

Planning Commission
Auke Bay Implementation Ad Hoc Committee
Tuesday, August 14, 2018, 5:00 PM
Marine View Building, 4th Floor Large Conference Room

Call to order 5:06

I. Roll Call

Planning Commission:

Dan Miller (Chair)
Paul Voelckers
Dan Hickok
Nathaniel Dye

Staff:

Jill Maclean, Director, CDD
Beth McKibben, Planning Manager, CDD
Allison Eddins, Planner II, CDD
Rob Palmer, Law Department
Bhagavati Braun, Administrative Assistant, CDD

Members of the public:

Rick Currier
Joanne Schmidt
Kathleen Samalon

II. Approval of Agenda

Hearing no objection the agenda was approved.

III. Approval of Minutes

A. June 28, 2018 Draft Minutes

Postponed to the following meeting.

IV. Agenda Topics

a. Upland Zoning for Auke Bay Draft Regulations

Ms. Eddins gave an overview of the previous meetings work and spoke about the overlay and the new zoning for the area (see maps in presentation). She clarified that the overlay would be for all properties within the area marked by the yellow border; the new zoning would be for the areas within the yellow boarder and north of Glacier Highway. Ms. Eddins spoke of the purpose statement for the Draft Zoning Regulations, specifying that the Uplands Zoning for Auke Bay (UZAB) zoning district is a working name for the time being. She let the committee know that the purpose statement was essentially pulled from the Auke Bay Area Plan (ABAP). Mr.

Voelckers suggested the name Community Mixed Use (CM) for the new zone (the new zone will be referred to as CM for the remainder of this document). The Committee voiced agreement with this term.

Ms. Eddins asked for confirmation that the Committee members don't want to make any changes to the bold and underlined words on the slides labeled "Draft Zoning Regulations: Purpose Statement" (see presentation). **Mr. Voelckers suggested "integration of" instead of "development of" on the first bullet. He suggested adding "to promote cohesive neighborhoods" to the second bullet.**

Mr. Dye asked how this will be integrated into an ordinance, stating that he was thinking of how to take it to the next level. Ms. Eddins stated that this is a half-step, once the Committee has decided what the regulations should contain staff will give that document to the Law Department who will draft the ordinance. Ms. McKibben added that the format contained in the packet is close to an ordinance format so it's easier for it to translate. It was clarified that this is both conceptual and working toward the more firm ordinance.

Ms. Eddins outlined the Definition for the CM zoning district (UZAB Definition slide). **Mr. Voelckers suggested the term "around" be replaced with "while integrating/incorporating" in the third sentence, and suggested "incentives are offered to combine..." to replace "should be" in the last sentence.** Mr. Dye asked how the incentives would be legislated; if they would live in the overlay or in the zone, and how the new zoning works separately or in tandem with the overlay. Ms. Eddins stated that the incentives could live in either or both the zoning and overlay. She stated that working with the guidance the Committee has given parking regulations and increased density are planned to be in the zone, but this is all changeable. Ms. McKibben added that other items could be incorporated into the zoning or the overlay. Mr. Miller stated that he would prefer not to get hung up on where the incentives will be in the end; stating that since it is flexible the Committee should decide which incentives they want and decide if they belong in the zone or overlay at a later time. Mr. Voelckers agreed with Mr. Miller and asked if other zones have built in incentives and if there any potential problems with that? Mr. Dye added the question: is the overlay easier to understand for developers? Ms. Maclean suggested that the Committee decide what they want in the zoning, what they want for incentives and then decide where the incentives will be housed, she suggested they focus on what the Auke Bay area needs, then decide which of those items should be available to the community at large (should they go through a rezone and be designated CM), and which are specific to the Auke Bay area and should be housed in the overlay district.

Ms. Maclean asked what numbers are associated with "medium to high density" (see UZAB Definition slide), stating that this could be a very high range; she suggested listing the units instead of an interpretable range.

Addressing Mr. Dye's question above, Ms. McKibben noted that whichever final decisions the Committee makes on this new zone and overlay district there will be changes to how we use the code. This will be a time of transition and it will be staff's job to make sure we educate

developers and the public on the new rules and possibilities, and to bring them along in the new code we are creating.

Ms. Eddins gave an overview of the UZAB Density slide, stating that 50 units per acre was suggested in 2016, staff currently think 40 is a more palatable number, perhaps using 50 as an incentive. Mr. Voelckers voiced his agreement, adding that there would have to be careful language defining mixed use and the ways to obtain a bonus increase in density. Mr. Dye also voiced his agreement with having a lower number with an incentive for a higher, but asked if a lower starting number would be better. He suggested a base of 30 dwelling units/acre and bonuses could gain up to 50 units/acre, stating that there should be a delicious carrot – a carrot cake! Mr. Miller agreed and added that maybe 18 should be the maximum without bonuses with the ability to grow up to 50 units as a max, emphasizing that 40 units/acre is already a high number, and that maybe extra height should be an additional incentive for higher density. Mr. Hickok pointed out that height changes might be difficult in the Auke Bay area where viewsheds are very protected. Mr. Voelckers stated that height bonuses might be needed to get to 50 units/acre, he suggested that the bonuses be predicated on doing no harm, and could include a provision for viewsheds in the criteria of doing no harm, this could have department or Planning Commission approval. Ms. Maclean added that height bonuses could give developers the opportunity to build up instead of across, stating that depending on siting a tall building on a portion of the lot could be more desirable than a low building on the full lot. Mr. Miller added that there are so many design standards and other items we want to get developers to use, it's important to give them incentives to do so. Mr. Voelckers stated that the Unit Lot Subdivision draft ordinance does a good job at grouping bonuses and could be a good template for the bonuses suggested here.

Ms. Eddins asked for confirmation from the Committee that they want to have a default maximum of 18 dwelling units per acre with a maximum of 50 units/acre with bonuses, to which the Committee voiced agreement.

Ms. Maclean asked if there is a proposal to allow more than one building per lot. Ms. Eddins and Ms. McKibben answered that this hasn't been discussed yet, and there are no restrictions suggested at this time.

Ms. Eddins switched to the UZAB Dimensional Standards slide. Discussion ensued about 5,000 square foot or smaller building footprints. It was discussed that if box stores wanted to develop in the area they could with multiple stories, this would help them fit into the look and feel that is desired in the area, and is how these stores have developed in similar areas. Ms. Eddins showed examples of current buildings in the area that meet those square footage requirements for a reference (see Small Scale Retail / Commercial slide).

Mr. Voelckers asked if the minimum lot size should be smaller than 4,000 square feet, stating that some areas have made cute development on smaller lots. Mr. Dye agreed that smaller lots could be developed successfully, stating that we don't want to hinder possibilities. Ms. McKibben stated that the 6,000 sq. ft. number came from previous work on this topic, adding that this Committee has been changing a lot of assumptions previously held creating more

flexibility for the proposed code change so the number is open to change. Mr. Miller stated his agreement that a 2,000 sq. ft. minimum might be more desirable. Ms. Eddins noted that according to an aerial survey neither of these options would create any legally non-conforming lots, stating that the smallest lot in the area today is 7,000 sq. ft. Mr. Dye added that allowing smaller lots would allow for subdivision and allow smaller developers to have more options. Mr. Voelckers asked if there is any downside to smaller minimum lot size. Ms. Maclean suggested staff ask Amy Liu (Planner) to mock up some drawings of what might fit on a number of lot sizes; 2,000, 3,000, 4,000 and 6,000 lots with many of the elements desired by the committee. Mr. Dye stated that a sketch is worth something, but it might be easier to spur investment by making smaller lots available, adding that a developer may be able to see options that a sketch by staff didn't think of out of necessity. Mr. Voelckers stated that the minimum lot size will hinge on parking requirements. He asked staff to show some examples of towns that have a built-up area with similar requirements to see what it might look like, suggesting Lincoln Street in Sitka specifically. Ms. Eddins stated that staff will look at these numbers and present drawings that align with the feedback that the Committee is giving.

Mr. Dye suggested that if the minimum lot size is changing the minimum lot width should also be reduced, proposing a 30 foot minimum lot width, the Committee voiced general agreement. Ms. Eddins noted that there is no minimum lot depth listed as the zoning is more concerned with frontage and the character of the streetscape. Mr. Dye suggested depth could be important for the creation of street grids, Mr. Voelckers noted that the minimum width and size could dictate the depth. Some discussion ensued and the Committee voiced agreement that a minimum depth is not a priority. Ms. Maclean posited that Capital City Fire and Rescue (CCFR) may have an opinion on this matter; **Ms. Eddins stated that she will discuss this with CCFR.**

Mr. Voelckers said the far bigger issue is how to incentivize the creation of a street grid and deciding where frontage is. He stated that Glacier Highway shouldn't be the frontage, but no other frontage exists at this time. He asked how the code will define frontage, or primary or desirable frontage, and who would decide what the primary frontage is, suggesting that maybe the Director or the PC would make that determination. Ms. Maclean suggested incentivizing the creation of double frontage lots and incentivize creating a ROW even if it's done lot by lot.

Mr. Miller suggested that the minimum lot width be reduced to 30 ft. to coincide with the 2,000 minimum lot size, suggesting that the minimum lot size might expand for larger lots.

Ms. Eddins noted that there is no maximum lot coverage listed. Mr. Miller asked what lot coverage entailed, staff noted that anything that has a roof counts as coverage; pavement does not count towards coverage maximums. Mr. Voelckers stated that canopies should not count as coverage, especially if we want to incentivize them. It was noted that canopies are often in the public right-of-way.

Mr. Miller stated that he wanted to have a higher maximum height than the 45 ft. listed on the slide. Mr. Voelckers added that he would like the ability to build higher with incentives, suggesting 55 or 60 foot maximums. The Committee asked for clarification about what a permissible use is versus a permissible accessory use, staff stated that an accessory use is

“incidental and subordinate to the primary use,” some examples include a garage, a maintenance shed, and outdoor storage. Mr. Voelckers stated that it seemed strange to have this in here; he added that the Committee may want to decrease this number do dis-incentivize accessory buildings, staff replied that they will look into whether it is a valuable category to retain.

Ms. Maclean asked what would require a Conditional Use Permit (CU). Ms. Eddins suggested that height bonuses should include a public process. Ms. McKibben stated that parking could be approved by the Director; this might expedite the process and would be good to consider.

Mr. Dye asked again if the bonuses should land in the zoning or the overlay in the code, suggesting that the overlay would require a public hearing which might be preferred. Mr. Voelckers stated his opinion that bonuses should receive a CU regardless of their being listed in the zone or the overlay. Ms. Maclean voiced her preference for the public process as the method for seeking approval for bonuses, especially for viewplanes and high density.

Mr. Miller asked if the proposed density changes would constitute a taking; Mr. Palmer replied that property owners are able to apply for anything under the current zoning which would then be permitted until the permit expired or the development was completed. Anything that didn't fall under the proposed zoning or overlay district would become legally non-conforming.

Ms. Eddins gave an overview of the Setbacks slide, noting the extra column containing the 2016 draft ordinance proposed setbacks for the Committee to consider. Ms. McKibben added that the 20 ft. maximum setback listed in the 2016 proposal was intended to allow for public spaces in the front of buildings. Ms. Eddins proposed that if a developer wanted to have a larger setback the code might require seating or some other design element. Mr. Voelckers stated that the key goal is to create the village street frontage with continuous canopies, he expressed concern that this might lead to gap-tooth street frontage, suggesting that there may need to be another incentive to get aligning canopies and walkways. Mr. Miller suggested that it may be good to have one setback for arterial roads and another for village street frontage, adding that the 20 foot gap may be nice for resting in some places.

Ms. Eddins introduced the first UZAB Maximum Setbacks slide. Mr. Dye suggested changing “commercial building” to “commercial or multi-family building” or just “building.”

Ms. Eddins introduced the second UZAB Maximum Setbacks slide stating that the image was borrowed from the Portland code. The Committee voiced their approval of the concept as drawn on the slide, Mr. Dye adding that the visual helps with the 0-10 foot setbacks.

Ms. Eddins introduced the third UZAB Maximum Setbacks slide, clarifying that only 50% of the façade, or new façade has to meet the maximum setback. The Committee members again voiced their approval of the concept and diagram.

Ms. Eddins introduced the UZAB Setbacks Exceptions slide. Mr. Miller said that there may be an exception to allow a larger setback, Ms. Eddins responded that she will do some research on this. Ms. Maclean stated that some exceptions allowed elsewhere in code might not be

desirable in the Auke Bay area listing parking, parking decks, and fuel storage as a few examples.

Ms. Eddins introduced the UZAB Setback and Landscape Buffers slide, again stating that this idea was borrowed from Portland's code. Mr. Miller requested that another height of building wall row be added for 46-65 feet and have the corresponding setback be 20 feet. Mr. Voelckers asked if the distinction of height of a building versus height of a wall is preferred. Mr. Dye suggested that wall makes sense, some discussion ensued over building height versus wall height and if that would make a difference to neighbors, it ended with a tacit agreement that building wall would be a fine qualifier. Mr. Dye stated that the landscaping option is too subjective and should be removed. Ms. McKibben pointed out that landscaping and vegetative cover are not the same, but currently there is no definition or provisions for landscaping outside of the parking section of code, noting that hardscaping can also be considered landscaping. Mr. Voelckers voiced his support of removing the landscaping options.

Mr. Voelckers suggested that the Title 49 Committee put adding a definition of landscaping to on their priority list.

Ms. Eddins asked for confirmation that a 0 foot setback is acceptable with a 15 foot wall, as described on the slide. The Commissioners agreed that it did. Ms. Mclean asked if the height was for the principle building or any building on the property. Mr. Dye suggested that this would be for the closest wall, not necessarily the whole building or other buildings. Mr. Miller noted that it is difficult to build a 0 foot lot line building unless you have an easement with the neighboring property, stating that it is incrementally easier to build the further from the lot line your building is.

Ms. Eddins introduced the UZAB Vegetative Cover slide. Committee members stated that the percentage is too high; the group voiced its agreement to 10%. Mr. Miller stated his preference that planters and vegetation on decks should be considered in the total coverage, Mr. Dye suggested permeable asphalt. Mr. Voelckers stated that what will drive this is the carrot cake approach, or lucrative density bonuses.

Ms. Eddins introduced the UZAB Parking Reduction Example slide explaining that the slide uses low numbers for the cost of a parking space, but still shows ample savings for developers with parking reductions available for up to 60% of the requirement through a base reduction for the area, and bonus reductions; she added that further reductions could be obtained with a waiver. Ms. Maclean noted that this proposal might create friction with downtown business owners who are not allowed to apply for a parking waiver because of the reductions already allowed. She suggested that the Committee consider the possibility of more reductions through bonuses and not using waivers. Mr. Dye suggested an automatic reduction of 20%, stating that 60% might not be high enough. He asked about downtown parking and the Marine View building in particular, and asked if the area could do a fee-in-lieu instead of a waiver. Mr. Voelckers stated his preference that there be no automatic parking reduction but that parking reductions be deeply incentivized. Mr. Hickok cautioned that some parking needs to be created for the area as there is no large parking spot other than the harbor. Mr. Voelckers suggested that covered

bus stops should not receive such a high bonus as there aren't that many needed. He stated his preference to drive canopies or the creation of a right-of-way, he added that the street grid is of paramount importance, but only in the Auke Bay area, so this incentive should remain in the overlay district.

Mr. Dye suggested that all of the bonuses live in the overlay and be granted with a CU permit, stating that this will allow simple development to happen simply and more complex development has a chance to be reviewed by the public. Ms. Eddins asked for confirmation that the Committee wants no automatic parking reduction, parking reduction incentives in the overlay district and lower emphasis on covered bus stops. Committee members voiced their agreement. Mr. Voelckers suggested additional priorities of incentivizing a street grid and defining frontage. Mr. Dye suggested that there be an easy way for developers to understand incentives such as a relational grid. Mr. Miller voiced his agreement with the 40% reduction for new or expanded parking lots located in the rear or street side (see Draft Ordinance, page 5), and with 10% reduction for installation of pedestrian path or sidewalk. He stated his opinion that a bike rack should only receive 5% reduction at most, and that bike racks must be able to accommodate a specified number of bikes per parking space reduced. He asked that the covered bus stop item be removed, and stated his agreement with the 10% reduction for screening and that the cap on reduced parking be at 70%. The Committee expressed agreement with Mr. Miller's statements above. Mr. Dye suggested an additional reduction for compact parking spaces with chargers for electric vehicles, which was met with approving nods.

Ms. Eddins introduced the *For the next meeting* slides, specifically the one with the image, she outlined that the City is exploring options to get a platted right-of-way in the area so that there are two access routes to the large lot behind the current development in order to open the land up to future major development.

Mr. Voelckers pointed out that there were public comments included in the packet about similar changes in other communities. He wanted to acknowledge the Committees receipt of these comments and thank the member of the public for submitting them. He stated he thought the content was interesting and that the area has some of the elements described in the materials, but not all of them. Also pointing out that the Committee is doing a lot of the pieces that were recommended. He acknowledged that the Auke Bay area is an important area and the Committee is trying to create density and smart design criteria like those listed in these examples. Thank you.

Mr. Dye stated that in the next meeting the Committee is hoping to see a base zoning district and an overlay with bonuses. He asked when the Committee could expect the next draft and what the schedule would look like moving forward. Ms. Eddins stated that staff would bring to the next meeting the suggested changes, bonuses in the overlay section, and visual aids for guiding dimensional standards. Mr. Voelckers stated his preference to continue looking at the land that is behind Squire's Rest for the examples. Ms. McKibben stated that the draft will probably need one or two more meetings before it is sent to the Law Department. Mr. Dye agreed both with Mr. Voelckers and Ms. McKibben, that the focus of the area should remain

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the same place, and that a few more meetings will be needed before an ordinance is drafted by the Law Department.

The next meeting will be held on September 11, 2018 at 5:00 PM in Assembly Chambers.

V. Committee Member Comments and Questions

Mr. Miller asked if there was any further direction from the Assembly on a Comprehensive Plan update. Ms. Maclean stated that the update won't happen this year, department staff are busy with some very large projects that prohibit taking on more large priorities.

VI. Adjournment

The meeting was adjourned at 7:00 pm