

Meeting Agenda of the City and Borough of Juneau
Title 49 Committee of the Planning Commission

Wednesday, August 7, 2019
Community Development Department
Large Conference Room, 12:00 pm

Members Present:

Nathaniel Dye, Travis Arndt, Shannon Crossley, Ben Haight

Members Absent:

Ken Alper

Staff Present:

Jill Maclean (CDD Director), Alexandra Pierce (CDD Planning Manager), Irene Gallion (CDD Senior Planner), Laurel Christian (CDD Planner), Amy Liu (CDD Planner), Chelsea Wallace (CDD Admin)

I. Call to Order

The meeting was called to order at 12:03pm.

II. Approval of Agenda

MOTION: by Ms. Crossley to approve the agenda.

The motion passed with no objection.

III. Approval of Minutes

A. October 15, 2018 Draft Minutes - Common Wall Section

MOTION: by Ms. Crossley to approve the October 15, 2018 minutes – Common Wall Section.

The motion passed with no objection.

IV. Agenda Topics

A. Proposed Rezoning of Downtown Juneau Alternative Development Overlay District Area

Before diving into meeting material, Ms. Maclean stated that she and Mr. Dye had discussed the meeting style and decided that it would be best to keep with the formal style of the meetings, rather than fall into a casual style that subcommittee meetings can sometimes become. She asked that everyone follow Mr. Dye's lead as the Chair of the Committee and allow him to direct the meeting as he sees fit.

Mr. Dye expressed support for Ms. Maclean's recommendation and asked for a brief overview of what would be discussed at the meeting.

Ms. Christian gave a brief overview of what the meeting agenda consisted of and started her presentation with the Highlands area of downtown Juneau. Ms. Christian showed a map with the Alternative Development Overlay District (ADOD) boundary lines and which lots are non-conforming, and discussed why minimum lot

size for the highlands area should remain within the range of scope, noting that while the Highlands are more conforming than other neighborhoods, they still experience similar challenges as other neighborhoods during remodeling that changes building footprint and requires variances or an Alternative Development Permit (ADP).

Mr. Dye pointed out that some of the lots highlighted as non-conforming in the Franklin Street area were not included in the boundary lines and asked for the reasoning behind this.

Ms. Liu stated that this was an error in the map, but it did not affect the data that goes with this information.

Mr. Dye asked that the lines be fixed and everything matches up.

Ms. Christian stated they would fix the map and moved forward to the ADOD boundary and the sliding setback method and some pros and cons for this method. Ms. Christian stated that Staff needed specific language on why this would only apply to downtown Juneau, and not the entire borough.

Mr. Dye asked if that language would just be for the introduction.

Ms. Christian replied that it would be just for the introduction and moved forward to show a map that displayed the dimensional standards for each zoning district that was included in the ADOD. She discussed how the underlying zoning for uses and density would remain the same and new dimensional standards would supersede the underlying Table of Dimensional Standards requirements. Ms. Christian then presented some numbers of conformity with the recommended adjustments to setbacks, noting that they extended the setback to 3 feet, rather than just 2.5 feet. She stated they were recommending a minimum 20' setback sum for all side of a lot.

Mr. Arndt noted that the cases showed more conformity than the minimum.

Ms. Pierce stated that, that was the rationale behind extending to 3 feet. Since 2.5 feet brought most cases up to the minimum conformance, they decided to extend to a 3-foot setback and this brought more cases into conformance.

Mr. Arndt expressed support for this and felt that it should be put in code, especially because people would need to know this information for the fire code requirements.

Ms. Christian pointed out that the Starr Hill case was the least conforming for the examples they chose, but all the others came much closer to conformance with the 3-foot minimum setback.

Ms. Maclean stated that if Committee members were satisfied with the numbers, then consideration should be given for just accepting the Starr Hill case with all of the issues, as is, and knowing that it will not be able to completely come into conformity.

Mr. Dye and Mr. Arndt stated they had no concerns with this.

Ms. Christian stated that even with a setback of 1 foot, they would still not see all non-conforming cases come into conformity. She used the Casey Shattuck case as an example, showing the current existing conformity to compare to the improvement of adopting a 3-foot setback, noting that it is important to

embrace how much it would be improved, rather than focusing on the fact that it doesn't become completely conforming.

Mr. Dye thought the information was good, but might be more easily understood by members of the public if the columns were broken out more and showed just the percentages of conforming, instead of duplicating columns.

Ms. Christian agreed and showed a new slide with conformity examples of a 3-foot setback in the D5 Zoning District.

Mr. Arndt stated that he felt the previous slide was very good and showed a better overview of the improvements for neighborhoods.

Ms. Christian pointed out that the neighborhoods aren't broken up in zoning districts other than D5. .

Mr. Arndt asked if these properties were considered in the previous slide.

Ms. Christian stated that they were not, because this slide showed just the D5 Zoning.

Ms. Pierce stated that this information could be looked at from the public's point of view and adjustments could be made as necessary.

Mr. Dye felt it would be best to concentrate on the neighborhoods, in order to help people better understand the information.

Mr. Arndt agreed and expressed support for showing the improvements in the neighborhoods. He suggested considering showing it via whole zones, as well.

Mr. Dye agreed and felt that the information could be simplified more.

Ms. Christian agreed and stated that Staff had come up a few examples to show how the sliding setbacks work. Ms. Christian showed a new slide with an example of how the sliding setback could work. She noted that Staff had discussed the examples and how to consider changing, or not changing, the lot coverage, because the setback box is not very constraining.

Ms. Crossley pointed out that the ADOD was currently at 60% coverage, but 50% was being suggested in this example. She asked for the reasoning behind this.

Ms. Christian replied that in the D5 zoning district, maximum lot coverage is 50%. If an applicant applied for an Alternative Development Permit through the ADOD section of code, that could be increased to 60%.

Ms. Maclean stated that Ms. Christian was correct. When the ADOD was being discussed, Staff chose a higher number than what they thought would work, based on the variances they had seen at the time and other factors.

Mr. Dye also noted that the ADOD was developed quickly, as people needed a better method to develop than the method that was currently in place. He asked if this example was conforming.

Ms. Christian stated that it was non-conforming, but the porch might be a setback exception. She said that this house was chosen as an example, because it had an extra side.

Mr. Dye expressed concerns with this example, believing that people may think they will lose space, and suggested using a different example for the public.

Ms. Christian agreed. She then moved on to the next example, stating that this case may not be able to come into full conformity, but it could definitely be improved. With the sliding setback box, a 3-foot setback could be applied on each side except the rear. This would bring the house into full conformity, except on one side. Staff could not find a way to fix all sides with this method, but would be able to fix all sides, except one. Ms. Christian then presented the next example, noting that it is a corner lot with standard setbacks, and is non-conforming on the front side.

Mr. Arndt asked how this house was a non-conforming case.

Mr. Dye thought the setback box may not be positioned correctly.

Ms. Christian explained the lot has a front yard and a street side yard setback and also has a side along an Alley.

Mr. Dye asked if the front yard is what was considered the street side.

Ms. Christian replied that this was correct.

Mr. Arndt asked one was allowed to choose which side would be the front and which would be the rear, if there was more than one right-of-way.

Ms. Christian stated that it was possible this house received variances for their development.

Mr. Dye expressed concerns with Mr. Arndt being able to “poke holes” in these examples and felt that it would be best to have examples that more straight forward.

Ms. Pierce stated that this discussion was helpful for clarification, but in terms of the examples shown, Staff could find better examples that were less confusing for the public, and more straightforward. She felt these examples were very helpful for Staff, but explaining them to the public and to the CBJ Assembly might prove more difficult.

Mr. Dye agreed with Ms. Pierce.

Ms. Crossley asked if the alley was considered the front yard for this example.

Ms. Christian stated that it was not.

Mr. Dye clarified this example for Ms. Crossley.

Ms. Crossley then asked if the alley would be considered a side, not a right-of-way, if someone were to take this building down and build a new house.

Ms. Christian stated this would be possible.

Mr. Dye pointed out this would be possible, but not if they used the alley for access.

Ms. Crossley agreed.

Ms. Christian also agreed and noted that with the setback box, they come into conformity.

With as-builts being complicated, Ms. Maclean suggested showing the existing structure with the perimeter, as that may be very helpful, especially for public meetings.

Mr. Dye agreed with Ms. Maclean.

Ms. Christian then moved forward to the next example, showing a Starr Hill lot that is nonconforming under the current standards. She showed that the sliding setback box can get the lot closer to conformity, but not completely. However, conformity could still be possible, if the arctic entry met the setback exception requirements for arctic entries.

Ms. Crossley stated that she is working on a separate project that has outdated as-built drawings and noted that these as-builts being used as examples may fall into the same era. She wondered if it would be possible to get new as-builts, if the patron came into conformity.

Ms. Christian stated that this would be possible. She asked if anyone had any other questions regarding what had been presented thus far.

Mr. Dye did not have questions, but spoke in favor of a 3-foot setback and the sliding setback box method with 20 feet, as well. Regarding lot coverage, Mr. Dye suggested that the limit for lot coverage should be some kind of function, but tricky lots needed consideration, as well.

Ms. Christian stated that some numbers could be brought to the next Committee meeting regarding lot coverage.

Mr. Dye felt this would be good and moved the conversation on to minimum lot size.

Ms. Liu presented a slide showing the ADOD perimeter and also separately showing the D5 zoning areas within the ADOD perimeter and gave a brief explanation of the boundary.

Mr. Dye asked if the minimum lots size only included the boundary lines drawn.

Ms. Liu stated that a recommendation would be made by Staff and they would go into how it could improve conformity.

Ms. Christian stated that this map did not show the D18 zones, but they would be discussed.

Ms. Liu stated that Staff recommends a minimum lot size of 3500 square feet, but that could be adjusted. Staff is suggesting 3500 square feet, because the D10SF was modeled after the Casey Shattuck case, there is familiarity with it, and it can be compatible with the neighborhoods. Staff broke down examples by

neighborhoods to show conformity by neighborhood. Ms. Liu noted that it is important to take into account what the improvement would be, rather than just looking at if it goes from nonconforming to conforming.

Mr. Dye pointed out that the combined percent conforming goes from 23% to 70%.

Ms. Liu agreed and stated that there was a point to be made on what a 3500 square foot lot looks like. Ms. Liu gave a brief explanation of why staff recommends 3500 square feet and what it would mean for the neighborhoods. She noted that any concern of large increases in neighbors shouldn't be too critical. Ms. Liu then moved forward to hazard areas, showing a map of the ADOD perimeter and the hazard areas within and around the perimeter.

Mr. Dye pointed out that this was still being approached as an overlay, but thought the idea had been suggested that this did not apply to subdivision. He asked if this was correct.

Ms. Maclean stated that she did not recall.

Ms. Arndt remembered talking about the dates of everyone's plats.

Mr. Dye felt the biggest potential is to subdivide, so he thought it best not to start that discussion.

Ms. Christian indicated that subdivision was currently possible, but only for bungalows.

Mr. Dye stated that this wasn't to increase density in terms of number of lots, but he felt it would be advantageous to the public argument.

Mr. Arndt noted that there has been some public comment on it already and the public is not in favor of it.

Ms. Maclean thought it best to move forward with both ideas. She noted that there were many people present, but concerns were only heard from three or four people. Ms. Maclean felt it would be advantageous to pursue both ideas and have multiple options.

Mr. Arndt thought it may be better to let properties try to conform to standards, rather than allow for bungalow subdivisions. He asked if the 6,000 square foot lots meet the standards for the 7,000 square foot lots.

Ms. Liu stated that some lots exceed 14,000 square feet in this area, but they would not be able to subdivide due to the hazard zones.

Mr. Arndt noted that the purple boxes in the presentation are 6,000 square feet, and asked if they stay with the 7,000 square feet.

Ms. Christian stated that she could update the map.

Mr. Dye noted that this may nullify a good portion of this argument.

Mr. Arndt asked about downsizing to a 3,000 square foot lot.

Mr. Dye stated that a 3,000 square foot lot was not a good idea, because there would not be many more lots that come in to conformity by reducing the minimum lot size.

Ms. Liu affirmed that it was sort of diminishing returns, but Staff also tried to take the concerns about subdivisions into consideration and didn't want to provoke more concerns.

Ms. Pierce stated that 3,500 square feet requirements already exist in code, as well.

Mr. Dye thought it would be good to have multiple choices. He asked Staff to show examples with 3,500 square feet and 7,000 square feet to see the difference. He noted that D10SF may have been modeled after Casey Shattuck, however this may not have been the best model, and the 3,500 square foot requirement may be adjustable.

As the models get closer to 3,000 square feet, Mr. Arndt wondered when it would become impractical to build. He felt that a 3,500 square foot lot made sense and maybe shrinking to a smaller lot wouldn't be beneficial, because a developer wouldn't be able to build much.

Ms. Liu presented an example with a 3,500 square foot lot. She pointed out that this lot has 28% lot coverage, which is below the 50% requirement for D5 and Staff wanted to gauge the comfortableness with this lot size and everything that comes with it.

Ms. Maclean asked if the garage was included in the lot coverage percentage.

Ms. Liu stated that it was not included and she had used the Assessor's database to gather the information.

Ms. Maclean felt it would be better to see a different example, or to estimate the garage size and account for it in the coverage.

Ms. Liu stated that this would be possible for Staff to do. She wanted to gauge if the Committee felt it would be appropriate to look at smaller models than this, if lots should be bigger, or if this size was appropriate.

Mr. Dye stated that he does not reside in the Highlands area of downtown, but he thought this example looked more open than what most of the Highlands area looks like.

Mr. Haight thought this was a much smaller house than what is typically seen, as most people develop more and reach the coverage limit.

Ms. Pierce felt this example was a good fit and represented the character of the neighborhood well.

Ms. Maclean thought that this lot being the corner lot might make it look more deceptively open than what it is and Mr. Arndt agreed with her.

Ms. Liu noted that while there will still be nonconforming properties in this area, most would be in the Casey Shattuck neighborhood. She then moved forward in the presentation, onto minimum lot size.

Mr. Arndt asked if the numbers Ms. Liu was showing were for the rest of the Borough.

Ms. Liu replied that they were.

Mr. Dye asked, hypothetically, if bungalows should have a minimum lot size of 1,000 square feet for the overlay.

Ms. Liu replied that this was not necessarily needed, and that a lot supporting a larger structure should be a bigger lot. She noted that consideration in how it may affect others should be given when making the changes for single-family homes, as well.

Mr. Dye asked if there were issues with common wall dwellings when considering two units versus three units.

Ms. Maclean replied that there were no issues with this. She pointed out that, when looking at this information, it would be helpful to know that there are duplexes and triplexes, what their lot sizes are, and how they could come into conformity.

Mr. Arndt asked what the difference is between common walls and duplexes.

Ms. Maclean replied that residential common walls are located on their own lot, but share a wall, with the lot line running through the shared wall and property. Duplexes are completely on one lot and owned by the same owner.

Mr. Dye stated he struggled with this concept, as well. The Committee had previously decided to stay away from Use completely; however adding duplexes and triplexes opens that topic again. Mr. Dye felt that there isn't a lot of common wall or duplex construction in these subject areas, so discussion on this subject may not be needed.

Ms. Pierce felt it was a worthy topic for conversation and it would be good to consider the diminishing returns numbers.

Ms. Crossley spoke in favor 7,000 square foot minimum lot size and the sliding setback box. She also noted that while there may not be many duplexes now, more options could be left open. Ms. Crossley then departed the meeting at 12:55pm.

Mr. Haight noted that the basic appearance of the subject areas is single-family. He asked if adjusting the common wall duplex would change the appearance and if the original appearance should be maintained.

Mr. Dye stated that he was less nervous about fixing the numbers regarding bungalow lots, but if there was a demand for it, it could be discussed.

Mr. Arndt suggested focusing on the overlay, changing lot coverage and setbacks, and leaving the other topics for a later discussion.

Ms. Christian pointed out that the numbers presented by Ms. Liu show that there aren't many homes that can go from single-family to duplexes.

Mr. Arndt asked for some clarification on the minimum lot size, which was provided by Ms. Christian. Mr. Arndt noted that while the changes weren't large, the Committee may be unnecessarily changing numbers.

Mr. Dye pointed out that the changes were small, but if you change 25% of the character, it means it's not the same. He noted that it largely depended how things progressed.

Ms. Christian also pointed out that on a 3,500 square foot lot someone could have a bungalow today.

Mr. Dye agreed and felt it would be best to leave this topic for a later discussion. He asked if anyone had any questions or if more information was needed at this time.

Ms. Liu asking what the Committee would like to see from Staff at the following meeting, noting that Staff would keep digging into the recommendations.

Mr. Dye spoke in favor of the 3-foot minimum setback and the 20-foot setback sum and felt this should be for all zones. He stated that he would like to see the information on minimum lot size again, with examples of 3,500 square feet versus 7,000 square feet.

Mr. Arndt stated that he would like to see a map with the 3,500 square feet and 7,000 square feet, as well.

Mr. Dye agreed. He also stated that he would like to discuss the underlying zoning districts more and not allowing subdivisions through this, with opinions on what may be best.

Mr. Haight asked about lot coverage and Mr. Dye stated that the Committee would like a recommendation for that as well.

Ms. Maclean stated vegetative coverage should be discussed, as well.

Mr. Arndt felt that changing the table for duplex common walls and exclusion would bring the Committee back to the beginning goal and if the goal is to not create more lots, then that is the path the Committee should take, moving forward.

Mr. Dye pointed out that the ADOD was developed at the Planning Commission's request and was done quickly, with the Committee trying to maintain the character of the neighborhoods. He felt there is good argument to leave subdivisions out of the discussion, but if Staff felt the Committee should discuss it, they would.

Mr. Arndt felt the topic of vegetative coverage would be an easy one to settle.

Mr. Dye asked if there were any other questions or if anyone had anything else to discuss.

Ms. Pierce felt that this discussion was very helpful for Staff and answered a lot of questions they had, giving them more direction to move forward with.

Mr. Arndt and Mr. Haight spoke in favor of the 20-foot setback sum and both felt Staff did a great job in preparing and presenting this information.

Mr. Dye asked when the Committee and Staff would like to meet next. After some deliberation, the group decided the next meeting date would be September 4, 2019.

V. Committee Member Comments and Questions

VI. Adjournment

The meeting adjourned at 1:16pm.