Assembly.

STAFF PRESENTATION – By Director Maclean

PUBLIC COMMENT –

Mark Ridgway, Glacier Hwy – Owns properties on Starr Hill and on Twin Lakes. Mr. Ridgway spoke in opposition to the ordinance saying the study defines a hazard but not the associated risk. Mr. Ridgway said he had only heard of this issue yesterday and asked for more time. Of his two properties, one is within the hazard zone. The home outside of the proposed hazard zone has experienced multiple landslides while the one within the slide zone never has.

Ms. Cole – What do you think of approving the maps without adopting the ordinance?

Mr. Ridgway – Defining the hazard is appropriate but the study is not specific enough to make site specific decisions.

Mr. Epstein – Do you feel that the study failed in identifying hazards?

Mr. Ridgway – No. It defines hazard but in an overly generalized way.

Albert Shaw, 300 Hermit St – Spoke in support of the ordinance. Mr. Shaw lived and Juneau and saw the mudslide in 1936 that killed people. He is in support of the CBJ buying out the houses in the avalanche area.

Mr. Voelckers – It's been said that those landslides may have been triggered by mining activity. Do you have an opinion on that?

Mr. Shaw – There was a lawsuit regarding the slide that occurred on January 2, 1920, which said the slide was caused by the AJ mine stamp mill. That lawsuit failed.

MaryEllen Duffey, West Ridge Condos – Retired senior, long time Juneau resident. Spoke in opposition to the ordinance saying adopting the maps will cause unaffordable increases in insurance costs.

James L Baldwin, 206 Hermit St – Spoke in opposition to the ordinance. When he bought his home, it was considered to be in a moderate zone. He made his purchase decision based on that information. He would like to see a grandfather clause added to protect his investment.

Mr. Voelckers – Who performed the geotechnical analysis in the 1990's that originally determined your hazard status?

Mr. Baldwin – Swanson was the engineering geologist, Baxendall Associates were the consulting engineers, and CBJ building staff performed a detailed finding.

Mr. Voelckers – Agreed with the point that property owners have followed current ordinance regarding their properties and their rights should not be lost.

Mr. Brown – In what year was the study conducted?

Mr. Baldwin – The letter from CBJ approving the findings was dated August 1990.

Larry Fanning, 300 Hermit St – Spoke in opposition to the ordinance. This will have adverse effect on property owners. Financing or refinancing will require landslide insurance, but there is currently nobody who will provide landslide insurance to Southeast Alaska. This renders the property worthless as it cannot be sold.

Mr. Voelckers – In your research on insurance, you found no landslide insurance. What about avalanche insurance?

Fanning – Avalanche insurance seems to be available.

Jean McBrien, 300 Hermit St – Spoke in opposition to the ordinance. Ms. McBrien stated only this area was selected for mapping, but there are other areas identified for mapping in the January 23, 2018 proposed mass wasting study. Those areas were Blackerby Road and the east side of Mendenhall Valley. Lenders will not lend on properties in a severe landslide zone without insurance, but landslide insurance is not available in Juneau. On July 22, 2021, CBJ Planning Manager Alix Pierce said on KTOO that the goal was to give the public information, and that it would be up to the public what they do with it. Ms. McBrien would like to see the maps used for information only.

Ke Mell, 850 Basin Road, is a registered architect and spoke in opposition to the ordinance. Ms. Mell said civil engineering professional liability insurance will not allow engineers to certify anything regarding avalanches or landslides as there are no standards in place. She felt applicable standards should be adopted first. Ms. Mell added risk does not equal hazard.

Ms. Cole – Mr. Baldwin and Mr. Fanning spoke about having their property moved outside of avalanche zones. Are you saying this can no longer happen?

Ms. Mell confirmed that she is not aware of any professional insurance that would allow an engineer to sign off on that today.

Mr. Voelckers – In the Baxendall case, they redefined some of the hazard zone boundaries. But how do you define mitigating measures for a property that is clearly within a hazard area?

Ms. Mell – Engineers have told her that they cannot do anything on her property because of the hazard maps.

David McCasland – Lives in Juneau. Owns 127/139 Franklin and is in process of purchasing the Elks Lodge (Rockwell) building. Spoke in opposition to the ordinance. He is planning to build housing on the property. The properties are identified in hazard zones. However, the properties have not seen landslide/avalanche events in the 100 years he knows of.

Debbie Purves, 300 Hermit St. – Spoke in opposition to the ordinance. Ms. Purves expressed concern that the Tetra Tech proposed mapping will override the existing boundary adjustment approvals for the Hermit Street area based on analyses and reports previously approved by CBJ engineering department. Those previous approvals should be honored and not discounted without additional engineering and geotechnical analysis in the area.

Ms. Cole – There has been an ordinance in place regulating severe and moderate landslides. How do you see this ordinance differently?

Ms. Purves – The ordinance is not very different, but the mapping is substantially different.

Mr. Epstein – Asked if she thinks there should be grandfather rights.

Ms. Purves – If someone followed code and obtained approval, they should be able to keep that approval.

Mr. Brown – Do you know if Tetra Tech took into account the previous determinations?

Ms. Purves – Referenced technical memo #3 where it was mentioned in general.

Rick Purves, 300 Hermit St. – Spoke in opposition to the ordinance. In 1981, an engineering evaluation was accomplished by R&M Engineering on the West Ridge Condo property. No landslide hazards were identified and CBJ issued building permits. In 1990, Baxendall & Associates performed an evaluation for the Townhouses on Irwin Street and also found no problem. In 1996, Baxendall & Associates performed additional evaluation for 400 Hermit Street. In all of these studies, detailed analyses were conducted and found no evidence of landslide activity.

Mary Alice McKeen, 212 W 9th St. - Spoke in opposition to the ordinance saying the information provided is not adequate because they are not site specific in defining which properties are or are not included in the hazard zones. She suggested adopting a warning system similar to the one in Sitka.

Mr. Voelckers – Has Sitka’s landslide/avalanche warning system proven adequate to allow for property owners to obtain insurance?

Ms. McKeown did not know.

Mr. Pedersen – How does the Sitka warning system work?

Ms. McKeen said people can go to a website and see the hazard level by day. It is at least partially based on rainfall amounts.

Ms. Cole - The maps exist and are public information now. What is the effect on the ability to resell or insure property now that they exist, whether adopted or not?

Ms. McKeen said it is a big leap between having the maps and using them to determine development. The ordinance proposes to use them to regulate development. She felt it is misleading to adopt the maps for ‘informational purposes’ and asked what information are they providing?

Mr. Voelckers – What is the status of the Sitka maps now that they have been repealed? Are they presented on the Sitka city website?

Ms. McKeen suggested CBJ staff talk with Sitka staff. The Sitka maps have been completely repealed and are not even published.

Brianna Ackley, Starr Hill – Read her written comments into the record and spoke in opposition to the ordinance stating the CBJ assessors’ office has assessed her property higher than ever this year but putting the property into the hazard zone deems the property worthless. The maps need more detail and should not be adopted until the insurance problem has been addressed.

Andrew Heist, Irwin St - Spoke in opposition to the ordinance saying the maps are incomplete and flawed. More research is needed before taking action that will have a consequence on so many residents.

Shawn Eisele, Starr Hill - Spoke in opposition to the ordinance saying there needs to be site specific analyses conducted. He takes the risk seriously but feels the risk is reasonable. He feels the CBJ

should take responsibility for conducting the site-specific studies and not put that expense on private property owners.

Ms. Cole – What is the difference between the areas that were previously deemed moderate/high hazard in the existing ordinance and adding this area to the ordinance?

Mr. Eisele – Maybe the old zoning is erroneous. The current ordinance has not created safety.

Ms. Cole – Are you in favor of repealing the existing mapping ordinance?

Mr. Eisele – Felt that would be an option and felt the CBJ should look at other ways to address the issue.

Yvette Soutiere, 634 6th St - Spoke in opposition to the ordinance saying, “slow down”. Her residence was reclassified from moderate to severe under this ordinance. We are only talking about hazard and not risk. The discussion needs to include risk. The Ordinance should not be adopted.

Mr. Epstein – If a landslide or avalanche event hit your property, would insurance cover it?

Ms. Soutiere – It is unclear at the moment. We have homeowners’ insurance but are unsure what would be covered at this point.

Ms. Cole – How do you feel about adopting the maps for informational purposes only?

Ms. Soutiere – There is a risk of insurance companies will use that information to substantiate not covering a damage.

Jacyn Schmidt [zoom participant] Sitka resident –Ms. Schmidt described the Sitka warning system as a situational awareness tool. She added landslide insurance is not available in southeast Alaska but the hazard is present and does affect housing prices.

Mr. Voelckers – How does the insurance problem affect financing?

Ms. Schmidt – Read from an article stating financing was less influenced by landslide risk designation and more by appraisal report and borrower credit profile.

Mr. Brown – Is Sitka’s situational awareness tool adequate and effective?

Ms. Schmidt – Landslide hazard is not mitigated by the tool but people have more information and that is important.

Susan Clarke, 1109 C St – Spoke in opposition to the ordinance. She was involved in avalanche studies in the 1970s and 1980s. Without the maps, people may not know if they are living or buying in an avalanche zone. There has to be some way to ensure people are informed.

Ms. Cole – Would you be supportive of adopting the maps for informational purposes only?

Ms. Clark – That might be something to consider.

**AT EASE ** 8:48 p.m. – 9:00 p.m.

ADDITIONAL APPLICANT COMMENTS – Director Maclean pointed out that the current maps merge avalanche and landslide hazard areas. Regardless of whether the new maps or ordinance are adopted, they already pose a challenge to property owners for getting insurance coverage. The assembly needs to be aware, and this issue needs to be addressed.

Regarding the idea of grandfathering, for the adopted flood maps, a property owner can apply for a letter of map amendment and request FEMA approval. However, it is not a guarantee that FEMA will uphold the letter of map amendment if the maps change; each case is re-evaluated.

This Sitka warning system is based on debris flow landslides and was part of a five-million-dollar grant. The landslide hazards in Juneau are not all based on debris flow.

The new ordinance is similar to the current ordinance in that it does not prohibit all development. It allows for construction of a single-family dwelling in a moderate landslide or severe avalanche zone with a CUP. Single family homes can be built in severe landslide zones but may not include accessory apartments.

Ms. Camery cited the Tetra Tech technical memos concerning the semi-quantitative analysis that was conducted vs a quantitative analysis involving core drilling and sampling. According to Tetra Tech, it would cost between \$250,000 and \$1,000,000 per slide for a quantitative analysis. In order to do a complete risk analysis as was brought up during public testimony, there would first need to be a full quantitative analysis as well as an analysis of possible consequences on top of that. This helps to explain why only a semi-quantitative study was conducted as a full risk analysis would likely be cost prohibitive.

QUESTIONS FOR STAFF

Mr. Brown – Did Tetra Tech specify types of landslides experienced in Juneau as compared to landslides occurring in Sitka? Can we regulate differently based on the different types of slides?

Ms. Camery said Juneau experiences several types of landslides including, but not limited to, debris flow slides, debris fall, rock fall, and others. The Sitka warning system is for weather caused debris flow only.

Mr. Brown- Did the study include which types of landslides can occur in which areas? Ms. Camery said the study does not provide detail on which type of landslides occur in each area. However, the report does explain the differences in ranking of each designation.

Mr. Voelckers – The Tetra Tech study includes all the way to South Franklin but does not take into consideration any of the uphill structures. If the maps were adopted as presented, then the only thing that could be developed would be single home constructions. However, we already know that Mr. McCasland is planning commercial development. Has there been any discussion or processes to allow reasonable commercial development in the South Franklin corridor?

Director Maclean said it would be up to the PC to develop policy to recommend to the assembly if the maps are adopted.

Mr. Epstein – Is Tetra Tech’s work complete and did they fulfill the scope of work? Director Maclean confirmed yes and yes.

Ms. Cole – How was the location of this study selected? Ms. Camery explained that the CBJ submitted a proposal with three priority locations. FEMA awarded funding for only one of the three areas. The downtown area was listed in the proposal as first priority so that is what was funded.

Mr. Pedersen – If money were not a concern, would Tetra Tech be able to expand the study to allow for site specific results? Ms. Camery said they have not pursued that as the funding would not be available.

Mr. Bell – If Tetra Tech was asked to do further analysis, would the CBJ entertain that thought? Director Maclean said this has been an ongoing issue and she felt even with the most intense study, it would still be a challenge to reach consensus.

Mr. Pedersen – It looks as though the CBJ took possession of properties in previously designated hazard areas. Ms. Camery said those properties were actually donated to the CBJ and there have been no parcels purchased based on hazard designation.

Ms. Keller – Has the Department completed a cost/benefit analysis considering the effect of the maps and ordinance on residents? Director Maclean said the Tetra Tech maps provide good information. What seems like a flaw in the study is more likely that this may not look like what people think an analysis would look like.

COMMISSIONER DISCUSSION

Mr. Voelckers said this is the hardest issue he has seen come before the PC. He expressed worry on the status of the maps more than on the ordinance. According to Tetra Tech this is part one of four, but CBJ has only received funding for this part. He felt the CBJ should finish the other parts.

Mr. Epstein felt the maps are not granular enough and felt they should be more granular, but he knows that is cost prohibitive. He is okay with the ordinance as written but the maps need more work.

Mr. Bell asked Mr. Voelckers to suggest how he would move forward. Mr. Voelckers suggested forwarding a recommendation to the assembly for maps in process and improved ordinance language.

Mr. Epstein asked Mr. Voelckers how he would change the verbiage of the ordinance. Mr. Voelckers suggested allowing a portion of a property rather than requiring the entire parcel to be included within a hazard zone when only a small portion of that property is actually within a hazard area and allowing grandfather language. He added that, in his opinion, the avalanche

portion of the ordinance is better written than the landslide portions and the language should be updated.

Ms. Cole said she is not ready to move this to the Assembly as it stands. Ms. Keller agreed and added the community needs more information to answer their concerns regarding how this impacts their properties. Mr. Epstein said people are already experiencing negative impacts and felt the PC should not move in a way that makes it worse without more information.

Mr. Voelckers asked what process Ms. Cole would recommend, adding that anything more will require more funds. Ms. Cole suggested forwarding the information to the assembly with a recommendation *not to adopt* and asking them to reconsider the current maps rather than taking it back to committees.

Director Maclean suggested forwarding a memo from the PC to the Assembly Lands Committee.

**** AT EASE **** 9:50 p.m. – 9:55 p.m.

MOTION: *by Mr. Pedersen to forward AME2021 0008 to the Assembly with a recommendation to NOT adopt the director's analysis and findings and to NOT adopt the proposed ordinance amending the code related to landslide and avalanche area and NOT adopt the landslide and avalanche area maps.*

Mr. Pedersen spoke to his motion saying he is open to amendments.

MOTION TO AMEND: *by Mr. Epstein to include a recommendation to the assembly to consider a method for notifying renters and homebuyers who are in the current avalanche/landslide zones according to the current maps.*

Mr. Brown asked how that would be regulated. Ms. Layne said that would be a policy call for the assembly to determine.

The motion to amend passed with no objection.

The amended motion passed on roll call with no objection.

Mr. Levine rejoined the meeting at 10:08 p.m.

XI. OTHER BUSINESS – None

XII. STAFF REPORTS

Director Maclean reported:

- Staff has been working on updates to the Accessory Apartment Grant program. It will be renamed Accessory Dwelling Unit program.
 - The grant is about to sunset and the assembly can renew it.

- They are looking at increasing the grant to \$13,000 with a \$50,000 option.
- Title 49 worked on subdivision along arterials (Chapter 35- CBJ 49.35.210-240).
- Asked the Governance committee to look at changing the meeting start time to earlier than 7:00 p.m.

XIII. COMMITTEE REPORTS

Governance: Mr. Pedersen will work with staff to call a meeting to discuss start times and to address timing of additions to packet

Lands: Met and passed to the Assembly the streams ordinance described by 'Wáahlaal Gíidaak.

XIV. LIAISON REPORTS –

- T&H moved out of Lands to draft an ordinance regarding the purchase of Pedersen Hill
- An ordinance amending the sensitive areas requirement of the land use code related to marine mammal and anadromous waterbody habitat protections was moved out of committee.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS Director Maclean and Mr. LeVine thanked Ms. Cole for chairing the meeting.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 10:19 p.m.

Respectfully submitted by *Kathleen Jorgensen Business Assists (907)723-6134* 



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: June 15, 2023
Case No.: SNC2023 0001

Sealaska Heritage
105 S. Seward St.
Juneau, AK 99801
Lee.Kadinger@sealaska.com

Proposal: Street Name Change for approximately 345 feet of South Seward Street to Heritage Way

Property Address: 105 S. Seward St.

Legal Description: Tidelands Addition BL78 LT 1A

Parcel Code No.: 1C070K780011

Hearing Date: June 13, 2023.

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 5, 2023, and APPROVED the Street Name Change of South Seward Street to Heritage Way with the following condition:

1. The street name change is effective November 1, 2023.

Attachments: June 5, 2023, memorandum from Emily Suarez, Community Development, to the CBJ Planning Commission regarding SNC2023 0001.

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, June 14, 2023.

Expiration Date: The permit will expire 18 months after the effective date, or December 14, 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.

mandy cole

Mandy Cole, Acting Chair
Planning Commission

6.20.23

Date

Alsa Lund

Filed With City Clerk

6/20/2023

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

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION

NOTICE OF DECISION

Date: June 15, 2023

File No.: USE2023 0007

SEARHC / Juneau Youth Services
Attn: Kyle Paw & Brent Fischer
3100 Channel Drive
Juneau, AK 99801

Proposal: Conditional Use Permit Modification for SEARHC/JYS to revert from administrative offices to residential treatment dorm rooms in Montana Creek House.

Property Address: 10685 Mendenhall Loop Road

Legal Description: Black Bear Lot 2

Parcel Code No.: 4B2601020042

Hearing Date: June 13, 2023

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated May 26, 2023, and APPROVED the Conditional Use Permit Modification 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 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.

Attachments: May 26, 2023, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2023 0007.

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.

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Effective Date: The permit is effective upon approval by the Commission, June 13, 2023.

Expiration Date: The permit will expire 18 months after the effective date, or December 13, 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.



Mandy Cole, Acting Chair
Planning Commission

6.20.23

Date



Filed With City Clerk

6/20/2023

Date

cc: Plan Review

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

Section H, Item 2.

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

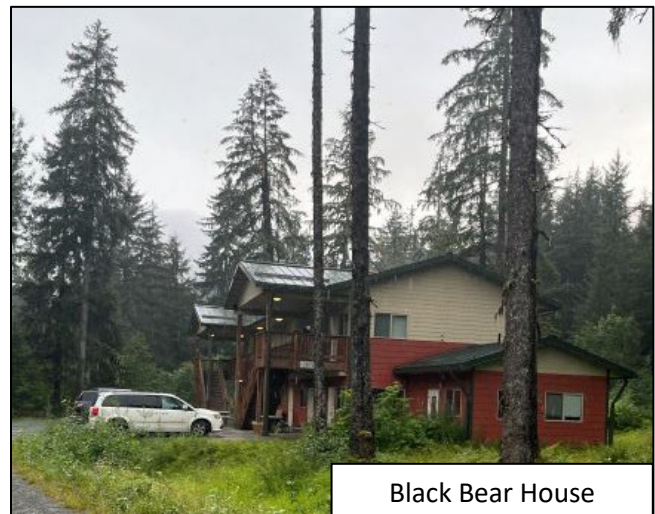
1. Maximum number of residents living on site is twenty-four (24).
2. The applicant shall clear brush and small trees along Mendenhall Loop Road to maintain safe, clear sight distance from the exit driveway to the Montana Creek Bridge as required by the Alaska Department of Transportation and Public 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."*

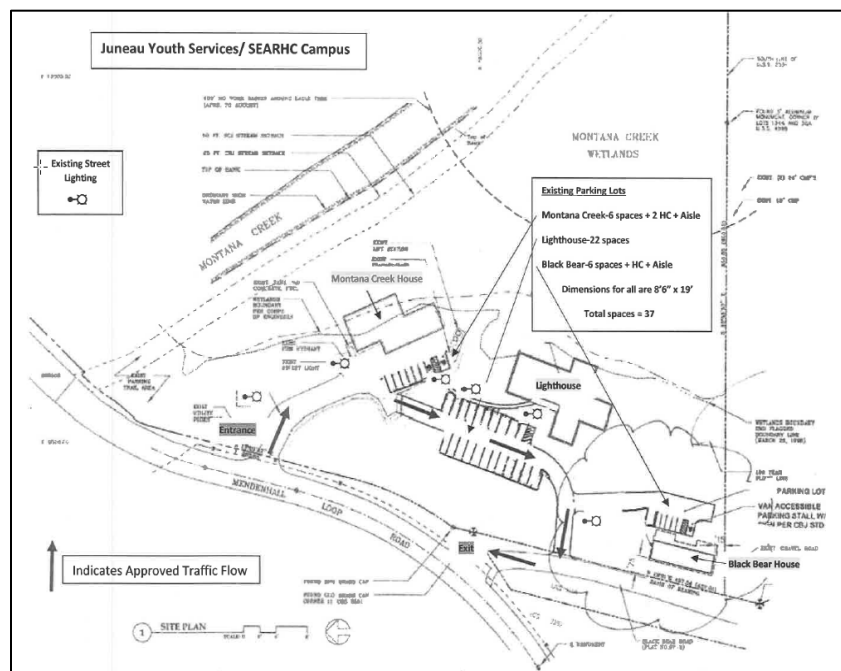
The current and proposed Conditional Use Permits fall under the Assisted Living USE 7.200 classification.



ZONING REQUIREMENTS

Standard		Requirement	Proposed	Existing	Code Reference
Lot	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
Setbacks	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
Lot Coverage Maximum		35%	No Change	~15%	CBJ 49.25.400
Vegetative Cover Minimum		20%	No Change	~75%	CBJ 49.50.300
Height	Permissible	35 feet	No Change	Two-story	CBJ 49.25.400
	Accessory	25 feet	No Change	One-story	CBJ 49.25.400
Maximum Dwelling Units		2	No Change	N/A	CBJ 49.25.500
Use		Residential	7.200, Assisted Living (w/offices)	7.200, Assisted Living (w/offices)	CBJ 49.25.300

SITE PLAN

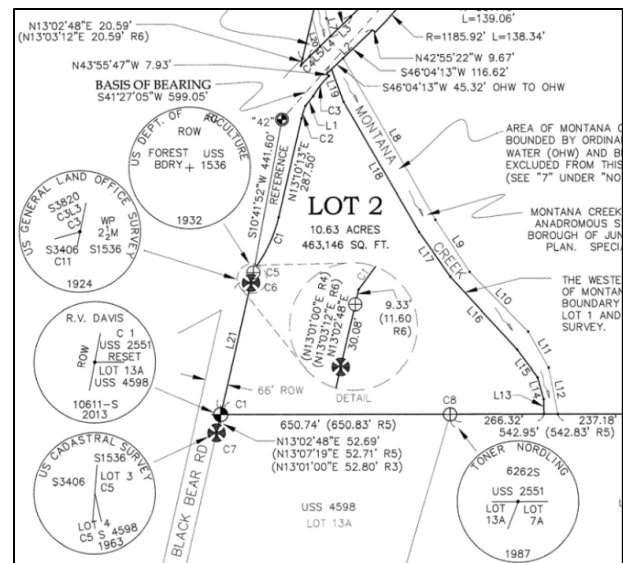


ANALYSIS

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
Total ADTs:			102.18



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

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.

Agency	Summary
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.

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 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

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

PROPERTY LOCATION	
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 _____	
LANDOWNER/ LESSEE	
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	
LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits.	
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:	
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.	
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.	
Kyle Paw on behalf of Searhc Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)	
X	[Signature] Landowner/Lessee (Signature) Date 4/24/23
BRENT FISCHER ON BEHALF OF SEARHC Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)	
X	[Signature] 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.	
APPLICANT	
If same as LANDOWNER, write "SAME"	
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	[Signature] 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

Updated 6/2022- Page 1 of 1



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
Proposed

☐ No
☒ No

☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

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

If this is a modification or extension include:

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

☒ Plans including:

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

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

ALLOWABLE/CONDITIONAL USE FEES			
	Fees	Check No.	Receipt
Application Fees	\$ 500.00		
Admin. of Guarantee	\$ -		
Adjustment	\$ -		
Pub. Not. Sign Fee	\$ 50.00		
Pub. Not. Sign Deposit	\$ 100.00		
Total Fee	\$ 650.00		

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
USC23-007	4/24/23

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.

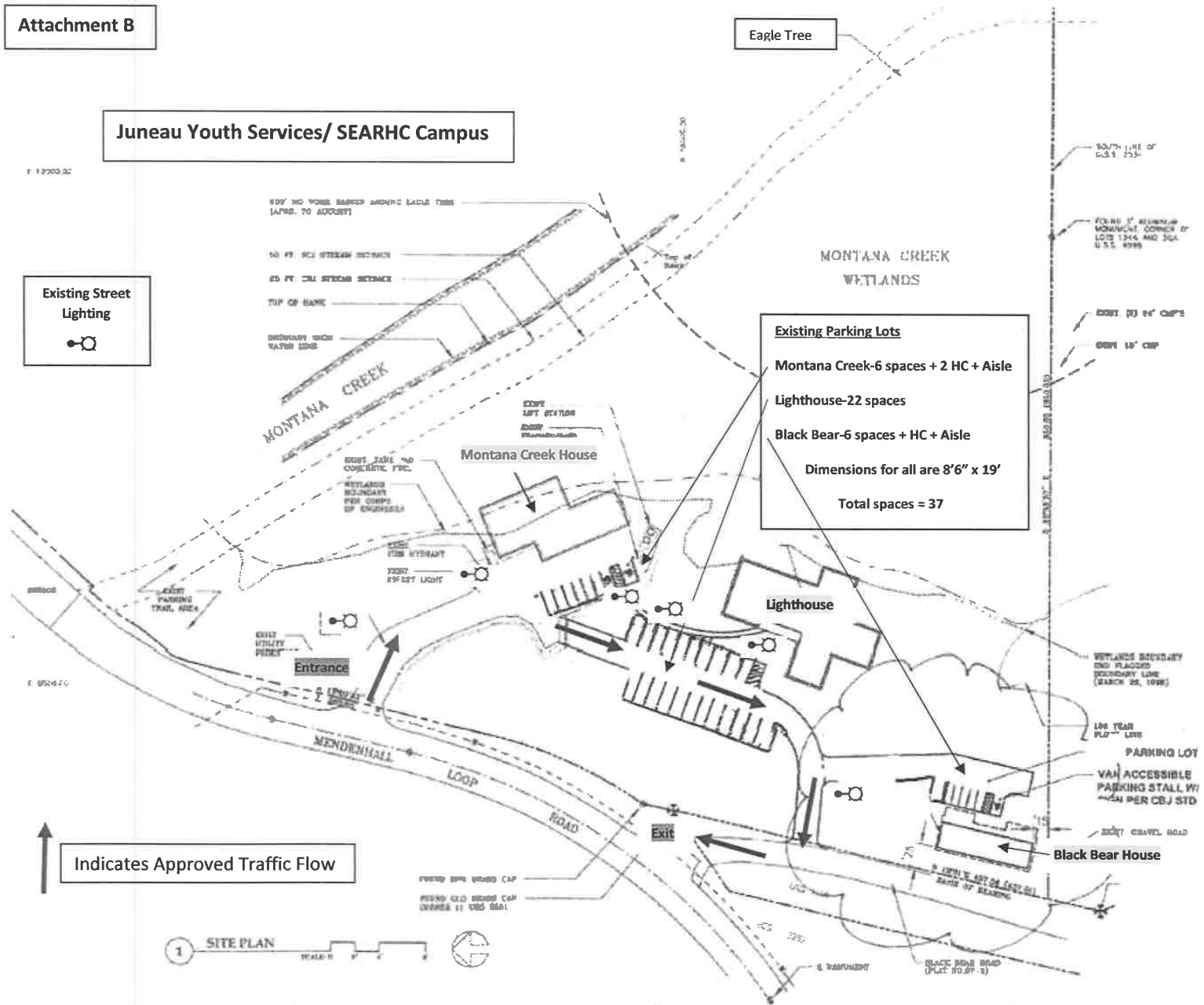
See Attached:

- 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)

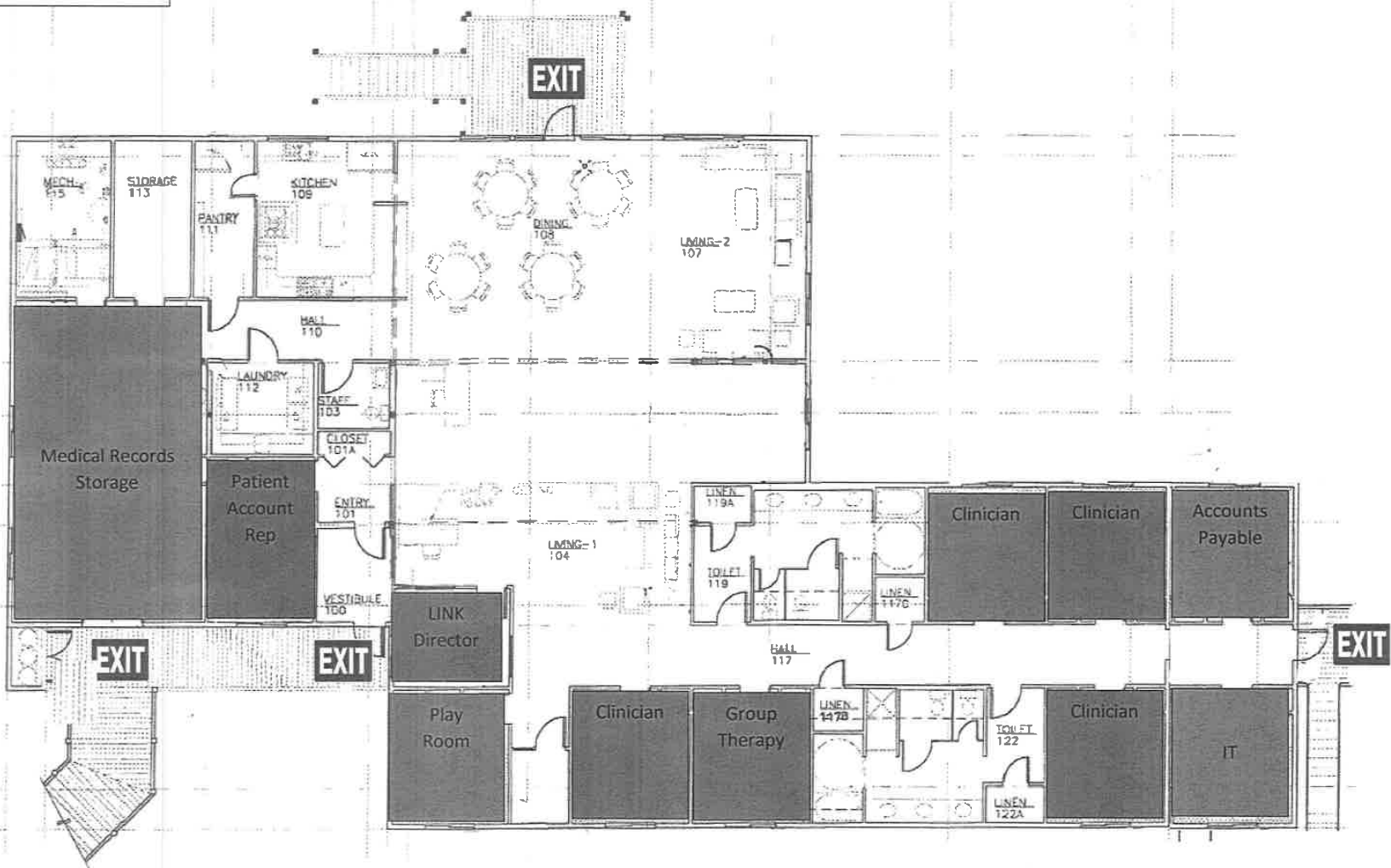


Attachment B

Juneau Youth Services/ SEARHC Campus



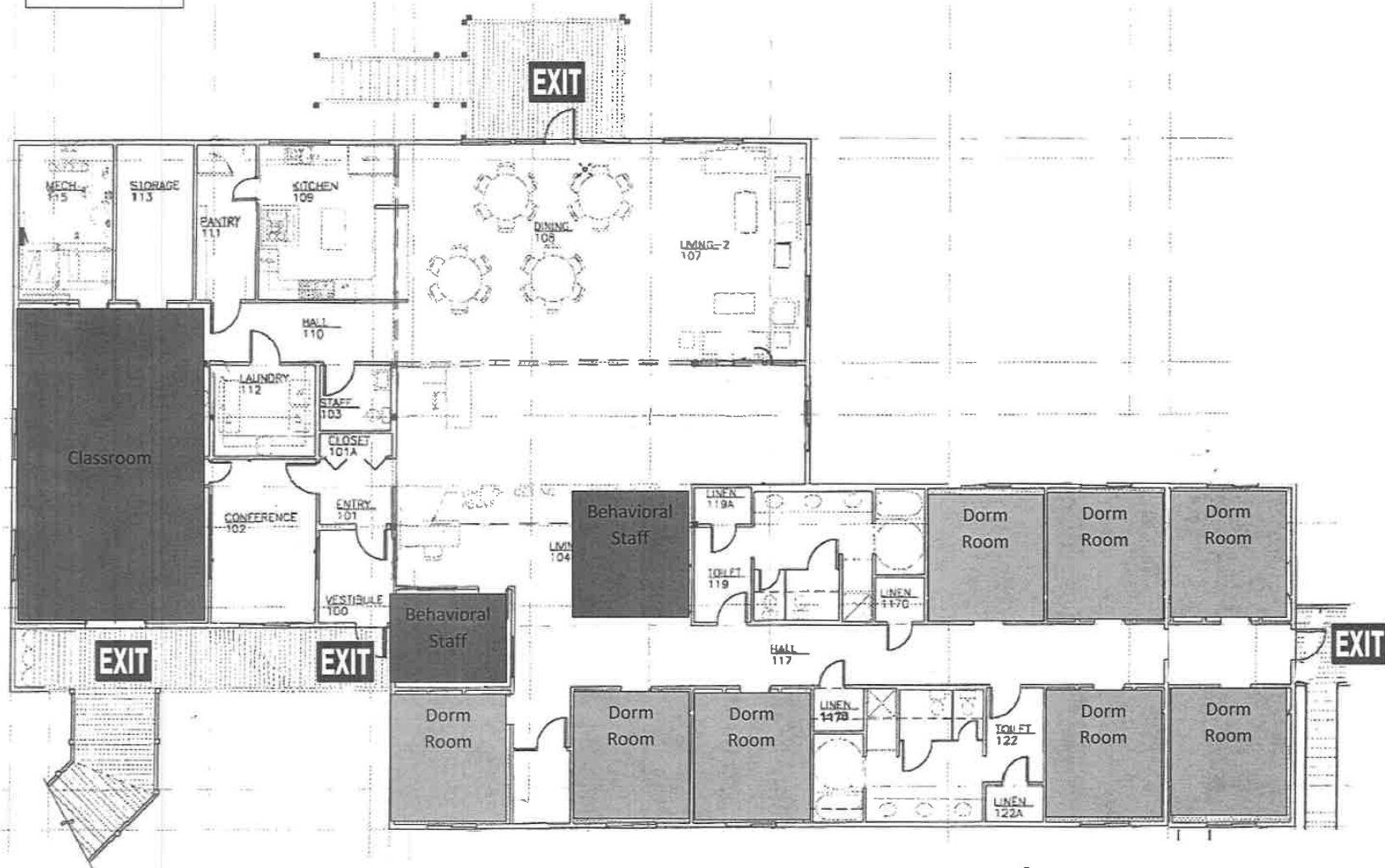
Attachment D



Montana Creek House

Current Use

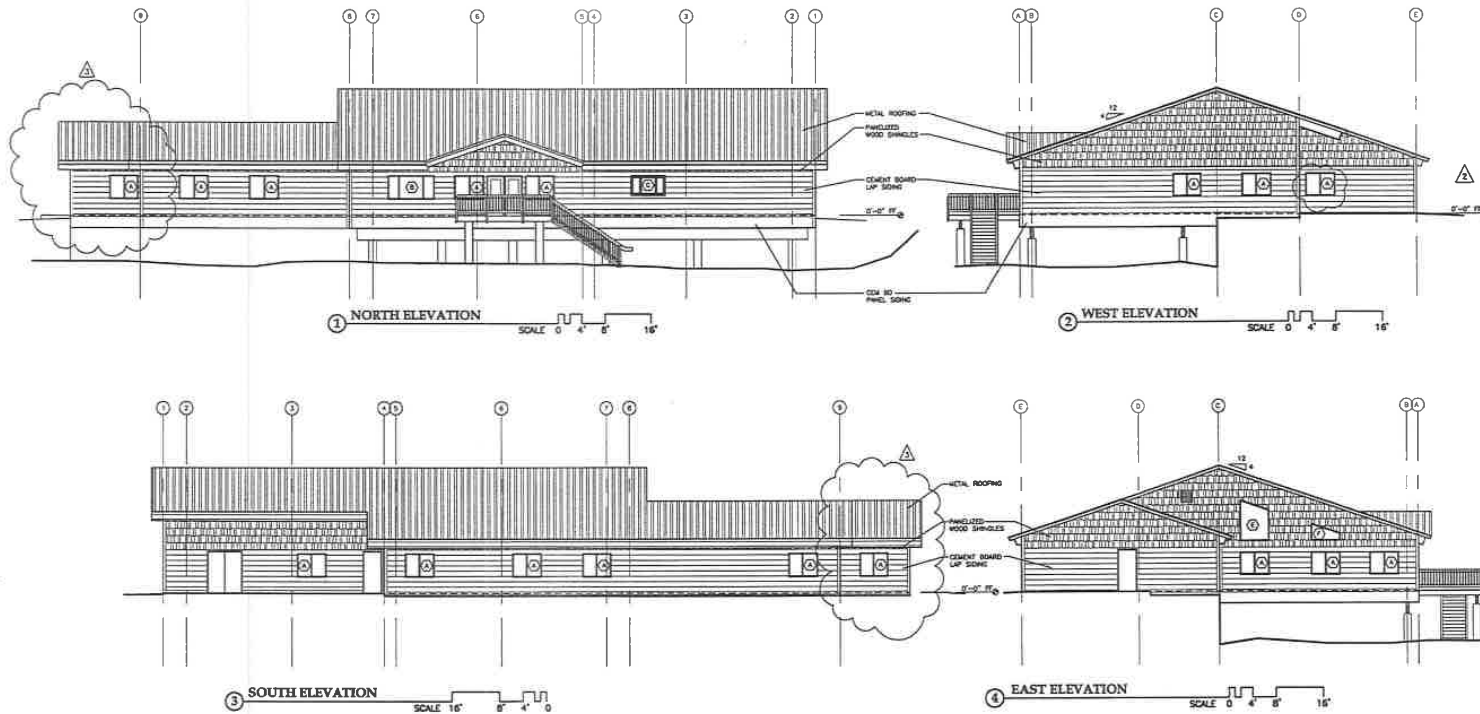
Attachment E



Montana Creek House

Proposed Use

ATTACHMENT F



**Jensen
Yorba
Lott
Inc.**

522 West 10th Street
Juneau, Alaska 99801
phone 907-586-1070
fax 907-586-3999
jyl@alaska.net



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

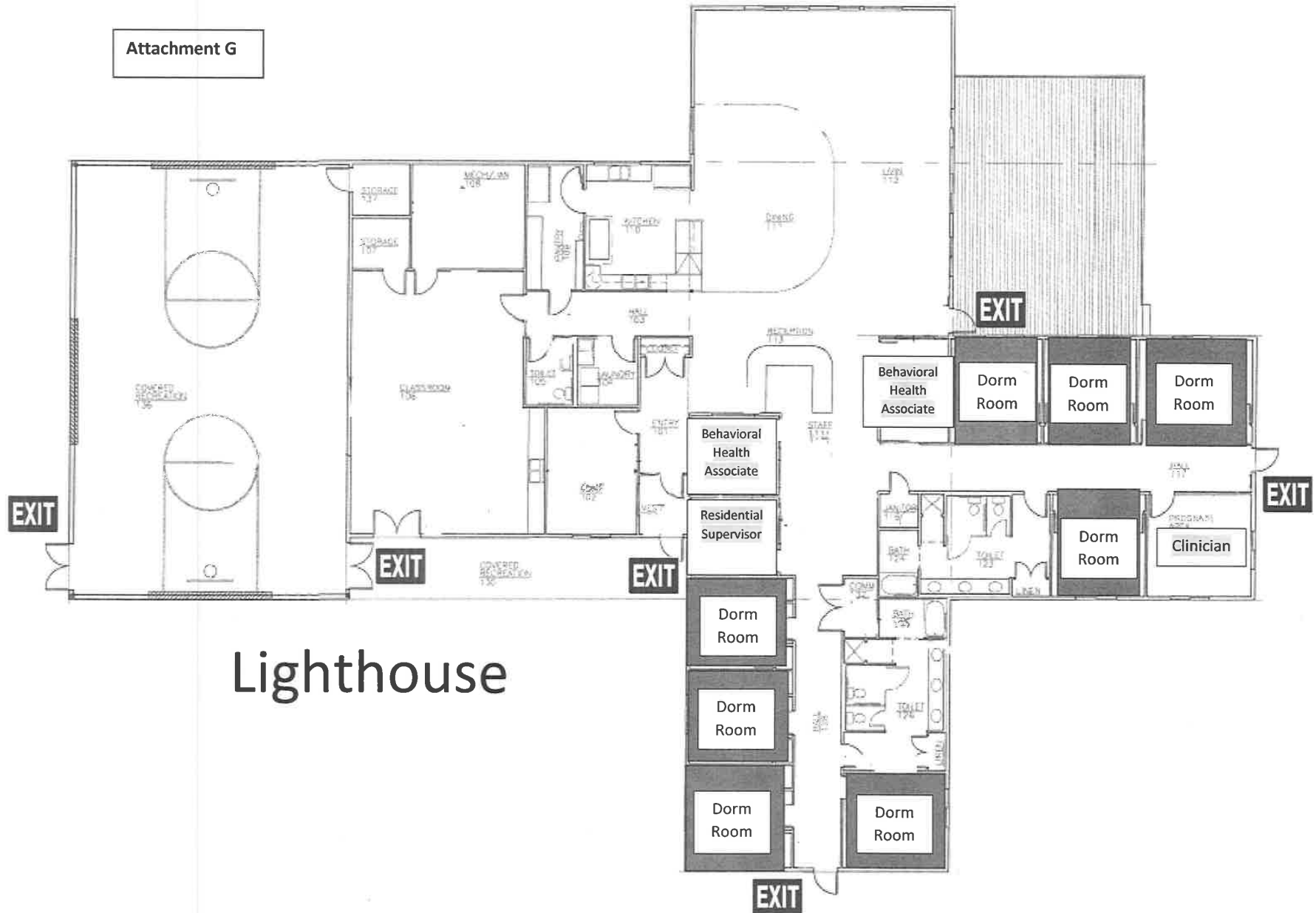
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1/9/99
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1/9/99

SHEET TITLE
ELEVATIONS

DATE: May 12, 1999
FILE: 970

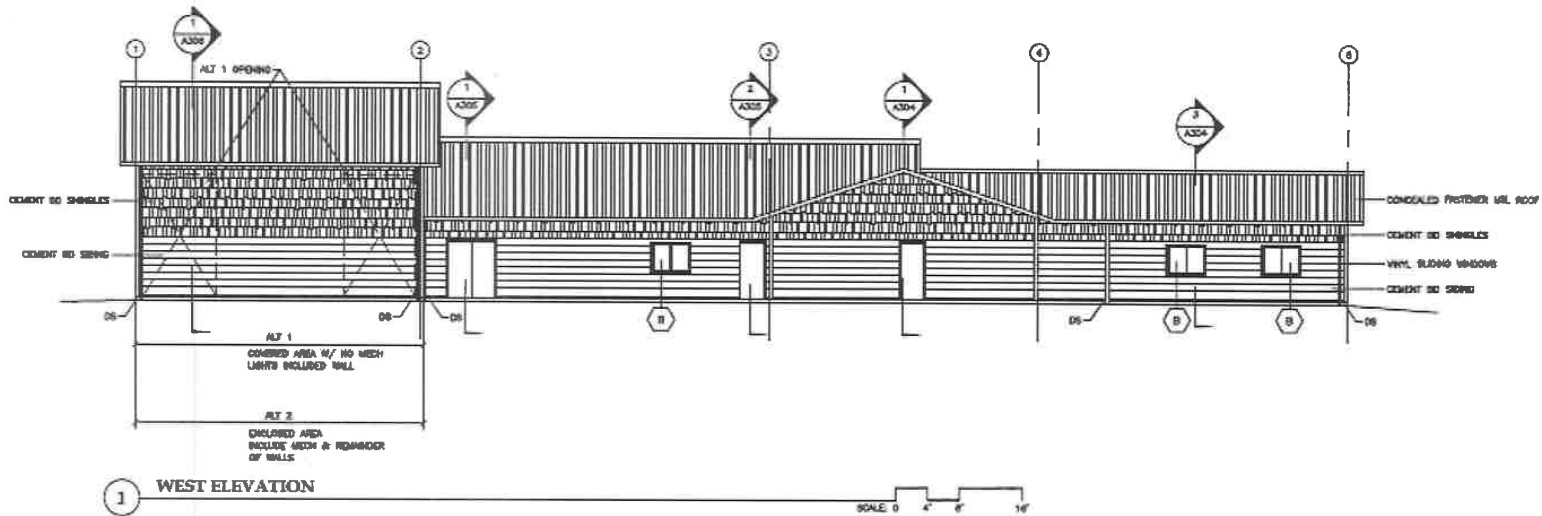
A301

Attachment G

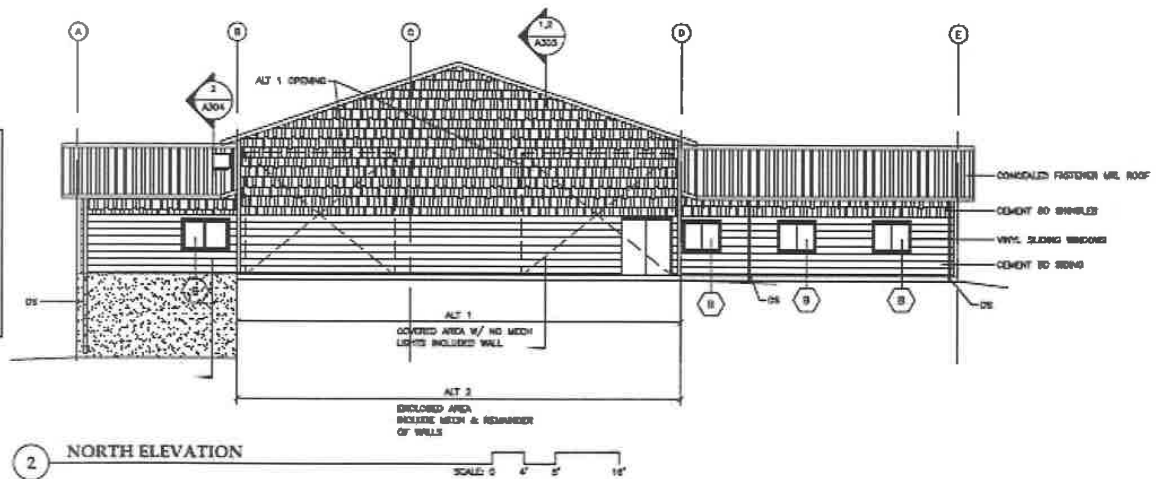


Lighthouse

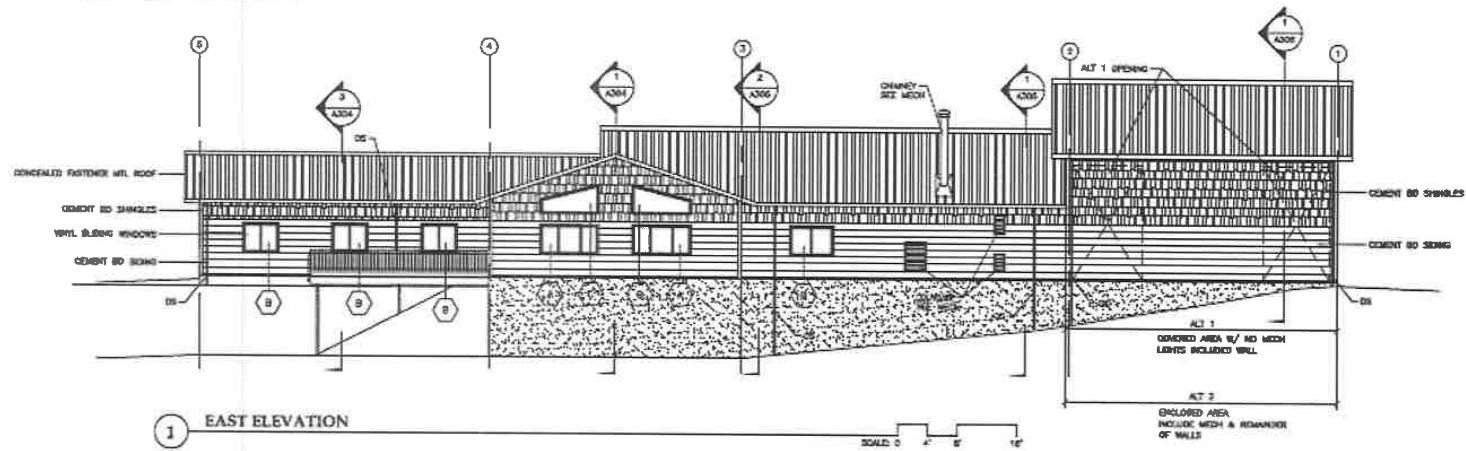
Attachment H 1



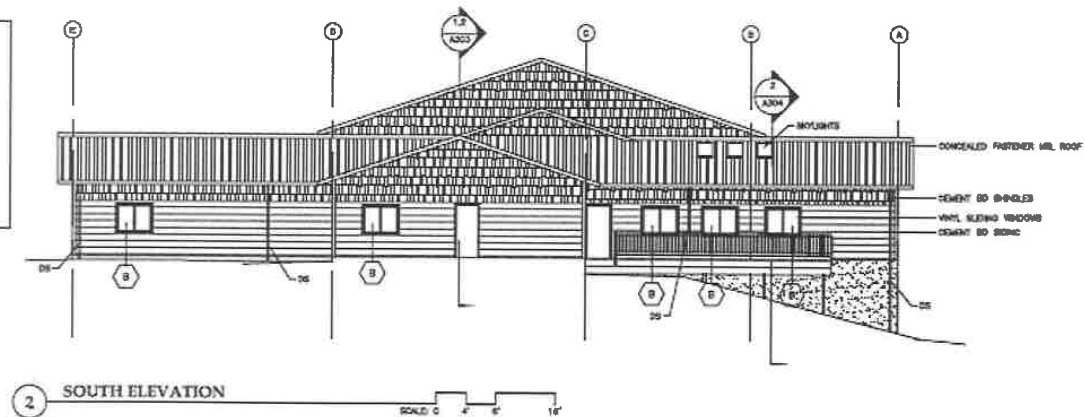
Lighthouse
Elevations
West/North



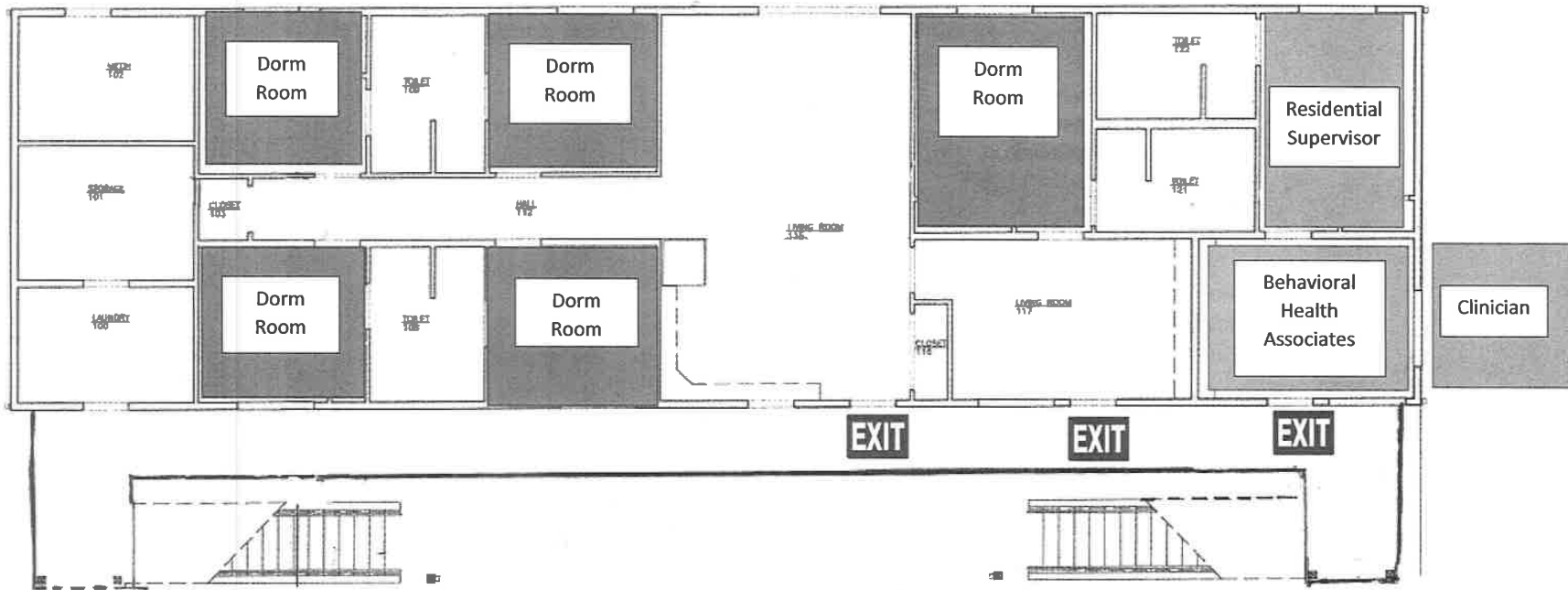
Attachment H 2



Lighthouse
Elevations
East/South



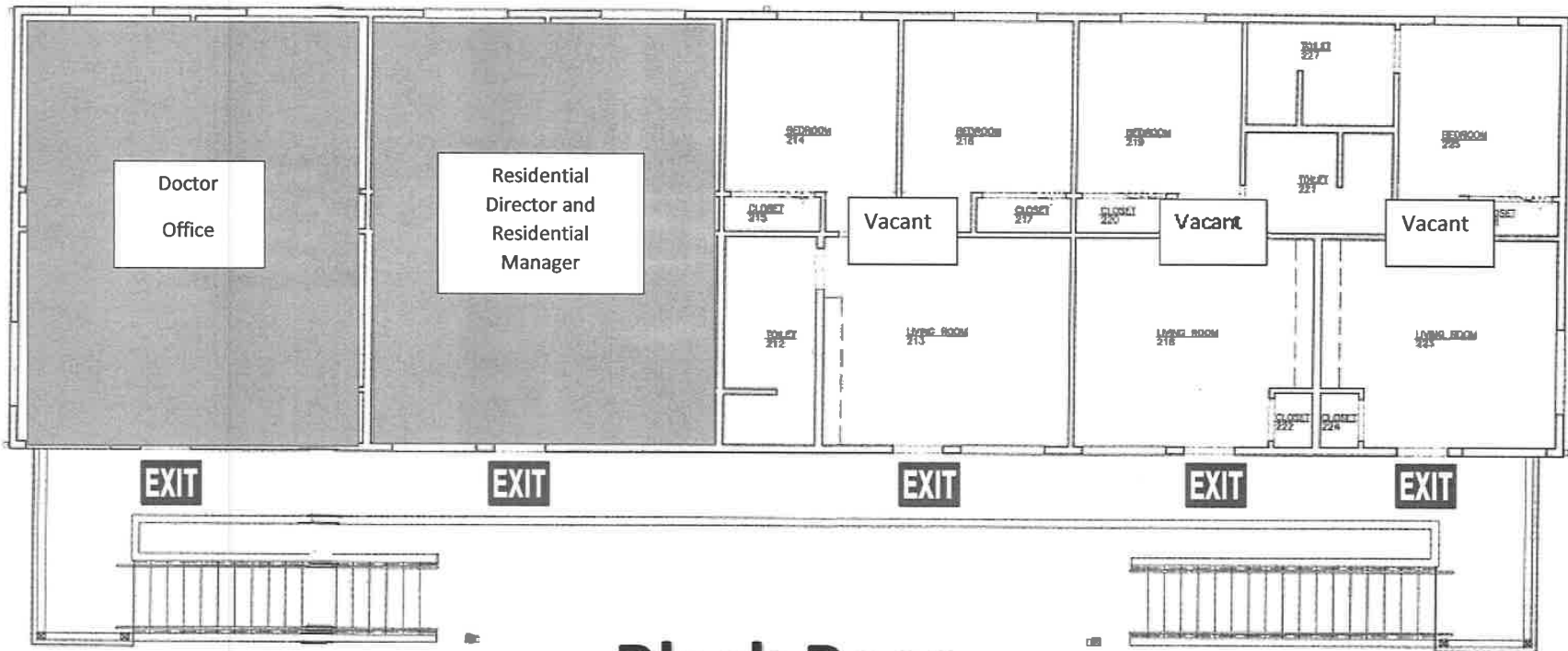
Attachment I 1



Black Bear

Northern Lights Residential
1st Floor
Current Use

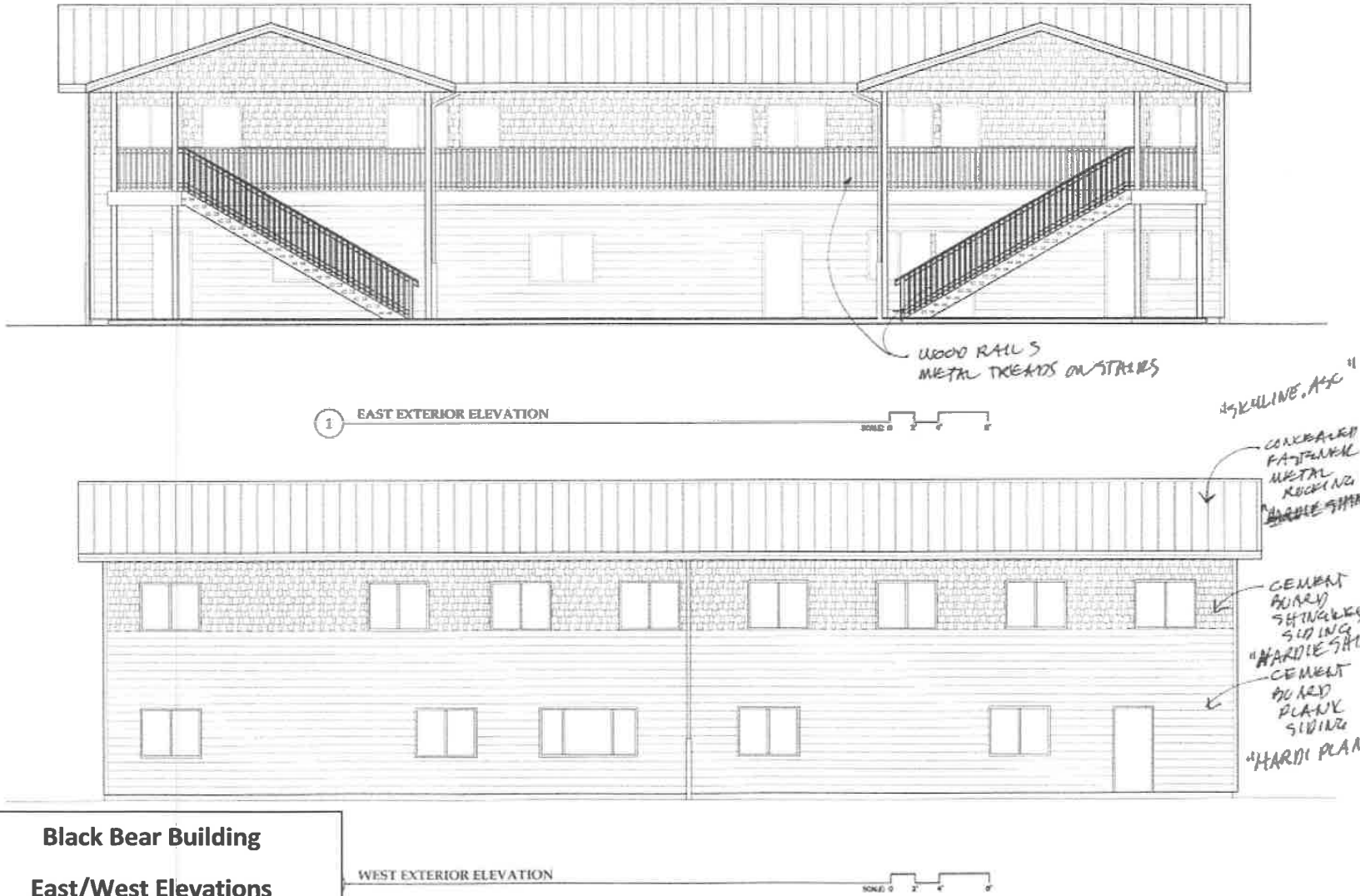
Attachment I 2



Black Bear

Residential Support
2nd Floor
Current Use

Attachment J 1



Black Bear Building
East/West Elevations

Attachment J 2



1

SOUTH EXTERIOR ELEVATION

SCALE: 0 2' 4' 8'



2

NORTH EXTERIOR ELEVATION

SCALE: 0 2' 4' 8'

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 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

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

Specifications subject to change without notice.



Catalog Number
Notes
Type



Specifications

EPA: 1.2 ft.²

*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.

CONTOUR
SERIES

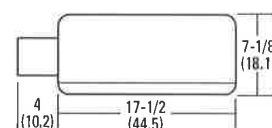
Soft Square Lighting

KAD


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							
Series	Wattage		Distribution		Voltage	Ballast	Mounting ²
KAD	Metal halide 400M ¹	High pressure sodium ⁷ 150S 250S 400S	Standard reflectors R2 IES type II asymmetric ³ R3 IES type III asymmetric ³ R4 IES type IV forward throw ⁴ R5S IES type V square	High performance reflectors ⁵ SR2 IES type II asymmetric ³ SR3 IES type III asymmetric ³ SR4SC IES type IV forward throw	120 208 240 277 347 480 TB ⁴	(blank) Magnetic ballast  SCWA Super CWA pulse-start ballast	Ships in fixture carton SPD <u> </u> Square pole RPD <u> </u> Round pole WBD <u> </u> Wall bracket WWD <u> </u> Wood or pole wall Ships separately ^{6,7} DAD12P Degree arm (pole) DAD12WB Degree arm (wall) KMA Mast arm external fitter WBA Decorative wall bracket ⁸
							Arm length 04 4" arm 09 9" arm 12 12" arm

Options					Finish ¹¹		Lamp ¹²
<u>Shipped installed in fixture</u>		CSA CSA Certified	PE3 NEMA twist-lock PE (347V)	(blank) Dark bronze	DNAXD Natural aluminum	LPI Lamp included	
SF Single fuse (120, 277, 347V) ⁹		<u>Shipped separately</u> ⁶	PE4 NEMA twist-lock PE (480V)	DWH White	DWHXD White	L/LP Less lamp	
DF Double fuse (208, 240, 480V) ⁹		HS House side shield	PE7 NEMA twist-lock PE (277V)	DBL Black	DDBTXD Textured dark bronze		
PER NEMA twist-lock receptacle only (no photocontrol)		PE1 NEMA twist-lock PE (120, 208, 240V)	SC Shorting cap for PER option	DMB Medium bronze	DBLBXD Textured black		
			VG Vandal guard ¹⁰	DNA Natural aluminum	DNATXD Textured natural aluminum		
			WG Wire guard ¹⁰	<u>Super Durable Finishes</u>	DWHGXD Textured white		
				DDBXD Dark bronze			
				DBLXD 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 ¹³	T20-320 ¹³	T20-390 ¹³	T20-490 ¹³
2-7/8"	T25-190	T25-280	T25-290 ¹³	T25-320	T25-390 ¹³	T25-490 ¹³
4	T35-190	T35-280	T35-290 ¹³	T35-320	T35-390 ¹³	T35-490 ¹³

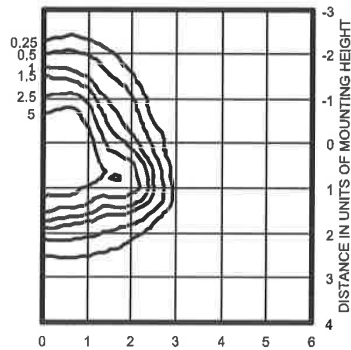
Notes

- 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 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

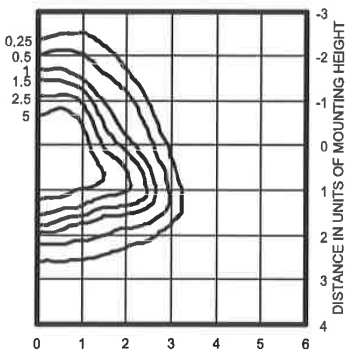
Coefficient of Utilization
Initial Footcandles

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



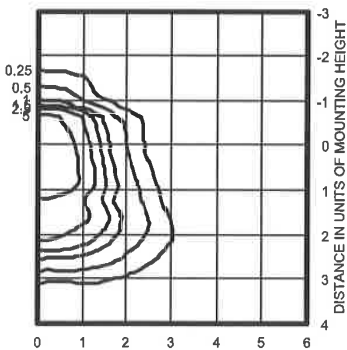
400W pulse start metal halide lamp, rated 38000 lumens. Footcandle values based on 20' mounting height.
Classification: Type II, Short, Full Cutoff

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



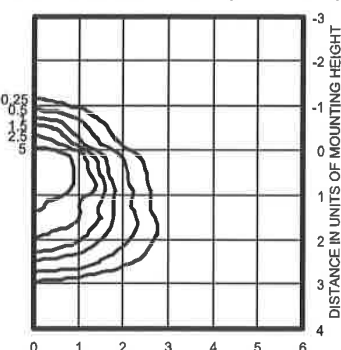
400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.
Classification: Type II, Short, Full Cutoff

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



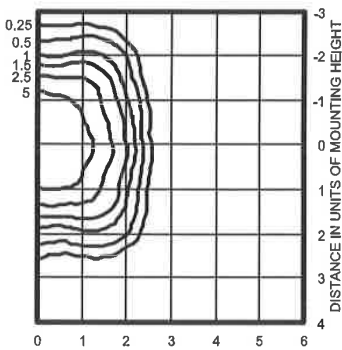
400W pulse start metal halide lamp, rated 38,000 lumens. Footcandle values based on 20' mounting height.
Classification: Unclassified (Type III, Very Short), Full Cutoff

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.
 - 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.

Mounting Height Correction Factor
(Multiply the fc level by the correction factor)
25 ft. = 0.64
35 ft. = 0.32
40 ft. = 0.25

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



KAD-M-S



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).

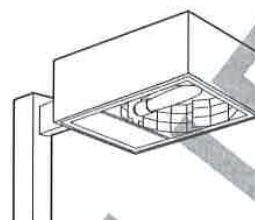
WARRANTY — 1-year limited warranty. Complete warranty terms located at:

www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx

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 ft² (.14 m²)

(includes arm)

Length: 21-1/4 (54.0)

Width: 15-15/32 (39.3)

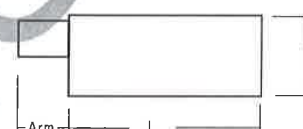
Depth: 7-1/4 (18.4)

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

SPxx, RPxx, DA12P

WBxx, DA12WB

WWxx

Drilling template

5

6

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
KSF1	Metal halide	R2 Type II roadway	120 347	(blank) Magnetic	Type
	100M ¹ 250M²	R3 Type III asymmetric	208⁴ 480⁴	CWI Constant wattage isolated ⁶	SP Square pole
	Ceramic metal halide³	R4SC Type IV forward throw, sharp cutoff	240⁴ TB⁵	Pulse Start	RP Round pole
	100MHC ¹		277 23050HZ⁶	SCWA Super CWA pulse-start ballast	WB Wall bracket
	High pressure sodium¹			NOTE: For shipments to U.S. territories, SCWA must be specified to comply with EISA.	WW Wood pole or wall bracket
	70S ⁴ 150S⁴				

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

Accessories: Tenon Mounting Slipfitter Number of fixtures.							
Tenon O.D.	One	Two@180°	Two@90° ¹⁷	Three@120°	Three@90° ¹⁷	Four@90° ¹⁷	
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

1 Not available with SCWA.

2 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.

3 Not available with L/LP.

4 Must specify CWI for use in Canada.

5 Optional multi-tap ballast (120, 208, 240, 277V); (120, 277, 347V in Canada).

6 Consult factory for available wattages.

7 Use 9" arm when two or more luminaires are oriented on a 90° drilling pattern.

8 Maximum allowable wattage lamp included.

9 KiloWatch® controls are available only with 150S.

10 May be ordered as an accessory.

11 Prefix with KSF1 when ordering as an accessory.

12 Available with R2 and R3 distributions only.

13 See www.lithonia.com/archcolors for additional color options.

14 Black finish only.

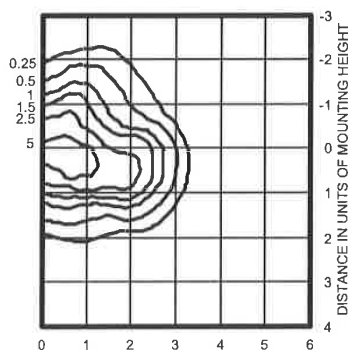
15 Must be specified.

16 Must use RP09 or RP12.

KSF1 Arm-Mounted Rectilinear Cutoff Lighting

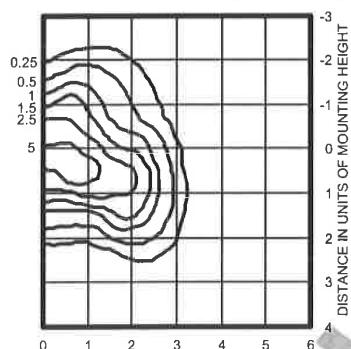
Coefficient of Utilization _____
Initial Footcandles _____

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



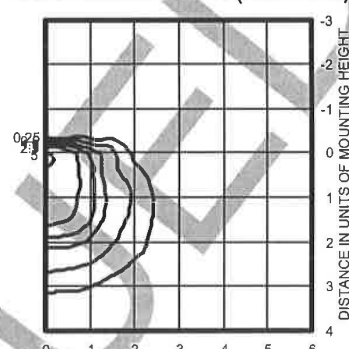
250W pulse start metal halide lamp, rated 22500 lumens. Footcandle values based on 20' mounting height.
Classification: Type II, Short, Full Cutoff

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



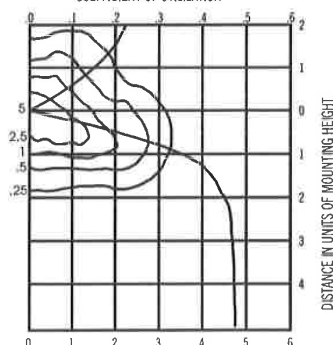
250W pulse start metal halide lamp, rated 22500 lumens. Footcandle values based on 20' mounting height.
Classification: Type III, Short, Full Cutoff

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



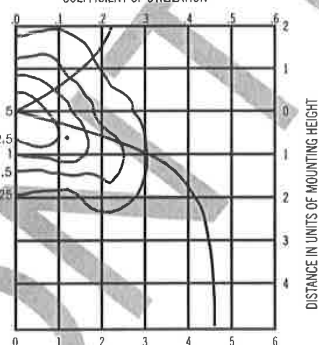
250W pulse start metal halide lamp, rated 22500 lumens. Footcandle values based on 20' mounting height.
Classification: Unclassified (Type IV, Very Short), Full Cutoff

KSF1 150S R2 Test No. TEST NO. 1194090802
COEFFICIENT OF UTILIZATION



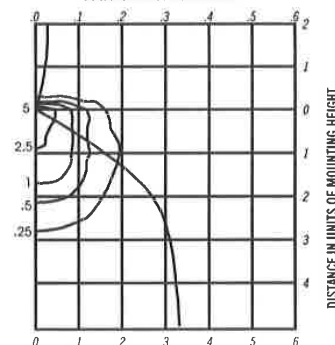
150W high pressure sodium lamp, 20000 rated lumens. Footcandle values based on 35' mounting height, Distribution II, full cutoff.

KSF1 150S R3 Test No. TEST NO. 1194081603
COEFFICIENT OF UTILIZATION



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
COEFFICIENT OF UTILIZATION



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)
- 2 For electrical characteristics, consult outdoor technical data specification sheets on 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	KPaw@searhc.org
Brent Fischer	Facilities Director	BrentF@jys.org
Sierra Gadaire	Project Manager, Planning & Development	SierraG@searhc.org
Maegan Bosak	Sr. Manager, Lands & Property	MaeganB@searhc.org
Steve Helgeson	Sr. Manager, Adolescent Programs	SteveH@searhc.org
Jennifer Shields	Planner II	Jennifer.Shields@juneau.gov
Emily Suarez	Planner II	Emily.Suarez@juneau.gov
Sydney Hawkins	Permit Technician II	Sydney.Hawkins@juneau.gov

Revised 5/07/2021

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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.

Pre-Application Conference Final Report

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”

Pre-Application Conference Final Report

- 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.

Submit your Completed Application

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

OR in person with payment made to:

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

Pre-Application Conference Final Report

Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

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

TABLE A – CONDITIONAL USE PERMITS

FACILITY	CASE #	SIZE	APPROVALS
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)
COMBINED CAMPUS (ALL 3 FACILITIES)	USE2022-0010 (modification)	16,300 square feet	24 residents (plus staff)

TABLE B – CONDITIONS OF APPROVAL

CASE #	CONDITIONS	STATUS
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. Maximum number of residents living on site is twenty-four (24).	Ongoing
	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.	Met NCC2022-0033 issued on January 31, 2023.



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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.

Juneau Youth Services
File No: USE2022 0010
September 1, 2022
Page 2 of 2

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.

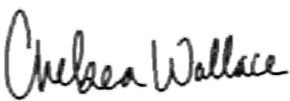
Expiration Date: The permit will expire 18 months after the effective date, or February 23, 2024, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension 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
CONDITIONAL USE PERMIT USE2022 0010
HEARING DATE: AUGUST 23, 2022

Section H, Item 2.

(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.

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

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

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.

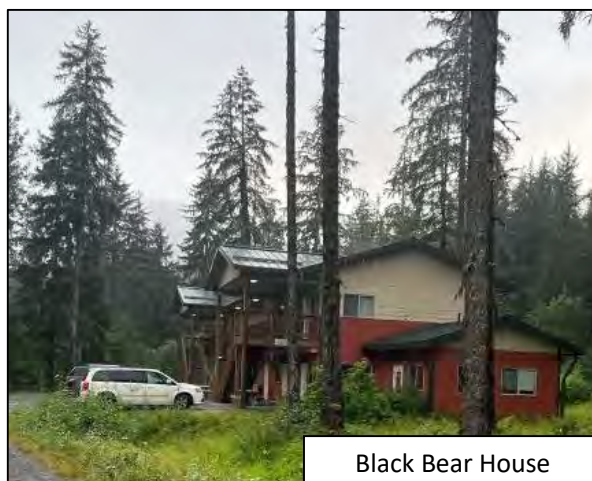


Lighthouse

Juneau Youth Services
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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).

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



Black Bear House

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> <ul style="list-style-type: none"> • 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> <ul style="list-style-type: none"> • 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> <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 16 residents • 26 staff

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

TABLE B – CUP CONDITIONS OF APPROVAL

Active CUP	Condition	Status
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

Standard		Requirement	Proposed	Existing	Code Reference
Lot	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
Setbacks	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
Lot Coverage Maximum		35%	No Change	~15%	CBJ 49.25.400
Vegetative Cover Minimum		20%	No Change	~75%	CBJ 49.50.300
Height	Permissible	35 feet	No Change	Two-story	CBJ 49.25.400
	Accessory	25 feet	No Change	One-story	CBJ 49.25.400
Maximum Dwelling Units		2	No Change	N/A	CBJ 49.25.500
Use		Residential	7.200, Assisted Living (w/offices)	7.200, Assisted Living (w/offices)	CBJ 49.25.300

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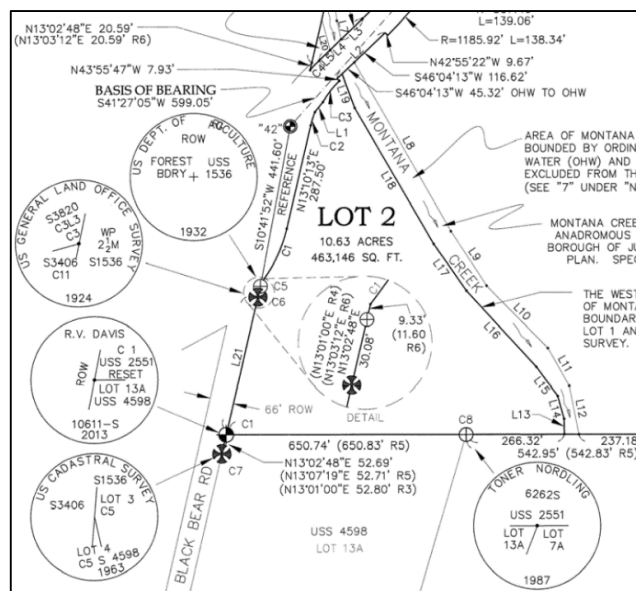
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 August 11, 2022
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ANALYSIS

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
Total ADTs:			102.18



Men. Loop Entrance
Looking North



Men. Loop Entrance
Looking South



Black Bear Exit
Looking North



Black Bear Exit
Looking South

Juneau Youth Services
File No: USE2022 0010
August 11, 2022
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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
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

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.

Juneau Youth Services
 File No: USE2022 0010
 August 11, 2022
 Page 13 of 13

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

Item	Description
Attachment A	Application Packet
Attachment B	1998 Notice of Decision and Staff Report for USE1998-00026
Attachment C	1998 Staff Determination for USE1998-00026
Attachment D	2000 Notice of Decision and Staff Report for USE2000-00003
Attachment E	2003 Notice of Decision and Staff Report for USE2003-00026
Attachment F	2004 Notice of Decision and Staff Report for USE2004-00018
Attachment G	2006 Notice of Decision and Staff Report for USE2006-00028
Attachment H	2007 Black Bear House Addition
Attachment I	1945 USS 2551
Attachment J	2013 Black Bear Subdivision Plat
Attachment K	Abutters Notice
Attachment L	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 30th, 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.

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.

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

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.

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.

SITE FEATURES AND ZONING



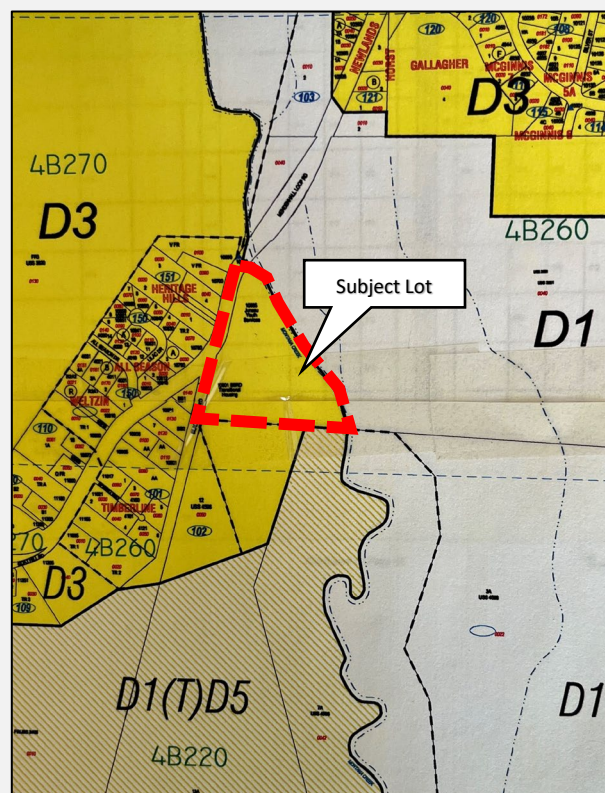
SURROUNDING ZONING AND LAND USES

North (D1)	Residential / Vacant
South (D3 & D1(T)D5)	Residential / Vacant
East (D1)	Montana Creek / Vacant
West (D3)	Residential

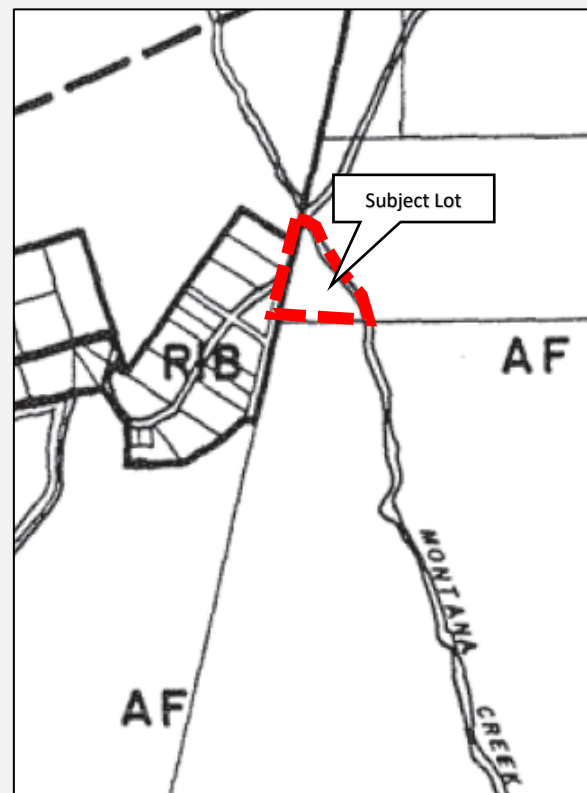
SITE FEATURES

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

Year	Zoning District	Summary
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).

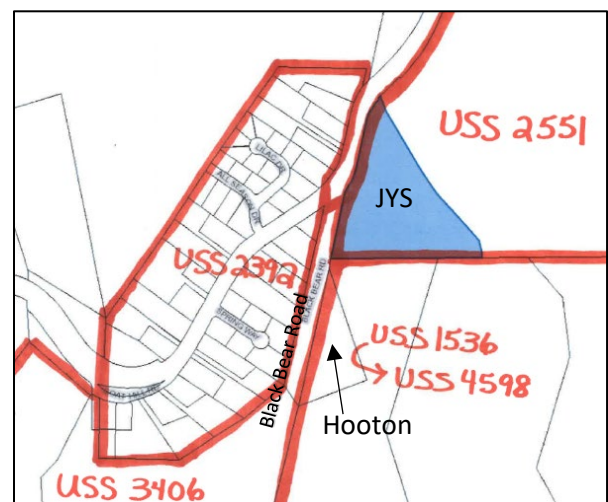
Year	Zoning District	Summary
2004	D3 Single-Family & Duplex Residential	On May 11, 2004, the Commission approved a Conditional Use Permit Modification to increase the total maximum occupancy of residents on the property from 28 to 30 (Attachment L, USE2004-00018).
2006	D3 Single-Family & Duplex Residential	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

INFORMATION REVIEWED

Year	Type	Summary
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
Lot	Size	12,000 square feet	463,146 square feet	CBJ 49.25.400
	Width	100 feet	~990 feet	CBJ 49.25.400
Setbacks	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
Lot Coverage		35%	~15%	CBJ 49.25.400
Height	Permissible	35 feet	Two-story	CBJ 49.25.400
	Accessory	25 feet	One-story	CBJ 49.25.400
Maximum Dwelling Units		2	N/A	CBJ 49.25.500
Use		Residential	7.200 Assisted Living (with offices)	CBJ 49.25.300
Vegetative Cover		20%	~75%	CBJ 49.50.300
Parking		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:

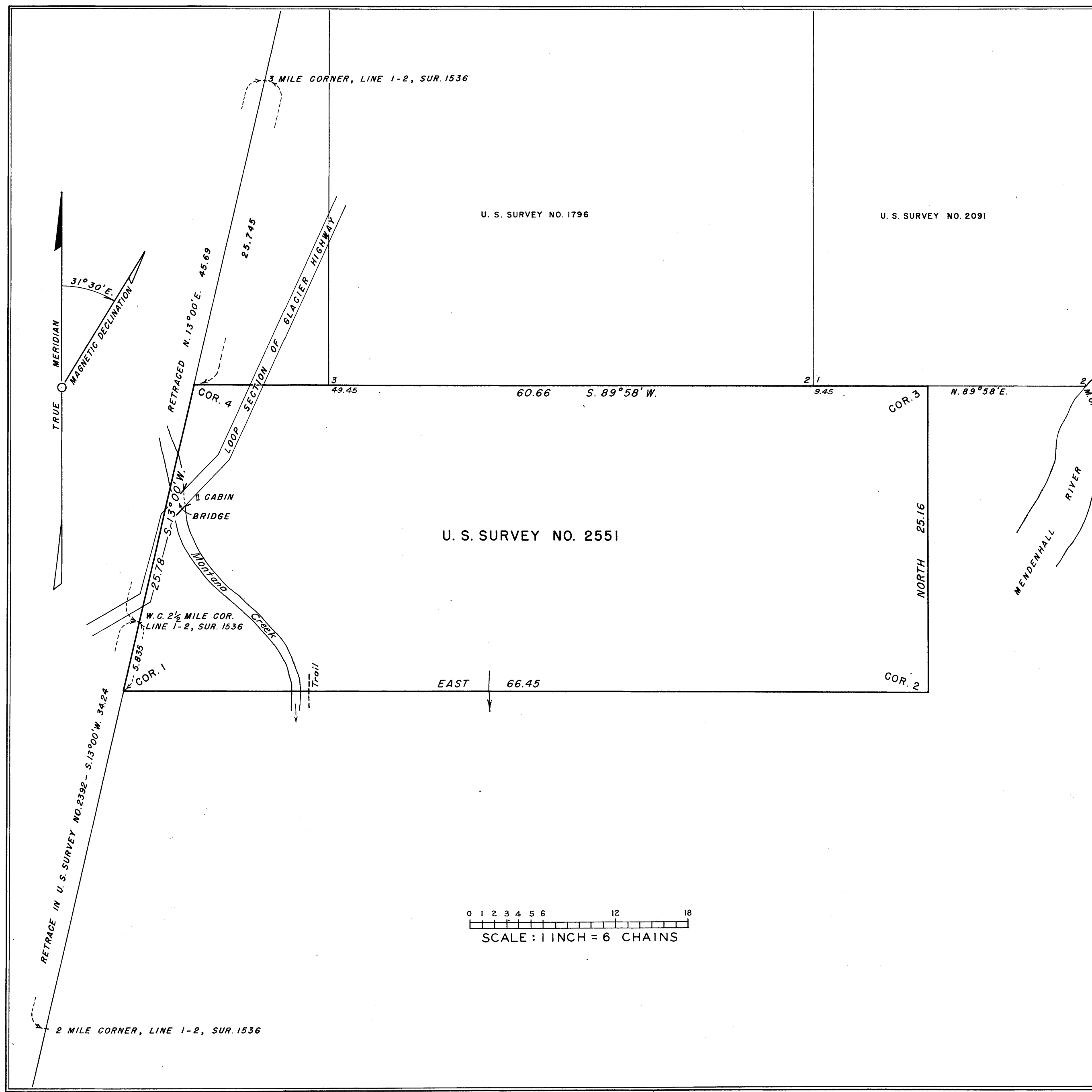
- Nonconforming Lots (CBJ 49.30.260):
 - Secondary access (egress) without improvements or maintenance agreements.
 - Lack of direct and practical access through the frontage.

STAFF REPORT ATTACHMENTS

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

(4-653)

ORIGINAL



P L A T

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. 1162, p. 440

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NOTES:

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE COMPUTED RECORD BEARING OF N41°07'05"E BETWEEN RECOVERED STATE OF ALASKA - D.O.T. SHOULDER/CONTROL MONUMENTS 42" AND 43" AS SHOWN ON PLAT #2006-01, "RIGHT OF WAY MAP, JUNEAU, BACK LOOP ROAD REHABILITATION, IN-0966(23) 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 #201100-12380 - 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 #20-16 (A SUBDIVISION OF U.S. SURVEY 4598); PLAT #2006-61 (RIGHT OF WAY MAP, BACK LOOP ROAD); PLAT #89-33 (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 the City and Borough of Juneau, Community Development Department, for recording in the office of the Juneau Recording District, Juneau, AK.

Neil H. Hest
Director, City and Borough of Juneau
Community Development Department

Date September 9, 2013
Jamie J. Allen
Attest: Clerk, City and Borough of Juneau



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	LENGTH	RADIUS	DELTA	DIRECTION	C. LENGTH
C1	164.34	388.10	241°15'41"	N25°18'03"E	163.11
(R6)	(162.89)	(388.10)	(24°02'46")	(N25°11'37"E)	(162.69)
C2	37.41	256.48	8°01'26"	S17°20'55"W	37.38
C3	73.10	246.48	16°59'30"	S37°41'30"W	72.82
C4	35.70	377.03	5°25'32"	S43°14'22"W	35.69
(R6)	(34.76)	(377.03)	(5°12'23")	(S43°20'56"W)	(34.25)

LINE	LENGTH	BEARING
L1	25.27	S28°31'42"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)	(384.43)	(N13°01'00"E)
(R3)	(384.43)	(N13°01'00"E)
(R4)	(384.43)	(N13°01'00"E)
(R5)	(384.43)	(N13°01'00"E)
(R6)	(384.43)	(N13°01'00"E)

LINE	LENGTH	BEARING
L6	116.90	N07°18'00"E
L7	52.18	N12°38'35"W
L8	528.08	S29°36'52"E
L9	177.07	S33°02'10"E
L10	238.92	S44°14'29"E
L11	118.09	S39°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

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 9/13/13

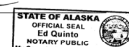
NOTARY ACKNOWLEDGEMENT

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

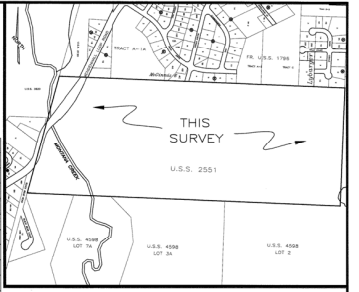


TYPICAL SECONDARY MONUMENT SET

RV DAVIS
10611-S
1.25" DIAMETER PLASTIC CAP ON
36" #5 REBAR SET THIS SURVEY
NOT TO SCALE

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. alum. 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-PS" (typical)



VICINITY MAP

SOURCE: CITY & BOROUGH OF JUNEAU BASEMAPS SERIES
B-26 AND B-25
SCALE: 1" = 800'

LEGEND

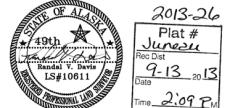
- G.L.O./B.L.M. BRASS CAP PRIMARY MONUMENT RECOVERED
- OTHER PRIMARY MONUMENT RECOVERED
- STATE OF ALASKA - DOT, MONUMENT RECOVERED
- SECONDARY MONUMENT RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- SECONDARY MONUMENT SET (THIS SURVEY - SEE TYPICAL DETAIL ABOVE)
- PROPERTY LINE (MEASURED THIS SURVEY)
- 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 #89-18 (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.

Randal V. Davis 9/10/13
DATE RANDAL V. DAVIS, LS #0611



GRAPHIC SCALE
0 100 200 400 800 FEET

PLAT OF BLACK BEAR SUBDIVISION

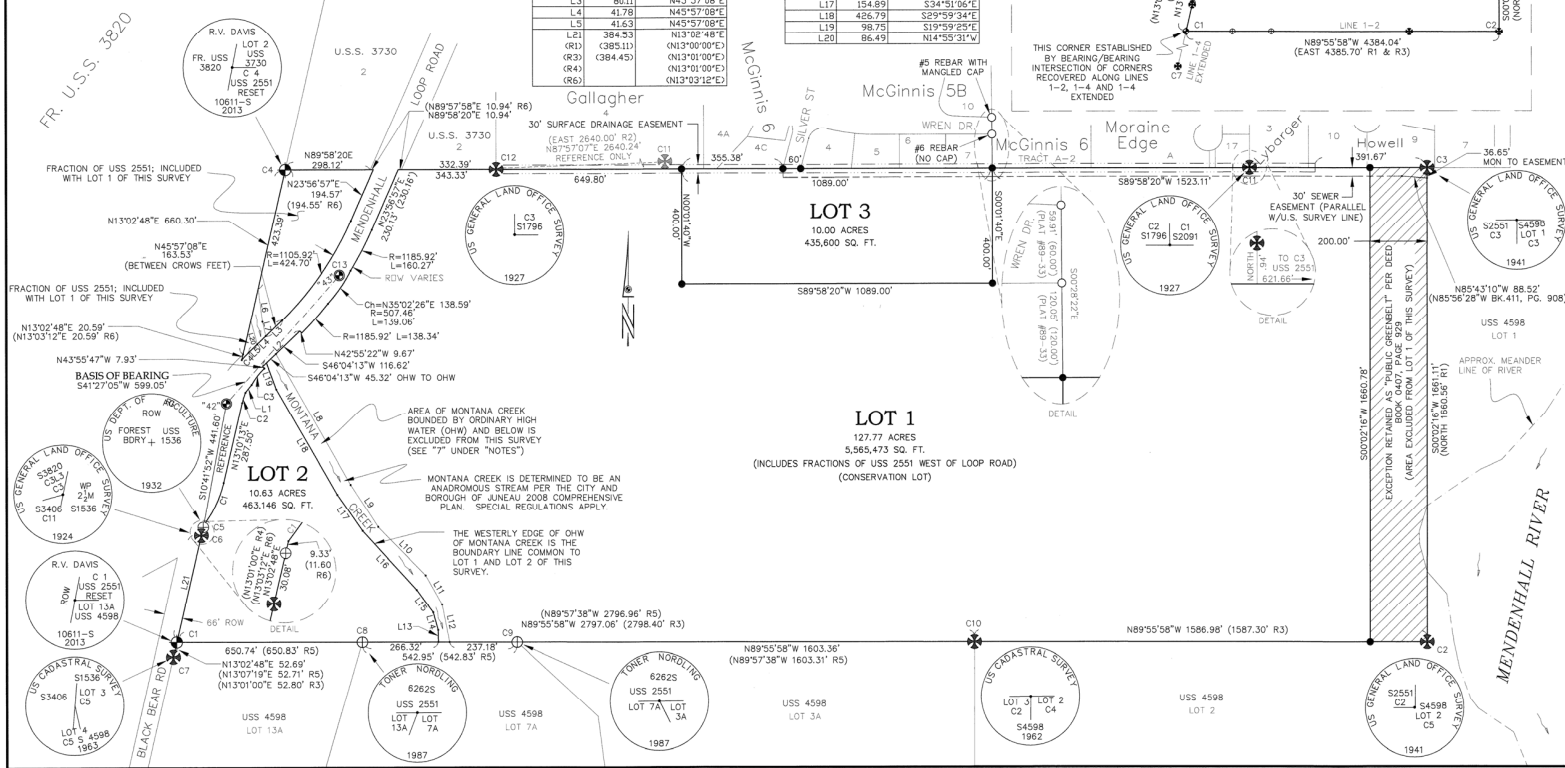
A SUBDIVISION OF
U.S. SURVEY NO. 2551
WITHIN THE CITY AND BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

OWNER:
JUNEAU YOUTH SERVICES
P.O. BOX 32839
JUNEAU, AK 99801

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

DRAWN BY: RVD SURVEYOR: RANDAL V. DAVIS, PLS
DATE: 8/23/2013 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 3A
L
A
S
K
A

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.

Page 1 of 3

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



such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

To Have And To Hold the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantee and Grantee's successors and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Mining, Land and Water, Department of Natural Resources, State of Alaska, pursuant to delegated authority, this 27th day of August, 2003.

By: Sandra J. Singer
Sandra J. Singer
For Bob Loeffler, Director
Division of Mining, Land and Water

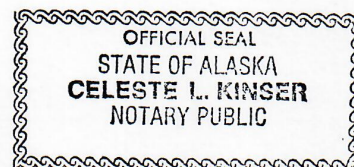
State of Alaska)
) ss.
Third Judicial District)

This Is To Certify that on the 27th day of August, 2003, appeared before me SANDRA J. SINGER, who is known to me to be the person who has been lawfully delegated the authority of Bob Loeffler, the Director of the Division of Mining, Land and Water, Department of Natural Resources, State of Alaska, to execute the foregoing document; that Sandra J. Singer executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

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

Celeste L. Kinsler
Notary Public in and for the State of Alaska

My commission expires: April 4, 2005



Patent No. 18044
ADL No. 100406
Location Index:
T. 40 S., R.65 E., C.R.M.
Sections 13, 23, 24, 25, and 26
T. 41 S., R. 66 E., C.R.M.
Sections 10, 11, 12, 13, 14, and 15

Return to: City & Borough of Juneau
155 South Seward Street
Juneau, AK 99801
ATTENTION: Steve Gilbertson



3 of 3
2003-009538-0

. 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.

0.80 acres ±

Sec. 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 GBJ

4-1044
(July 1952)

BOOK 70 PAGE 220
Juneau Recording District

RECORDED - FILED
Memphis REC. DIST.
 DATE Dec. 7 1969
 BY 10136 A. W.
10136 10136
10136 10136
10136 10136

By Elizabeth S. Hicks
Chief, Patents Section



1233779)

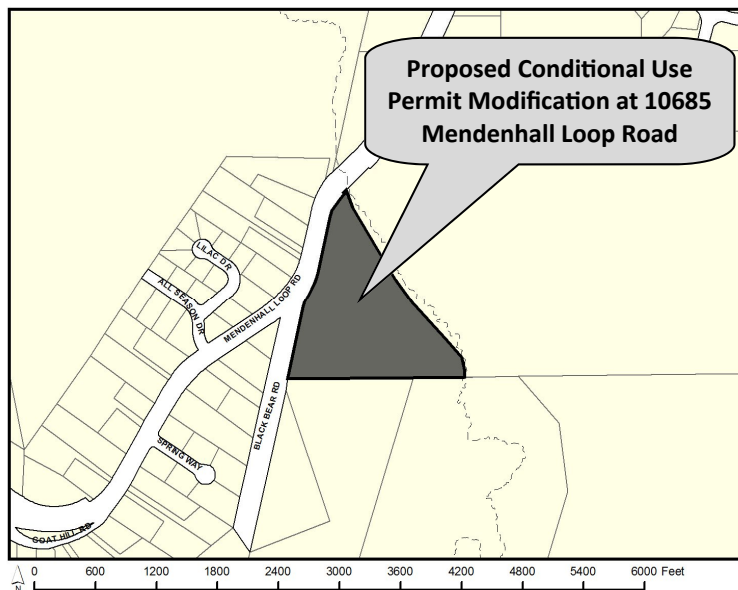
SECOND OF PATENTS: Patent Number

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

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

May 23 — noon, June 9

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

HEARING DATE & TIME: 7:00 pm, June 13, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/82155532900> 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.

June 14

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

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



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

**PLANNING COMMISSION
NOTICE OF DECISION**

Date: June 15, 2023
Case No.: SNC2023 0001

Sealaska Heritage
105 S. Seward St.
Juneau, AK 99801
Lee.Kadinger@sealaska.com

Proposal: Street Name Change for approximately 345 feet of South Seward Street to Heritage Way

Property Address: 105 S. Seward St.

Legal Description: Tidelands Addition BL78 LT 1A

Parcel Code No.: 1C070K780011

Hearing Date: June 13, 2023.

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 5, 2023, and APPROVED the Street Name Change of South Seward Street to Heritage Way with the following condition:

1. The street name change is effective November 1, 2023.

Attachments: June 5, 2023, memorandum from Emily Suarez, Community Development, to the CBJ Planning Commission regarding SNC2023 0001.

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, June 14, 2023.

Expiration Date: The permit will expire 18 months after the effective date, or December 14, 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.

mandy cole

Mandy Cole, Acting Chair
Planning Commission

6.20.23

Date

Alsa Lund

Filed With City Clerk

6/20/2023

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.



STREET NAME CHANGE: SNC2023 0001

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: June 5, 2023

TO: Michael LeVine, Chair, Planning Commission

BY: Emily Suarez, Planner II *Emily Suarez*

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Proposed street name change for approximately 345 feet of South Seward Street to Heritage Way. Segment bisects Sealaska Heritage Institute (SHI) Campus, from Front Street to Marine Way.

STAFF RECOMMENDATION: Approval with condition

KEY CONSIDERATIONS FOR REVIEW:

- City Hall is the only other property impacted that is not owned by SHI, and CBJ Assembly supports the name change.
- The proposed name, Heritage Way, is unique to the borough.
- May resolve addressing confusion between S. Seward St. and Seward St. for emergency response and others.

GENERAL INFORMATION	
Applicant	Sealaska Heritage
Initiated By	Sealaska Heritage
Property Affected	Sealaska Plaza, City Hall, Municipal Way
Existing Street Name	South Seward Street
Proposed Street Name	Heritage Way

ALTERNATIVE ACTIONS:

1. **Amend:** modify the proposed street name change.
2. **Deny:** deny the permit and adopt new findings for items 1-2 below that support the denial.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

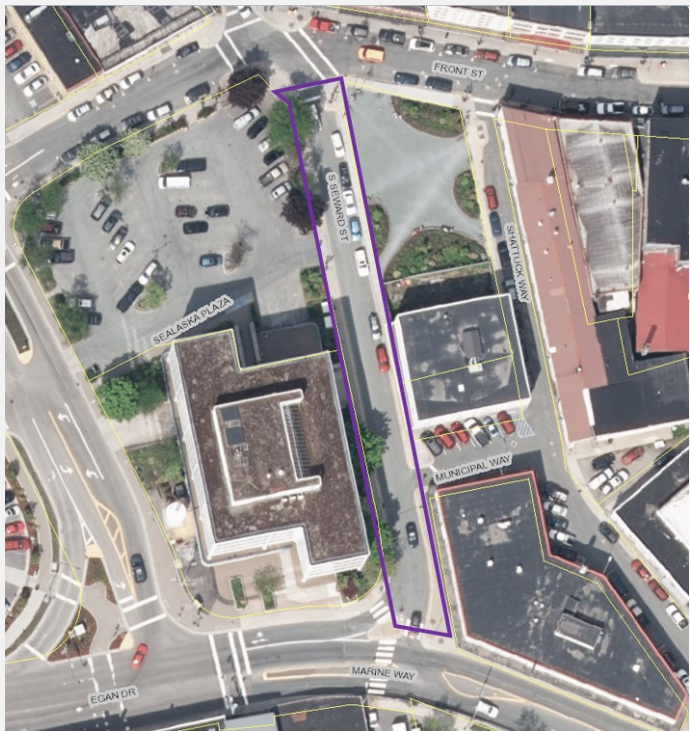
Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 49.35.220

The Commission shall hear and decide the case per CBJ 49.35.220 (b) Existing Streets. The commission shall approve applications to change the name of any existing public street or right-of-way.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (MU)	Front/Seward Streets
South (WC)	Marine Way & Park
East (MU)	Soboleff Center, City Hall, Capital Copy
West (MU)	Sealaska Plaza

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	None mapped
Hillside	No
Wetlands	No
Parking District	Town Center
Historic District	No
Overlay Districts	No

SITE PHOTO



PROCEDURE

CBJ 49.35.220(b) establishes a procedure for changing the names of existing streets and platted right-of-ways:

(b) Existing streets. The commission shall approve applications to change the name of any existing public street or right-of-way.

(1) Application. The application must be on a form provided by the department and accompanied by:

(A) The application fee.

(B) Signed letters of approval from a majority of property owners whose properties have access to the public street proposed for the name change.

(2) Procedure. After public hearing, the commission shall review the proposed street name change for consistency with this section, and, upon a finding that the change is consistent with this section and that the majority of property owners whose properties have access to the public street proposed for the name change approve of the change, shall approve the application.

(3) Sign replacement. If the name change is approved, the applicant shall be responsible for replacing all existing street name signs as specified by the department.

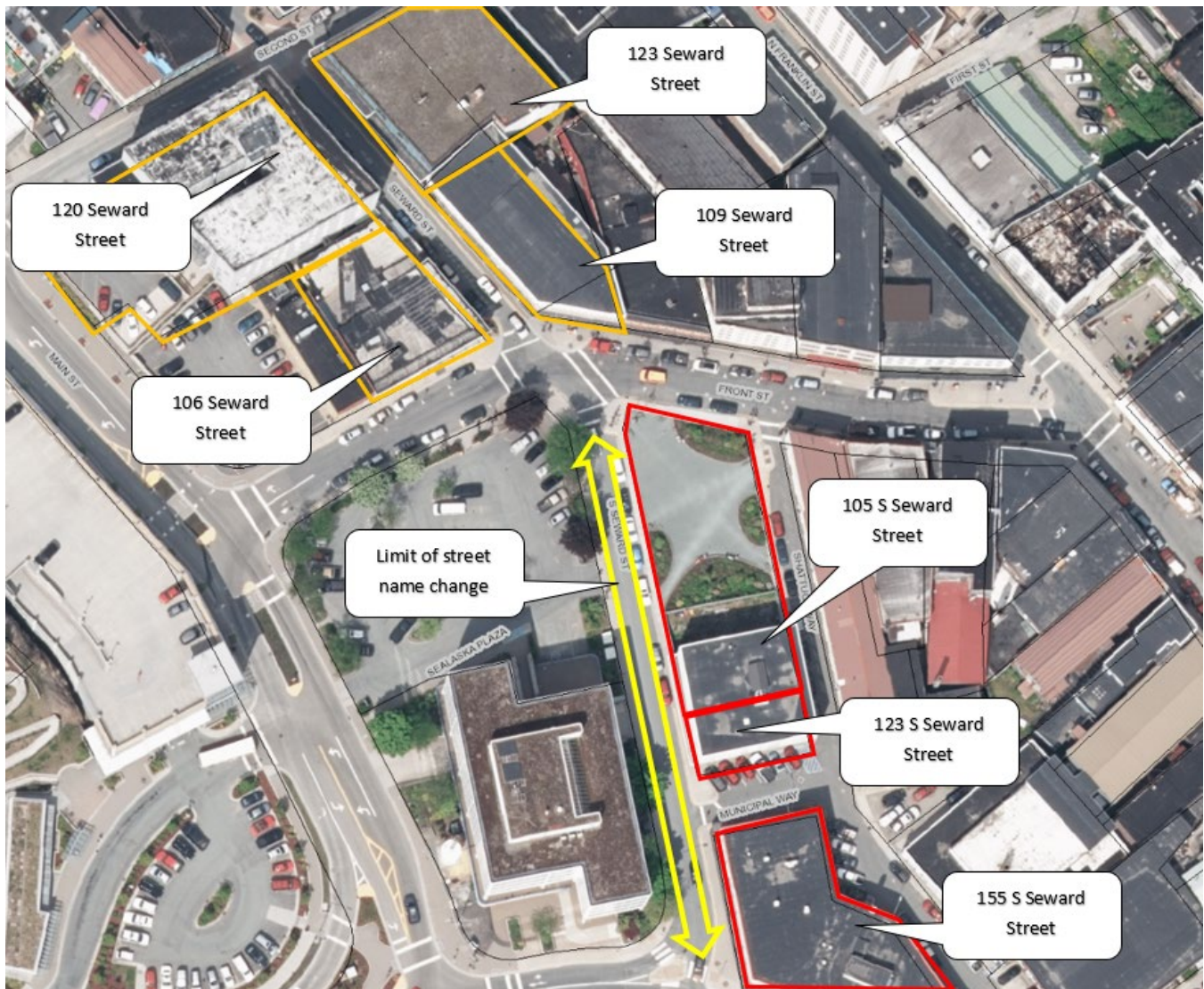
DISCUSSION

Background – The applicant requests to rename approximately 345 feet of South Seward Street to Heritage Way. The street segment bisects Sealaska Heritage Institute Campus, from Front Street to Marine Way.

The street name change will be compatible with Heritage Square, the Walter Soboleff Building, the Arts Campus and the Sealaska Heritage Institute Campus. The primary driver for this request is to provide representation to the Northwest Coast People, and furthering Juneau as the Northwest Coast Arts Capital of the world.

The name change would apply to the segment between Front Street and Marine Way. Seward street is between Seventh Street and Front Street, and South Seward Street is between Front Street and Marine Way. There are property addresses in the 100 range of Seward St between Front St and Second St. The addresses of 123 Seward St (Wells Fargo) and 123 S Seward St (Municipal Way Building) are nearly duplicated.

Unique street names may resolve addressing confusion between S Seward St. and Seward St. for emergency response services and other services such as, mail and deliveries. When naming new streets, code requires that the street name be unique for this purpose. The proposed name, Heritage Way, is unique to the borough.



Property Affected – The section of S. Seward St. that is being considered for a street name change has several properties owned by SHI, and one property owned by CBJ, City Hall. The CBJ Assembly voiced their support of the name change from S. Seward St. to Heritage Way at the Committee of the Whole meeting held on May 22, 2023.

SHI has purchased and developed the land in the proposed Heritage Way area, using the Sealaska Plaza building as the core for a Northwest Arts campus.

Year	Name	Address	Description
1977	Sealaska Plaza	1 Sealaska Plaza	Four story business building of 58,000 square feet. Includes a coffee shop, and city and corporation offices.
2015	Walter Soboleff Building	105 S. Seward Street	Includes walk-through clan house, museum, art integration into the structure, storage and rehabilitation of ethnographic objects.

2019	Arts Campus	2 Sealaska Plaza	Includes an open square bordered by covered walkways and studio/demonstration space for artists.
2023	Muni-way Building	123 S. Seward Street	Purchased by SHI.

JPD and CCFR request assistance from CDD to update GIS data to ensure 911 and service calls are not impacted by the street name change.

Staff are aware that the city elections are taking place this year, and due to election requirements, such as mailings, return ballots, and listing City Hall as a voting location with an address listed for voter information, Staff recommends approval of this name change with the following condition:

Condition:

1. The street name change becomes effective November 1, 2023.

AGENCY REVIEW

CDD conducted an agency review comment period between May 22, 2023 and May 29, 2023.

Agency	Summary
City & Borough of Juneau	Does not object and supports the street name change.
JPD	Does not object. Requests that CDD update GIS data to ensure that 911 and service calls are not impacted by the street name change.
CCFR	Does not object. Agrees with JPD's comment.
CDD	Supports the name change. The proposed street name, Heritage Way, is not duplicated or similar to any existing street names within the City & Borough of Juneau.
Public Works Streets and Fleet	Does not have an issue with the street name change.

PUBLIC COMMENTS

Public notice was mailed to property owners within 500 feet of the ROW (Attachment B); a public notice sign was posted on-site two weeks prior to the scheduled hearing; and newspaper ads were placed in the Juneau Empire. Public comments can be found in Attachment D.

Name	Summary
Graham L Rountree	Does not support the proposal. Believes the street name does not need to change.

FINDINGS

1. Is the application for the requested street name change complete?

Analysis: No additional analysis needed.

Finding: Yes. The application contains the necessary information to conduct a full review of the proposed street name change. The application substantially conforms to the requirements of CBJ 49.35.220(b)(1).

2. Have the majority of property owners whose properties have access to the public street proposed for the name change approved of the change?

Analysis: No additional analysis needed.

Finding: Yes. The majority of property owners whose properties have access to the public street have approved the name change.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and APPROVE the requested street name change of S. Seward Street from Front Street to Marine Way to Heritage Way with the following condition:

1. The street name change becomes effective November 1, 2023.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments
Attachment D	Public Comments



DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION	
	Physical Address <u>105 S. Seward St.</u>	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Tidelands Addition BL 78 LT 1A</u>	
	Parcel Number(s) <u>1C070K780011</u>	
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____	
	LANDOWNER/ LESSEE	
	Property Owner <u>Sealaska Heritage</u>	Contact Person <u>Lee Kadinger</u>
	Mailing Address <u>105 S. Seward St. Juneau</u>	Phone Number(s) <u>907-586-9266</u>
	E-mail Address <u>Lee.Kadinger@sealaska.com</u>	
	LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits.		
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:		
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.		
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.		
<u>Lee A. Kadinger</u> <u>Owners Representative</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)		
X <u>[Signature]</u> <u>4-20-23</u> Landowner/Lessee (Signature) Date		
<u>RORIE WATT, City + Borough Manager</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)		
X <u>[Signature]</u> <u>4/26/23</u> Landowner/Lessee (Signature) Date		
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.		
APPLICANT If same as LANDOWNER, write "SAME"		
Applicant (Printed Name) <u>Sealaska Heritage</u> Contact Person <u>Lee Kadinger</u>		
Mailing Address <u>105 S. Seward St. Juneau AK 99801</u> Phone Number(s) <u>907-586-9266</u>		
E-mail Address <u>Lee.Kadinger@sealaska.com</u>		
X <u>[Signature]</u> <u>4-20-23</u> Applicant's Signature Date of Application		

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

SNC 23-001

Intake Initials

JLS

Date Received

4/24/23

101

Attachment A- Application

STREET NAME CHANGE APPLICATION

Project Number	Project Name (15 characters)	Case Number SNC 23-001	Date Received 4-26-23
----------------	------------------------------	---------------------------	--------------------------

IS THIS ASSOCIATED WITH A MAJOR OR MINOR SUBDIVISION?

☒ NO ☐ YES

If yes, this process will be handled through the Major or Minor Subdivision Process and an additional application is not necessary.

ADDITIONAL INFORMATION:

Existing Street Name:

Seward Street

Proposed Street Name:

Heritage Way

☒ City ROW

☐ State ROW

☐ Private ROW

The name change will affect: ☒ a Portion of the Street ☐ the Entire Street

Total distance of ROW affected by the proposed Street Name Change see map.

REASON(S) FOR CHANGING THE STREET NAME:

To be compatible with Heritage Square, the Walter Soboleff building, The Arts Campus, the SHU Fab-Lab, representing Northwest Coast People, and furthering Juvau as The Northwest Coast Arts Capital of The World.

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

STREET NAME CHANGE APPLICATION FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>400.00</u>			
Adjustment	\$ <u>—</u>			
Pub. Not. Sign Fee	\$ <u>50.00</u>			
Pub. Not. Sign Deposit	\$ <u>100.00</u>			
Total Fee	\$ <u>550.00</u>			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Street Name Change Application Instructions

Pre-Application Conference: A pre-application conference is required prior to submitting an application. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed change, the permit procedure and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at Permits@ci.juneau.ak.us.

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

Forms: A completed Street Name Change Application and Development Permit Application form. All Landowners involved do not need to sign the "land owner or lessee consent" signature area on the Development Permit Application form.

Fees: The fee for a Street Name Change Application is ~~\$200.00~~ ^{\$400.00}. Any development, work or use done without a permit issued will be subject to double fees. All fees are subject to change.

Project Description: A detailed letter or narrative describing the reason for the name change.

Map: A map detailing the length of the street for which the name change is proposed.

Additional Items: Each application packet may also include (but is not required) a petition signed by the owners of the land fronting the portion of the street sought to be changed.

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

- A. Electronic copies may be submitted by CD, DVD or E-mail in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf or other formats pre-approved by the Community Development Department.
- B. Paper copies may not be larger than 11" X 17" (Unless a larger paper size is preapproved by the Community Development Department).

Neighborhood Meeting: The project applicant for a street name change is highly recommended to hold at least one neighborhood meeting after the pre-application conference, and prior to application submittal. The purpose of the neighborhood meeting is to provide the public with a means of obtaining information about the proposal and an opportunity to comment on it at the early stages of the development.

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

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

Hearing: All Street Name Change Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

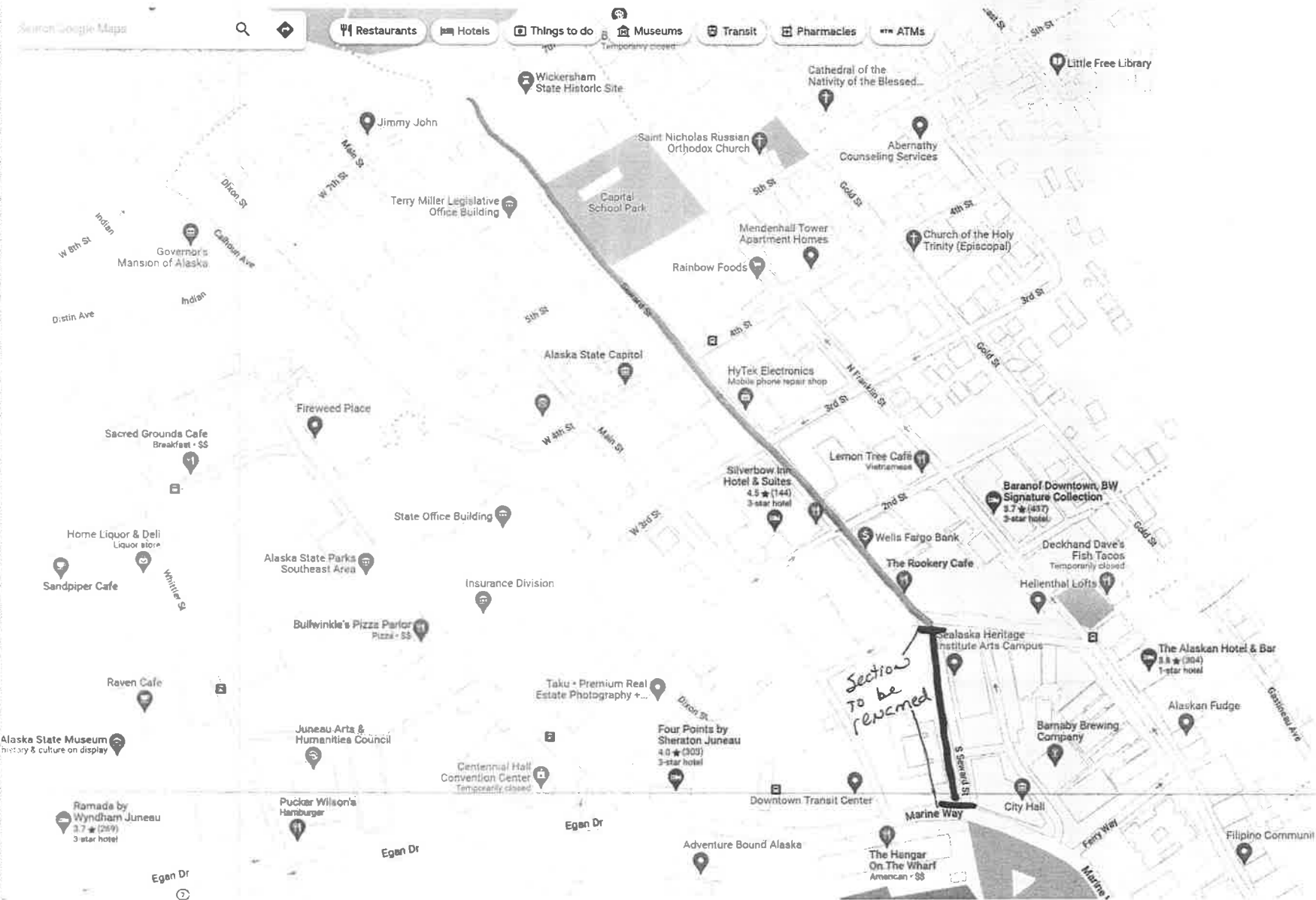
Public Notice Responsibilities: As part of the Street Name Change process, all permit requests must be given proper public notice, which consists of the following:

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

Applicant: Will post a sign on the site at least 14-days prior to the meeting. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned by 4:30 p.m. on the Monday following the scheduled hearing date. If the sign is returned later than the Monday after the Planning Commission meeting, but within two weeks of the meeting, \$50.00 may be refunded. The applicant may make and erect their own sign. Please speak with the Community Development Department for more information.

After the Public Hearing: If the Street Name Change is approved by the Planning Commission, all property owners affected by the Street Name Change will receive new addresses.

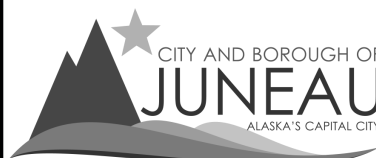
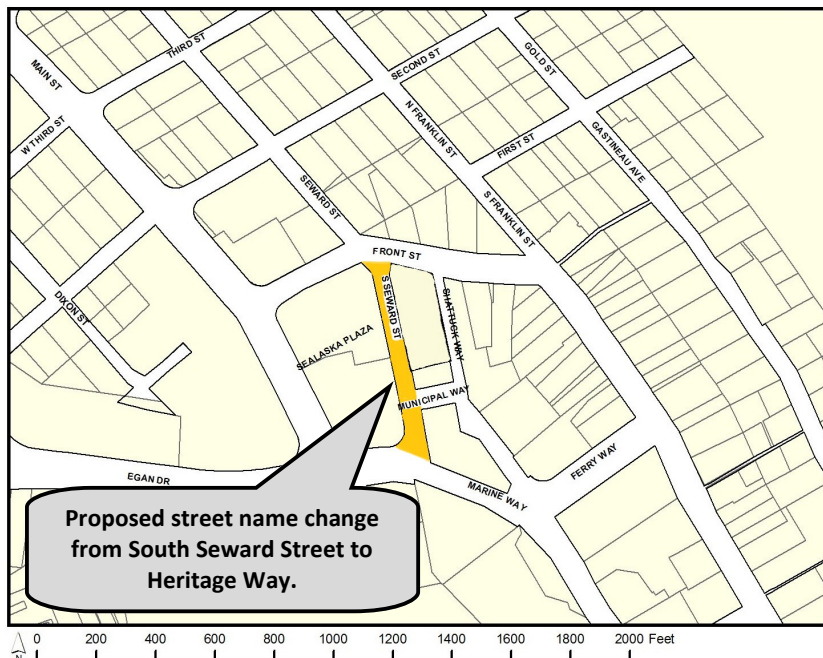
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



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. Sealaska Heritage Institute (SHI) is requesting to rename approximately 345 feet of South Seward Street to Heritage Way. The segment bisects the SHI campus, from Front Street to Marine Way.

PROJECT INFORMATION:

Project Information can be found at:

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

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **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, Emily Suarez , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/82155532900 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 OR QUESTIONS, Phone: (907)586-0753 ext. 4131 ♦ Email: pc_comments@juneau.gov Mail: Community Development, 155 S. Seward Street, Juneau AK 99801 <small>Printed May 10, 2023</small>			
Case No.: SNC2023 0001 Parcel No.: 1C070K780011 CBJ Parcel Viewer: http://epv.juneau.org			



Attachment B- Abutters Notice and Public Sign Photo



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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Administration
STAFF PERSON/TITLE: Robert Barr, Deputy City Manager
DATE: 5/23/2023
APPLICANT: Sealaska Heritage Institute
TYPE OF APPLICATION: Street Name Change

PROJECT DESCRIPTION:

Rename approximately 345 feet of South Seward Street to Heritage Way. Segment bisects Sealaska Heritage Institute campus, from Front Street to Marine Way.

LEGAL DESCRIPTION: South Seward Street
PARCEL NUMBER(S): N/A
PHYSICAL ADDRESS: 105 S Seward Street, Sealaska Plaza, 155 S Seward Street (City hall)

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

As a property owner with property having access to this public street and per 49.35.220, CBJ does not object and supports this name change (5/22/23, Committee of the Whole).



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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CDD
STAFF PERSON/TITLE: Quinn Tracy - GIS Specialist
DATE: 5/23/2023
APPLICANT: Sealaska Heritage Institute
TYPE OF APPLICATION: Street Name Change

PROJECT DESCRIPTION:

Rename approximately 345 feet of South Seward Street to Heritage Way. Segment bisects Sealaska Heritage Institute campus, from Front Street to Marine Way.

LEGAL DESCRIPTION: South Seward Street
PARCEL NUMBER(S): N/A
PHYSICAL ADDRESS: 105 S Seward Street, Sealaska Plaza, 155 S Seward Street (City Hall)

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

I do not have any addressing or route-finding concerns pertaining to the renaming of that portion of S Seward St between Front St and Marine Way. This street name change may provide better addressing clarity.

- The name change would apply to a portion of street bound by distinctive intersections. That segment of street also changes direction from the alignment of Seward St. I do not believe a name change for that segment S Seward St would result in any confusion for people navigating the downtown street system.
- Since the street has one-way traffic only from Front St to Marine Way, a street name change should not impact the ability of people to find and access Seward St. Existing routing to access Seward St is primarily from Main St and Franklin St, not Marine Way.
- This street name change only impacts addressing for two entities, the applicant Sealaska, and the City & Borough of Juneau. This street name change would result in the change of three addresses, 105 S Seward St (Walter Soboleff Building), 123 S Seward St (Municipal Way Building), and 155 S Seward St (City Hall).

AGENCY COMMENTS (CONTINUED):

- The proposed new street name, Heritage Way, is not duplicated or phonetically similar to any existing street names within the City & Borough of Juneau.
- If the street name change is approved, the existing street numbers 105, 123, and 155 may remain.
- This street name change may improve clarity in locating Seward St addresses in the 100s range. There are addresses in the 100s range of Seward St between Front St and Second St. The addresses of 123 Seward St (Wells Fargo) and 123 S Seward St (Municipal Way Building) are nearly duplicated. The street name change reduces the likelihood of emergency response or other individuals or entities confusing those two addresses.



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www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Public Works Streets and Fleet

STAFF PERSON/TITLE: Scott Gray - Superintendent Streets and Fleet

DATE: 05/23/2025

APPLICANT: Sealaska Heritage Institute

TYPE OF APPLICATION: Street Name Change

PROJECT DESCRIPTION:

Rename approximately 345 feet of South Seward Street to Heritage Way. Segment bisects Sealaska Heritage Institute campus, from Front Street to Marine Way.

LEGAL DESCRIPTION: South Seward Street

PARCEL NUMBER(S): N/A

PHYSICAL ADDRESS: 105 S Seward Street, Sealaska Plaza, 155 S Seward Street (City Hall)

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

Streets does not have an issue with changing the street name.



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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: JPD
STAFF PERSON/TITLE: Erann Kalwara - Public Safety Manager
DATE: 5/25/2023
APPLICANT: Sealaska Heritage Institute
TYPE OF APPLICATION: Street Name Change

PROJECT DESCRIPTION:

Rename approximately 345 feet of South Seward Street to Heritage Way. Segment bisects Sealaska Heritage Institute campus, from Front Street to Marine Way.

LEGAL DESCRIPTION: South Seward Street
PARCEL NUMBER(S): N/A
PHYSICAL ADDRESS: 105 S Seward Street, Sealaska Plaza, 155 S Seward Street (City Hall)

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

JPD maintains addresses and mapping information for 911 and our public safety computer aided dispatch and mobile computing software for police and fire department responses. Should the street name be changed, we will require assistance from CDD to update GIS data to ensure 911 and other calls for service are not impacted by the building addressing and street name change.



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www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CCFR
STAFF PERSON/TITLE: Dan Jager - Fire Marshal
DATE: 5/25/2023
APPLICANT: Sealaska Heritage Institute
TYPE OF APPLICATION: Street Name Change

PROJECT DESCRIPTION:

Rename approximately 345 feet of South Seward Street to Heritage Way. Segment bisects Sealaska Heritage Institute campus, from Front Street to Marine Way.

LEGAL DESCRIPTION: South Seward Street
PARCEL NUMBER(S): N/A
PHYSICAL ADDRESS: 105 S Seward Street, Sealaska Plaza, 155 S Seward Street (City Hall)

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

There does not appear to be any issues. If anything, we concur with the issues brought up by JPD already.

From: Sheryll Cox <coxfam10@yahoo.com>
Sent: Friday, May 26, 2023 10:04 AM
To: PC_Comments; Beth Weldon
Subject: Seward St

I respectfully am opposed to renaming Seward Street.

Aside from the expense - there is no need to change it. The street and its name belongs to all people, past and present who live here. Not just the native people. Seward St has history that should be preserved.

The city has been renaming everything to native names, why? 64.7% of people who live here are white, only 10% are native. And the rest is a mix of many races who also call Juneau home.

I personally have lived here 46 years. Others I know are 6-8 generation Alaskans. Do the rest of us not count?

Please stop renaming everything to appease the Native Alaskans. I like that Juneau has a visible Alaska Native heritage but the rest of us live here too. Enough is enough. Stop changing history.

Thank you
Sheryll Cox

From: Carole Bookless <carobo@rocketmail.com>
Sent: Sunday, May 28, 2023 11:05 AM
To: PC_Comments
Subject: SNC2023 0001 Street Name Change

While I don't encourage changing street names that are already established, I don't have a problem with this change. It will be easy to remember and get used to. We have a number of streets in Juneau/Douglas (Third Street/Douglas Highway for example) that have multiple names for different parts of the same street.

The proponents of the change may be trying to be sensitive but another alternative is to change the whole name of the street which would also be okay and maybe (just slightly) less confusing. Heritage Street could also include the role Seward played in Alaska history depending how you spin it.

Thank you for inviting comment and input from the whole community.

Carole Bookless
Douglas, Alaska