

Planning Commission
Auke Bay Implementation Ad Hoc Committee

Tuesday, September 11, 2018, 5:00 PM
Assembly Chambers

Call to order 5:06

I. Roll Call

Planning Commission:

Dan Miller (Chair)
Paul Voelckers
Dan Hickok
Nathaniel Dye
Ben Haight

Staff:

Jill Maclean, Director, CDD
Beth McKibben, Planning Manager, CDD
Allison Eddins, Planner II, CDD
Marjorie Hamburger, Administrative Assistant, CDD

Members of the public:

Joanne Schmidt
Rick Currier
Lisa Currier

II. Approval of Agenda

Hearing no objection the agenda was approved.

III. Approval of Minutes

A. June 28, 2018 Draft Minutes

MOTION: *by Mr. Dye to approve the minutes with no edits.*

The motion passed with no objection.

B. August 14, 2018 Draft Minutes

MOTION: *by Mr. Dye to approve the minutes with no edits.*

The motion passed with no objection.

IV. Agenda Topics

I. Review draft zoning and overlay regulations

Ms. Eddins shared images created in SketchUp to show how buildings might sit on lots depending on different setback and other regulations. (See Auke Bay Birdseye visualizations.)

She pointed out that the memo included in the meeting packet contained bullet points summarizing decisions made at the August 9 meeting; these changes were made in the draft zoning and overlay regulations, she said.

The yellow outlined area on the PowerPoint indicates the focus of the committee's efforts, she said. It is the overlay district boundary. The area outlined in red is the zoning district boundary. The overlay includes the WC zone, LC, GC, D10 and a smidge of D18. New zoning will have CMU in WC, in the overlay district.

Mr. Voelckers asked for clarification on the conversation concerning the overlay district and bonuses. Are these applicable to Waterfront Commercial (WC), he asked. Is the same density being proposed? Ms. Eddins said different overlays are not being planned for; it is thought that one should suffice, and based on the work that has been done she said she did not see a conflict. In the overlay, a height bonus is something that could cause pause. In WC the height limit starts lower at 35 feet. Bonuses as proposed could allow for two stories of additional height for a maximum of 55 feet. This could be an issue and therefore a conversation about floor area ratio might be in order, said Ms. Eddins. Perhaps there should be a smaller maximum lot coverage area so folks behind a taller building will be able to have a view around the building. However, she said, she does not think that a floor area ratio is the best way to go; it is overkill. But it is applicable to WC. This topic concerns looking out for preservation of views from private property, and she will make sure that conversation is had at the next meeting.

Ms. McKibben said that the overlay could be divided into two sections – one neighborhood commercial and one for WC within the overlay itself instead of having two separate overlays.

Mr. Voelckers said that transitional zones are in the public conversation. The overlay district could be imagined with a buffer for a transition edge. Ms. Eddins said in light of public comment, transitional buffers are good to think about.

Ms. Eddins said she did research on the questions from the August 14 meeting.

1. Regarding a maximum height limit on accessory structures staff recommends that a height limit remain on accessory structures i.e. signs. Mr. Voelckers said that a 45 foot sign is scary, so is 35 feet the default? Yes, said Ms. Eddins, 10 feet shorter than the primary structure is the default.
2. Regarding restricting number of primary buildings/uses per lot staff recommends that the number of primary building/uses on a lot not be restricted. Ms. Eddins said she looked at other communities and they don't limit those uses. It would be a contradiction if the plan is saying that mixed use is desired. Ms. Eddins doesn't see a benefit to limiting building/uses.

Purpose

(See slide) Ms. Eddins said that 18 units per acre is medium density. High density is promoted in the overlay. Mr. Voelckers said that the first bullet makes it sound like commercial and residential are different things. He suggested thinking about the integration of commercial and residential uses by wordsmithing the language so as to not imply separation.

Definition

(See slide)

Draft Community Mixed-Use Zone (CMU)

This is the meat of the discussion, said Ms. Eddins. She has reviewed the changes and got specific about bonuses and incentives. Now she hopes for a detailed conversation about that with the committee, she said.

Table of Dimensional Standards

Ms. Eddins recapped previous discussion about lot sizes. Is having a minimum lot depth something wanted, the Committee wondered. A maximum lot depth was discussed as an incentive. What is the appetite for a maximum lot depth? Other communities have done such things, she said. Mr. Voelckers pointed out that some big lots in Auke Bay are a source of concern, but they are grandfathered in. Ms. Eddins said if the large lots were to be subdivided to create a second large lot, the depth requirements would kick in.

Mr. Dye wondered if an oversize lot became a nonconforming lot, would this affect other things and possibly be problematic? Ms. Eddins said she thought not; issues would arise only if the owner wanted to create new lots by subdividing. Otherwise the owner could continue to use the lot for any use allowed in the zoning district.

Ms. Eddins shared 2 visuals showing some different lot sizes and setbacks. (See Auke Birdseye images.) The images show local roads that are hoped to be created with street grids and that include places to hang out, have decking, etc. The images show 0, 5, and 10 foot setbacks with different placements of buildings. A 50-foot wide arterial is shown, which is smaller than Glacier Highway actually is at present. Mr. Voelckers said he thinks the new hypothetical street, the village street, is more likely to be 50 or 40 feet wide.

Mr. Haight asked in relation to setbacks, where are the pedestrian walkways and how much is allocated for them? Ms. Eddins indicated that the black areas on the images show rights-of-way (ROW) to include travel ways and sidewalks. There is room for row reductions as well. Mr. Haight reiterated the intent to develop a pedestrian-friendly environment so that has to be insured via ROW or setbacks or both. Mr. Miller said regarding minimum lot size, he could see any one of the draft images working. A minimum lot size of 2,000 sq. ft. seems needed with room behind the structure for parking for retail or other commercial uses. Other situations might not need this parking, he said. Mr. Voelckers said he thought the collective thinking was 2 - 3,000 sq. ft. with a maximum no larger than 3,000 but there was a desire to preserve maximum flexibility. Lincoln Street in Sitka has small lots on a cute walking street, he said. Mr. Dye said 2,000 sq. ft. with a 30 foot lot width is what he remembered for commercial development. Mr. Miller suggested for now to change that to 2 or 3,000 feet. Mr. Hickok said 2,000 allows a person who is subdividing to have more flexibility. Mr. Haight said he also likes 2,000; smaller lots make it work in the area.

Mr. Dye asked if the committee members had thought about maximum lot size. Should that be put in for encouragement and to follow the logic regarding one story buildings? Could a one

story building be more than 5,000 sq. feet in size? Mr. Miller said he is not sure it would make sense if someone wanted to build condos and needed a big lot - small buildings within one parent lot. Mr. Voelckers said this could be used as a club to make things smaller if the owner subdivides. Mr. Miller said this was an interesting concept.

Ms. Eddins asked if the committee wanted her to do more research on this from other communities. Mr. Voelckers recommended finding information from sister communities; these could also be useful reference points for an Assembly presentation; it helps to see other successes. Mr. Dye said instead of using a club, is there way to encourage ROW creation by incentivizing other area of development to make it more palatable? Mr. Voelckers said an interesting thing is the city is going to have to be active player to help salt conversation about street potential. There is the issue of burying utilities. Maybe the city could look at macro incentives. How do we start a conversation about the city's role in proposing the location of a street to a developer, he wondered. It is a hard nut not yet addressed. Mr. Haight said when that discussion begins the Planning Commission will have to have formulated an idea of what type of direction to suggest but ultimately the Assembly will need to decide how the city might get involved with ROW and utilities. Mr. Voelckers said the tipping point comes when private lots are affected. There will need to be some magic way to align with what the city is offering because you can't do one without the other. Ms. Eddins said she will come back at the next meeting with more information and will be ready to scratch the surface of what CBJ might offer.

Maximum Lot Coverage

Ms. Eddins said she thinks this was taken care of already. Otherwise the table is the same as before.

Setbacks

Ms. Eddins said that a 10-foot setback along collector roads is new. The goal is to create neighborhoods with one major arterial road and lots of little collector roads. She said it was discussed at the last meeting to have a maximum setback of 10 feet but what is really wanted us a 20 foot setback from a local road. Mr. Voelckers said that this is a tricky area; the main issue being not the amount but making sure there is vibrant and working street frontage that has the potential for canopies and façade continuity. He felt the committee needed to think of a vehicle to drive that result and get properties to abut in a friendly way. He said it feels like the regulations are not yet in focus regarding this point.

Mr. Dye echoed Mr. Voelckers sentiments. If a developer does not want to take advantage of bonuses there might not be continuity. The horizontal plane should not be in question, rather height and density, so that continuity is preserved. Mr. Voelckers said in downtown Juneau provisions allow property owners to do things whereby the default result is frontages that line up and get maximum density. Alignment consistency allows for flow of pedestrian traffic.

Ms. McKibben asked if the proposed 0-10 feet feels too far apart. Correct, said Mr. Voelckers. Ms. McKibben wondered if there should be language encouraging buildings to not be offset too much from the neighboring buildings. Mr. Miller said he recalled not wanting to allow setbacks

to be 0 so as to encourage nooks and seating areas, etc. but he felt at some point there was discussion about only a percentage of the building. Maybe this needs to be pulled out of the overlay, he suggested. Ms. Eddins said it is in the zoning district. Ms. Maclean said maybe there could be an average of the abutting properties but an allowance on a wide sidewalk to give the opportunity for something like an outdoor café which would make the streetscape active. Mr. Voelckers said he liked Ms. Maclean's idea of the range. The first developer would establish the plane and subsequent developers would need to relate to that and not cause the street frontage to be gap-toothed.

Mr. Hickok said he thought area-wide plans were meant to be a broad vision. He said he felt the committee was starting to pigeonhole developers instead of offering incentives and opportunities. Mr. Miller said that a plan is visionary but now the goal was implementation, which is more about the details. He said he felt the group was on task and, when the regulations come before the public, it will be discovered if the committee did what was wanted. Mr. Dye said he thought trying too hard to please everybody means the vision gets broken. There is a lofty idea for the future of Auke Bay, and not everybody will be happy. Mr. Hickok asked if developers can be given ideas s/he might consider. Mr. Voelckers said he had heartburn about an earlier draft from two years ago that felt too prescriptive. However regarding the alignment of buildings, a dividend is created and so he felt that this is the one thing that needs to be prescriptive. Mr. Hickok said it is hard to visualize whole area rather than a case-by-case basis, and ultimately the Planning Commission can approve a project or the public can object.

Ms. Eddins said there are many zoning districts in the relatively small area of Auke Bay and it is confusing why one neighbor can do something but another cannot because of these zoning areas. She thinks it is easier for a developer to know what they are buying into, what the community wants, and how the Planning Commission will interpret the code if there is one whole zoning area. Mr. Hickok said he felt that unless the language remains broad, he doesn't think developers will have a vision and will feel that there are too many restrictions.

Mr. Voelckers asked if lines 43-44 should be changed to get rid of the 20 foot reference. No, said Ms. Eddins, because this just refers to the local road. Mr. Voelckers said isn't the collection road where we want continuity? Ms. Eddins said she thought this was the agreement from the last meeting. Mr. Miller said he thinks the way it is written is how we want it to be with the local road; if a local road is built, the maximum setback is 20 feet. However we want other roads built so they could be encouraged by saying 10 feet. A local road is a dead end and doesn't collect traffic from other roads, he said. Mr. Dye said he thinks they should all be the same, the range is not helpful. Mr. Miller said we want 10 feet always for local and collector roads. Mr. Voelckers pointed out that boutique frontage will be on a new, yet-to-be-determined street, and that street should be tight, intimate and friendly. Mr. Miller said that if a road becomes a collector road, he recommends it to be 10 feet.

Ms. Eddins asked if the 10 foot setback is ok in lines 45-48. Mr. Miller asked if the idea of an average should be inserted here. Mr. Hickok said averaging works out well for existing properties. Mr. Miller said the first structure will set the stage and everyone plays ball after

that. Mr. Voelckers said he thinks averaging works well and is a friendly application. Mr. Miller wondered if the committee members like the 50% of building section (line 47)? Is that allowing too much to not be out there on the street, he asked? Mr. Voelckers said he wondered the same thing. Mr. Dye said he felt 50% was a great starting point and could go towards a bonus and the overlay. Clever language could encourage more success. Mr. Voelckers said it is his experience that people try to maximize frontage. They want to get windows and the storefront close and tight to the front. Mr. Haight said that economics will usually rule here. Mr. Voelckers said we are trying to discourage a lot of parking on the street but maybe there should be something to balance this, for example to allow a customer to whip in and get some coffee. Ms. Eddins said she thinks this allows some creative liberties with architects and so forth. She said she can explore incentives in the bonus section.

Vegetative Cover

Ms. Eddins said at the last meeting there was talk about a commercial building next to a residential zone, about having an increased setback but also about landscaping. It was decided to remove landscaping. Vegetative cover was reduced to 10% after the last meeting. Mr. Dye said he still does not understand why vegetative cover is different than lot use. One says 0 and one says 10% green. Ms. Eddins said it is a quirk in code that we grow to love. Mr. Miller said a green roof can count. Ms. Eddins said this might be a catalyst to fix this weird section in code. Title 49 does not define the point of vegetative cover and does not address what the purpose is. Is it aesthetic? Is it runoff? The code is ambiguous and could be a good discussion for the Title 49 Committee at a later date.

Parking

Ms. Eddins said the committee discussed 20% right off the bat but in her professional opinion this is too much. She said she is okay with no parking reduction right off the bat. Free parking in Auke Bay is an issue, and she would not want to exacerbate a bad parking situation. Originally 10% was talked about. Mr. Dye said he thinks parking should not be messed with except in the overlay. Mr. Hickok agreed. Mr. Dye said Downtown has a parking problem that annoys him. If people don't want to pay \$5 to pay in lovely Statter Harbor lot, he is not in favor of encouraging avoidance. Mr. Voelckers said that the CMU by definition is combining mixed use opportunities and creating efficiencies so he thinks at least a 10% bonus is in order, plus incentives. Mr. Miller said he likes putting the old "carrot cake" in front of people. If a person wants to use their lot the way it is now after new zoning is created, they could gain a benefit without having to subdivide. To keep an incentive, he likes the idea of starting at 0 and not getting any break. But if people start to hit the bonuses, he thinks things should ramp up quickly with the bonuses in the overlay. Ms. Maclean asked what that looks like for a 2,000 foot lot; where does the parking fit, she asked. Is it large enough to provide parking? Mr. Voelckers said, barely. He said he thinks Ms. Maclean is right, and parking will drive development. Mr. Dye said he appreciates the premise but no one has cared yet about this problem, so he thinks it is not a valid concern. Mr. Miller said it is up to a developer to figure it out. Mr. Hickok said that for mixed use, it is a problem for residential uses to not have parking. Mr. Voelckers said he thought the committee might need something sketched out to see what these bonuses would do.

Ms. Maclean said that if there is going to be a bonus to reduce parking, parking will also need to be amended with waivers because the area could end up like downtown with no waivers possible. Ms. Eddins said there are also funky fee-in-lieu qualifications that would preclude much in Auke Bay. Fee-in-lieu is allowed if in PD1 or PD2. It would not be able to be picked up and put in Auke Bay.

Mr. Voelckers said if basic parking is reduced and there is talk about incentives, parking incentives are much narrower but there is a need to blend these two things. All these things cannot be done on a small lot.

Auke Bay Overlay District

Ms. Eddins asked for ideas about how to incentivize the building of mixed use buildings. One concept at this point is to reward this mixture - the greater the mixture the greater the density a developer would be able to achieve. The committee liked the table although they felt it needed a little work and they gave specific comments to staff.

Lot Coverage

There is no maximum coverage in the district, said Ms. Eddins, but this item specifies 50% maximum in order to discourage single stories. Mr. Dye said he thought this might go away or go back to the zoning district. Mr. Voelckers said it makes the overlay district bonus stuff instead of being limitations or penalties.

Height Bonus

Ms. Eddins said depending on topography or soil conditions this bonus may or may not be feasible. It has not yet been run by a CBJ engineer. If the committee is interested in exploring the concept, she will do this. This language is lifted from Anchorage. Mr. Dye said he likes the concept but is curious about grade. He wants to make sure this can be protected. Mr. Miller said there has to be a definition of what below grade means. Mr. Voelckers said that the engineering code describes this in painful detail. Mr. Miller said he likes this. Mr. Voelckers said sometimes a small lot is difficult to work with, but this section is good in general.

Building Design standards

Ms. Eddins said the base height being considered now is 45 feet, WC is 35 feet. Mr. Miller said if there is an allowance for extra floor height, there should be an increase in density to encourage more units, not just bigger units. There needs to be a correlation, he said. Mr. Dye said there also should be a reduction in parking – height equals density increase equals parking decrease. Mr. Voelckers said this is the spot where parking needs to be. A developer should be allowed to have less parking because we like what is being done. Bonus can be applied to either, he said. Mr. Hickok said it was a good idea to have one or the other. Mr. Voelckers said he thinks both should be in place. Mr. Dye said he thinks it should be straightforward and we should not pick and choose where points go. Mr. Miller said if someone gets an extra floor with all that extra density there could be a 10% reduction in parking. Mr. Dye suggested having a tier level with indications of all the allowed bonuses at each tier. Mr. Voelckers said this has to be simple or it could become like the noise ordinance. Ms. Eddins said she envisions bonuses being dependent

on each other. Mr. Dye said he is concerned that it would be complicated to figure out how to get there and make a project viable. The language needs to make stupid-simple sense so as to encourage people to take advantage of this.

Mr. Hickok said he was concerned about preventing the densest piece of property from having the least amount of parking. Where will they park then, he asked? Mr. Voelckers said that is the tricky edge of striving to create economic development and striking a balance between parking and walkability. Mr. Dye said he thinks the Marine View Building downtown is a great example of this. Very few residents living there have a parking space, he said. The onus is on the end user. If a person wants to be able to park, s/he will rent a place with parking. He said he thinks it will be self-selective. Mr. Hickok said he felt that in general, people in Juneau want to be able to park. Mr. Voelckers pointed out that nothing has been done to incentivize street alignment. Maybe the city should act as “big brother” or something. Another thing that is missing is the preservation of view planes. Language about that needs to be created, he said.

Mr. Miller wanted to get back to the topic of parking, as a developer he sees that parking requirements are onerous and too much. The worst case scenario is always used as the benchmark for a project. He said he had to provide 19 spaces for a veterinarian clinic project recently, but he has never seen all of these used. Maybe residential versus commercial is different. He said he was interested in getting examples of mixed used with retail downstairs and two floors above of apartments to see what the parking requirement would be. With bonuses and getting more units, what would that look like in terms of numbers? It would help to see real examples, he said. If this really develops in the way wanted, the bus service will respond. Mr. Haight noted that comparing downtown versus Auke Bay, public transportation is very different but busing won't come first so this needs to be kept in mind. As hard as it is to park downtown, there is public parking available if a person is willing to pay. But for Auke Bay how will parking be provided and by whom? Mr. Dye said that there is no requirement when paying for parking at Auke Bay Harbor that a person goes out on a boat; s/he can go wherever they want. Also, regarding the feasibility of protecting the view shed, is this going to go the Conditional Use Permit approach? If so, the Planning Commission needs to have language in order to make decisions since Title 49 does not have language about view planes.

V. Committee Member Comments and Questions

Mr. Miller said he felt it would take one or two more meetings at most to wrap up work on bonuses. Then, he said, it will be beneficial to have a draft version presented at a neighborhood meeting to get feedback before moving much further along on the process. Mr. Voelckers said he thinks the committee needs to get the draft done and out but that they have not yet solved all the bonus stuff yet. Parking needs to be aligned with bonuses, he said. He said he thinks the committee should game a few through to see how it plays out before bringing it to the public.

Ms. Eddins suggested January as a good time for a neighborhood meeting, after the holidays.

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The next meetings will be held on October 2 and 25, 2018 from 12 to 1:30 pm in the CDD conference room.

Mr. Miller suggested planning for a neighborhood meeting to take place on November 15.

VI. Adjournment

The meeting was adjourned at 6:44 pm.