Planning Commission
Auke Bay Implementation Ad Hoc Committee

Wednesday, July 24, 2019, 12:00 PM
Marine View Building, 4th Floor Conference Room

Call to order 12:01 pm.

I. Roll Call

Planning Commission:

Paul Voelckers (Chair)
Dan Hickok
Nathaniel Dye
Shannon Crossley

Staff:

Jill Maclean, Director, CDD
Alexandra Pierce, Planning Manager, CDD
Allison Eddins, Planner II, CDD
Laurel Christian, Planner, CDD
Chelsea Wallace, Administrative Assistant, CDD

II. Approval of Agenda

Hearing no objection, the agenda was approved.

III. Approval of Minutes

A. April 17, 2019 Draft Minutes

MOTION: *by Mr. Dye to approve the minutes, subject to minor edits.*
The motion passed with no objection.

B. June 27, 2019 Draft Minutes

MOTION: *by Mr. Dye to approve the minutes.*
The motion passed with no objection.

C. July 11, 2019 Draft Minutes

MOTION: *by Mr. Dye to approve the minutes.*
The motion passed with no objection.

IV. Agenda Topics

I. **Discussion of changes made to draft regulations**

II. **Reviewing proposed boundaries for zoning districts**

   a. **Comparing NC zoning district to D-10 and D-15**

III. **Continue bonus point discussion**

IV. **Proposed Table of Permissible Uses for MU3 and NC**

V. Committee Member Comments and Questions

Prior to the start of the meeting, Ms. Eddins had drawn out a brief summary of the updates made to the draft regulations, including changes made for earning points and using points. She asked if the Committee had any other adjustments they wanted to make, if they wanted to work through an example, or if they felt satisfied with these updates.

Mr. Voelckers thought it would be good to work through a few examples to see what options developers might have. He had hopes that the Committee's work on this would help to push developers to think of innovative ways to improve the community.

Ms. Eddins worked through examples for platting right-of-ways, public parking, Mixed-Use, pedestrian walkways, and canopies. It had been decided to do away with a table for the Building Stepback for buildings 3 stories and higher, and instead a 10% reduction to earn 4 points was proposed.

Mr. Voelckers felt it would be beneficial to give more points for bigger stepbacks with higher floors.

Mr. Dye agreed, and thought it would be good to give stepback points for second stories and higher, and lot coverage points for just the ground floor. He also thought that if the size of each story decreased as the building rose, then more points should be given.

Mr. Voelckers agreed, then spoke on lines 156-159 of the draft regulations and the table for lot coverage, suggesting some edits to the language and new numbers for the lot coverage. Mr. Dye suggested taking away the option for earning points for an 80% reduction in lot coverage.

Ms. Crossley thought a scale may be more helpful, depending on the square footage of the building.

Ms. Eddins noted that she and Staff had been very specific with the language and decided that parking would be counted when determining lot coverage. She drew a picture to clarify

what she meant to the Committee. She suggested using the term "building footprint" instead of lot coverage, to avoid any situations of two different definitions for lot coverage.

Mr. Dye noted that he didn't recall seeing parking included in lot coverage, so he would like to see a more well understood definition to help avoid future confusion.

Mr. Voelckers pointed out that something may be needed to help incentivize developers to build a better design for the ground floor, so more of the focus isn't set on just the second story and higher. He noted that what is trying to be accomplished with lines 156-159 is keeping some side yard setbacks in place. A new definition might not be needed, but instead more discussion on the ground plane emphasizing side yard setbacks might be needed. He thought that current zoning for setbacks would be an issue in the Neighborhood Commercial (NC) and Waterfront Commercial (WC) zones.

Mr. Dye felt it wouldn't be of much concern, with the regulations Ms. Eddins was proposing.

To help clarify, Ms. Eddins suggested taking Squire's into consideration, as current zoning could allow them to build 3 floors up, but they would still only have 20% lot coverage.

Mr. Voelckers agreed and noted that it would be best to have something that prevents someone from building wall-to-wall, as this is the problems with Squire's – there is wall totally obscuring any view. He felt side yard setback requirements and a bonus section for incentivizing setbacks would help with this problem.

Mr. Dye thought it would be hard to make a separate bonus section for that, but maybe separate language might be more suitable. It could be its own category and the Mixed-Use 3 (MU3) district would need to be very specific. He suggested only adding setback bonuses for the NC and WC zones and excluding MU3.

Ms. Crossley asked if there would be benefits for this being applied to the NC zone.

Mr. Voelckers stated that the primary zone that would benefit is the WC zone, but believed the NC zone would benefit as well, as there are potential issues in protecting views.

Mr. Hickok noted that developing buildings wall-to-wall also created concerns for parking and streets, as people have to drive and walk around buildings more.

Mr. Voelckers felt this was a complicated topic, so it may be best to leave it with Ms. Eddins and Staff for review. For ground planes and side issues, he thought there could be a bonus for exceeding the minimum side yard setbacks. He also agreed that more points could be given for bigger stepbacks on second stories and higher.

Mr. Dye suggested points be given for stepbacks, but not until at least a 20% reduction is reached and then it could go up to 70% or 80% reduction.

Ms. Eddins asked if the Committee would like to start giving points once a 25% reduction is reached. The Committee agreed with this option and agreed to give points for each floor that is smaller than the ground floor.

Mr. Voelckers then moved forward to earning points for creating right-of-ways. He thought this should be a central focus, noting that there aren't many right-of-ways currently, so creating new ones should be worth many points. He asked how many points would be given for platting a 100-foot right-of-way.

Ms. Eddins replied that a developer could earn 6 points for every 25 feet of platted right-of-way.

Mr. Dye asked by 6 points was given, instead of 8.

Ms. Eddins stated this could be adjusted.

Mr. Dye thought the best way to flush out the points would be to ask developers to deliberate on it and see what they think would work best.

Ms. Maclean agreed and thought it would be good to confer with developers, as they will be using the system.

Mr. Hickok asked if the right-of-way needed to be 25 feet long or 25 feet wide.

Ms. Eddins stated that 25 feet in length of platted right-of-way would earn points. She noted that Staff is trying to get an idea of how much land a property owner is being asked to give away, so they want to make sure enough points are given in return.

Mr. Dye suggested points be earned for a percentage of the 25 feet, rather than a whole 25 feet. Mr. Voelckers agreed and thought a sliding scale may be most beneficial.

Ms. Eddins stated that she had conferred with Staff after the last meeting to work these options and see what would be best. They thought the option for a conceptual grid alternative might need to be revisited, to give developers some guidance. Then, based on the grid, the numbers for platting right-of-ways may need to be adjusted.

Mr. Voelckers thought this was a good idea and agreed that 8 points would be favorable. He then moved forward to providing public parking.

Ms. Eddins stated that Staff wanted to encourage property owners to dedicate enough space to create at least 10 parking spaces, so bonus points wouldn't be given for any less than 10 spaces. However, at the previous meeting the Committee had thought about requiring a minimum of 12 spaces to earn points. She noted that joint use parking was also discussed at the previous meeting, and that was an option that could be used by developers here, as it applies to the entire Borough.

Ms. Christian stated there were concerns with reducing parking though. She noted that MU developments have business occurring during the day and during the evening, so these developments could use the same lots and be more useful.

Ms. Crossley asked if there was still a minimum parking requirement.

Ms. Eddins replied that there was.

Ms. Maclean noted that looking for a parking reduction might imply that a property owner might not be looking to serve a lot of the public.

Ms. Pierce thought it would be good to find a way to incentivize property owners to dedicate more space for public parking.

Mr. Dye and Mr. Voelckers agreed. Mr. Voelckers suggested doubling the proposed points for providing parking spaces and giving a full point for each parking space.

Mr. Dye suggested points for parking spaces be earned in a similar fashion to platting right-of-ways.

Mr. Hickok asked if property owners are required to pave public parking spaces.

Ms. Maclean stated that some sections of Code require public parking to be paved. She noted that Staff could look more into joint use for public parking. Places with big parking lots, such as churches, have a lot of space that isn't being used that often.

Mr. Voelckers thought developers might be able to work with the school for joint use parking, as well. He then moved forward to the updates on MU, noting that this was an important aspect to consider.

Ms. Eddins noted that the 4:1 ratio now earned 20 points. She asked if the Committee would like to increase it more.

Mr. Dye stated that if the ideal ratio is 4:1, then more points should be given to incentivize that. He suggested the number of points given for 4:1 should be 3 times as much as the number of points given for 3:1.

Mr. Voelckers suggested using a graduated bonus. The Committee agreed to give 24 or 26 points for a 4:1 ratio.

Ms. Eddins moved on to pedestrian walkways, stating that Code requires pedestrian walkways be 5 feet wide. She asked for the Committee's thoughts on allowing more bonus points for wider walkways.

Mr. Dye felt that this may be getting too complicated, but felt pedestrian walkways should have a hard surface, and should be well finished and thought out. He thought it would be best to give points for feet of walkway, instead of in increments.

For the width of the walkway, Ms. Maclean suggested stating that they need to meet ADA requirements, in case there are changes.

The Committee agreed. Mr. Voelckers moved the discussion on to canopies and suggested giving 4 points for every 20 feet of canopy.

Mr. Dye suggested points be given for every linear foot, instead, and Ms. Crossley agreed.

Mr. Voelckers agreed. He then moved forward to discuss how points earned could be used for development. He thought it would be beneficial to increase the number of points needed to develop in some ways, such as increasing density.

Mr. Dye felt the biggest feedback shows that big numbers seem more convoluted.

Mr. Voelckers agreed, but thought this was due to the numbers for screens and other items.

Mr. Dye felt that ultimately showed that screening is a bigger section than it needs to be and the Committee may be able to reduce that section and make it easier.

Mr. Voelckers felt more persuasion would be needed, as the community would like to see more community-based developments.

Ms. Eddins agreed and noted that some developers make overlook the first couple of tables for using points, and decided to use their points for other development options.

Mr. Voelckers agreed and noted that the intent of the Auke Bay Area Plan follows that logic.

Mr. Dye suggested using percentages for now, as a placeholder.

Mr. Voelckers felt the number of points needed for increasing heights should be increased, as well. He also noted that in the draft, the MU3 went back to a 35-foot base height, instead of 45 feet.

Ms. Crossley suggested going back to 45 feet.

Mr. Voelckers felt that if a developer wanted to go up to 55 feet, then many more points should be needed. Mr. Dye agreed with this.

Ms. Eddins asked if the Committee still wanted to prevent the NC zone from increasing building height to 55 feet. The Committee agreed they did not want the NC zone to be able to build developments up to 55 feet.

Mr. Voelckers expressed some concerns with the proposed parking reduction options. He felt that reducing parking should require more points than what is being proposed, and suggested doubling the proposed points needed.

Mr. Dye felt there is some hostility when it comes to parking in Auke Bay, due to the lack of parking management. He thought that the parking arrangement that Squire's is currently managing would not be allowed with the current Code requirements.

Ms. Eddins noted that there is enough land there needed for the parking required, but the lot is being used for more than parking.

Mr. Dye agreed and stated that current Code standards are not in place there. He felt that the parking requirements need some updating.

Mr. Hickok asked how the CDD would be able to dictate parking for use of the property.

Ms. Maclean stated parking requirements are determined by the square footage of a development.

Ms. Crossley suggested increasing the points needed for parking reductions, as well. She also thought that if a developer earned 30 points, but needed 32, this would help incentivize putting in some bike racks. Mr. Dye agreed.

Mr. Voelckers noted that Staff has asked UAS to weigh in on the proposed boundaries for zoning districts, and asked if Staff had heard back from them.

Ms. Eddins stated that UAS was not ready to say anything at this time, but, in general, they were in support of the proposals. They are in favor of any kind of zone change that would allow them to develop without all the extra permits currently required. The new district would put them in a more favorable zone than they are today.

Mr. Voelckers asked Staff if the language regarding all of these updates to Auke Bay would be put into a chapter of Title 49, or if it would be put into a different part of Code.

Ms. Maclean stated that Staff had not made that full determination, yet, but it likely would be put into a different Code than Title 49.

Mr. Voelckers thought that was a good idea.

Mr. Dye moved forward to the proposed boundaries for zoning districts, stating that he thought the biggest change would be to include UAS. Ms. Crossley and Mr. Voelckers agreed. Mr. Dye felt the Overlay should include the upper hillside, near Glacier Highway. He also thought it would be beneficial to remove a small triangle of land from the MU3 district.

Mr. Voelckers suggested including the Lee Court area within the boundary. Mr. Dye agreed and spoke in favor of the proposals.

Ms. Crossley spoke in favor of extending the NC district include the University properties.

Ms. Maclean pointed out that the Steering Committee had originally not included that strip in the Overlay, due to single-family homes residing there and residents not wanting to be included.

Mr. Dye asked about the other single-family homes that had been included.

Ms. Maclean stated that it was a difference of single-family duplexes vs. a D10 district.

Mr. Dye understood the reasoning there, but felt it would be more beneficial to include the areas they were proposing.

Mr. Voelckers noted that UAS has been strategically buying lots as they become available, so it would make sense to have the institutional use included. Mr. Dye agreed.

Ms. Eddins agreed, as well, noting that the Plan also designates UAS as low mixed-use.

Ms. Maclean felt it would be best to have a representative from UAS present to discuss this, before any decisions are made about including them in the boundary. Ms. Pierce agreed and stated it would be best not to presume what UAS would like.

Mr. Voelckers asked Staff to get UAS's opinion, so they could determine what would be best. He then asked for opinions on including Lee Court in the Overlay.

Ms. Eddins stated that the Comprehensive Plan designates this area as medium residential and zone D15. The proposed district is very similar to D15 and medium residential, so including Lee Court in the Overlay would be reasonable.

Ms. Maclean noted that there are single-family homes in this area that will probably remain that way for some time. Some of them may be medium density residential, but she believes Lee Court should be left as a natural break, so it doesn't continue to sprawl.

The Committee and Staff agreed to not include Lee Court in the Overlay or NC district, and Mr. Voelckers noted that the road going through this area would essentially create the boundary line.

Mr. Voelckers asked if the Committee felt the underlying zoning should be changed. Mr. Dye felt that it should be adjusted.

In regard to the Table of Permissible Uses (TPU) for the NC district, Mr. Voelckers asked what would happen if UAS wanted to build a small classroom or something similar.

Ms. Maclean and Ms. Eddins stated Code would need to be referenced for direction on that type of development.

Mr. Voelckers noted that when UAS developed their new student housing building, many variances were required for them to do so. He suggested making some changes to make these types of development easier for them in the future.

Mr. Dye stated that he could see the whole TPU section of their land becoming MU3 eventually, so changing the zoning and moving the boundary onto their doorstep could allow room for more conversations later on. Mr. Voelckers spoke in favor of this.

Ms. Maclean stated she was neither for nor against this proposal. She then pointed out that the Committee may want to reconsider marijuana retail establishments, due to the new on-site consumption regulations recently passed.

Ms. Eddins noted that the CBJ Assembly had stated that on-site consumption could take place in retail establishments only in freestanding buildings, and MU3 is encouraging wall-to-wall development, so this would hopefully prevent any issues.

Ms. Maclean stated that the CBJ Assembly would be the ones to define what a freestanding building is, but a mixed-use building would not be permitted to allow on-site consumption.

Mr. Dye noted that smoking on-site would have to take place outside, while consuming edibles could take place inside. The State would decide what could happen, but they don't decide what a school is, the Committee would do that.

Ms. Pierce stated this may then be a moot point.

Ms. Eddins pointed out that the MU3 gives the possibility that this zoning district could be used in other parts of the Borough, as well.

Ms. Crossley suggested that if it is added in now, because it is MU3, but there is a radius around the school that would prevent it, it could go to a different zone.

Ms. Pierce thought it would be okay to include it, because a lot of regulations and opportunities make it harder for it to be an attractive aspect in the area. She suggested that the standards could stripe the market.

Mr. Voelckers asked if the MU and MU2 districts allow for retail establishments.

Ms. Maclean stated that they did.

Mr. Dye stated that he was comfortable with most of this, as this document conceptually has the intent that the Committee is looking to establish. However, he did not feel it is complete enough as an ordinance, yet.

Mr. Voelckers asked how Mr. Dye would like to proceed.

Mr. Dye felt it would be best for the Committee to hold off on meeting again until the Law Department has had time to review everything. After the Law Department has had a chance to review everything, then it would be easier for the Committee to refine the numbers and language. Mr. Voelckers agreed.

Ms. Crossley agreed and stated that she would like to discuss this with her firm and work through some examples, as well.

Ms. Maclean stated that Staff could look into adding everything into Code and start getting this into ordinance form, but noted that the Law Department currently had a lot of work on their plate, so it may be awhile before they could have something to bring back to the Committee.

Mr. Dye pointed out that if the CDD started writing this into a full ordinance, then brought it to the Law Department, they risked the chance of being told that these proposals couldn't work and the ordinance work would be for nothing.

The Committee and Staff agreed.

Mr. Voelckers asked that Staff advise the Committee on when the next best meeting date would be, after they had worked with the Law Department.

Ms. Eddins agreed and stated that Staff would start working this information into ordinance form, possibly run it by Travis Arndt, then get it to the Law Department and move from there.

The Committee agreed with this.

Ms. Pierce noted that the points may not be pertinent to the Law Department, so that part of everything should go smoothly.

Ms. Crossley suggested creating a subcommittee to possibly bring Travis Arndt, Dan Miller, and possibly other developers to the table to work through some examples and see what types of development could transpire.

Mr. Voelckers asked for thoughts on this suggestion.

Ms. Maclean stated that there has been a lot of public outreach on this project, and the CDD has a lot going on right now, which may make it hard for Staff to be present for more meetings. They are trying to balance the workloads and Staff does not want to lose the momentum of this Plan moving forward. She suggested regrouping at the next meeting to reassess where everyone is.

Mr. Voelckers spoke in favor of this.

Mr. Dye pointed out that the Planning Commission would have to be the ones to form a subcommittee, so there would be different guidelines. He noted, though, that talking to people and working through examples doesn't have to be as formal.

Mr. Voelckers stated it would be best to regroup and reassess at the next meeting.

It was decided that Staff would advise the Committee on when the next meeting should take place, after a discussion was had with the Law Department.

VI. Adjournment

The meeting was adjourned at 1:32pm.