

**Planning Commission**  
**Auke Bay Implementation Ad Hoc Committee**

Thursday, June 27, 2019, 12:00 PM

Marine View Building, 4<sup>th</sup> Floor

Call to order 12:04 pm.

**I. Roll Call**

Planning Commission:

Paul Voelckers (Chair)

Nathaniel Dye

Shannon Crossley

Planning Commission Not Present:

Dan Hickok

Staff:

Jill Maclean, Director, CDD

Alexandra Pierce, Planning Manager, CDD

Allison Eddins, Planner II, CDD

Laurel Christian, Planner I, CDD

Chelsea Wallace, Administrative Assistant, CDD

**II. Approval of Agenda**

Hearing no objection the agenda was approved.

**III. Approval of Minutes**

**IV. Agenda Topics**

**I. Proposed Auke Bay Zoning District**

**II. Discussion of Public Input Received and Recommended Changes to the Proposed Regulations**

Mr. Voelckers stated that much feedback has been received from the public and a good understanding of what they would like to see has been gathered. With Mr. Voelckers' prompting, the Committee decided to dive right into the current language and proposed changes to make some adjustments that reflect more of what the public wants and what the Committee is trying to grasp.

For some extra background information, Ms. Maclean noted that the Auke Bay Area Plan was adopted in 2015. This plan is a community-based plan that had a considerable amount of

involvement from the community. While progress on the plan had lost some momentum, many meetings have been held and work is moving forward. More recently, many neighborhood meetings were held and each meeting was used to break the plan down into segments to give the public a better understanding of what the proposals could mean for the Auke Bay area. The meetings would start with a recap of the previous meeting at 6:30pm and then Ms. Eddins would present information on the new topic beginning at 7:00pm. Feedback from the public has been received, changes have been proposed, and it would be great to get this to the Committee of the Whole soon.

Moving into the discussion of the public input that has been received and the proposed regulation changes, Ms. Eddins stated the general consensus heard from the public is some concern about a the single family zones losing the character of their neighborhoods, due to the other zones butting up against them and bringing change with the developments. At the previous Implementation Committee meeting, the Committee asked Ms. Eddins to explore having two zoning districts. The first district, the Mixed Use 3 (MU3) Zoning District, would be intended to blend high-density residential with a mixture of retail/commercial, institutional, and entertainment uses, where all of these uses are physically and functionally integrated. The second district, the Neighborhood Commercial (NC) Zoning District, would serve as a buffer between the high and low density zoning districts and is intended to provide medium density residential with limited small-scale commercial activity. The dwelling units would start at about 15 units per acre in the NC zone and separate a bit from the other areas.

Mr. Voelckers asked Ms. Eddins if she could show the areas she was talking about and where the buffer would be needed.

Ms. Eddins presented a slide, describing the areas and what the zoning districts are. She stated that there hasn't been much concern expressed from the people living in/near the areas zoned D15, but most of the concerns are coming from people living in the areas zoned D3. So, a buffered zoning district with lower density is being proposed. Ms. Eddins would like the Committee to reconsider having a commercial zoning district that butts up against the residential zoning district. It would have additional setbacks and it would be good to have additional landscaping, as well. More landscaping was in the original suggestion, but it was decided against. However, Ms. Eddins believes it would make a good difference.

Mr. Voelckers asked if Title 49 defined "vertical landscaping".

Ms. Eddins replied that Title 49 did not define "vertical landscaping", but there is some language in Title 4 about it. Ms. Eddins would like to discuss the idea of adding language for vertical landscaping, depending on how tall a building is. With the way the language is currently written, bonus points can be received for each right-of-way. Ms. Eddins would like the Committee to reconsider this and suggested that bonus points could be received for every 25 feet of right-of-way, instead of for every whole right-of-way.

Concerns have also been raised about parking options going away, so Ms. Eddins would like consideration from the Committee for developers to earn bonus points by dedicating a portion of their lot to public parking, to help alleviate some of these concerns. Ms. Eddins also added some draft language about setbacks and how they could be utilized to preserve some of the views in Auke Bay and Statter Harbor. Ms. Eddins believes it would be best to remove the Waterfront Commercial (WC) district from the Overlay district, or keep it in the Overlay district, but not allow for any height bonuses. The current height limit is 35 feet and the public has expressed that they would like to see this limit stay at 35 feet.

Mr. Voelckers spoke in support of Ms. Eddins proposals and wanted to further discuss the concerns regarding density overall. He felt that it is important to keep in mind that the Committee is not attempting to increase density in the districts and the bonuses are only intended to bring the density closer to what it is proposing. The bonus points are intended to incentivize developers to work with the public and try to develop in a way that works for everyone.

Mr. Dye also stated that the bonus points should not be interpreted as a right and they don't have to be given.

The group agreed and Mr. Voelckers directed attention to page 3 of the draft ordinance to discuss possible adjustments to language and numbers. He noted that the ordinance did not discuss more about allowable uses.

Ms. Eddins said that she had begun work with the Table of Permissible Uses (TPU), but felt that it needed more work still.

Mr. Voelckers felt this was good and asked if Ms. Eddins had an estimate for when the Committee would be able to review it.

Ms. Eddins stated that, depending on how things progressed at this meeting, she would like it to be the topic of the following meeting.

The Committee was pleased with this and Mr. Voelckers moved on to discuss the boundary lines near the elementary school in Auke Bay. He was curious about the shape of the boundary and thought it may be worth adjusting the lines to include more of the surrounding land, in case future roads, or something similar, may be wanted.

Ms. Eddins stated that the boundary lines were drawn to follow the property lines of the included parcels, but that could be adjusted.

Mr. Voelckers noted that there has been some discussion in Juneau about developing a road, or some little streets, near the elementary school. Adjusting the boundary lines would allow the possibility for parallel development.

Mr. Dye thought it would make sense to include the school and some surrounding land in the boundary and thought it would be safer than splitting properties in the future. He noted that it is important for the Committee to have the option to be flexible, so he suggested making the boundary a bit larger and forming it into a more standard shape.

Ms. Maclean felt that the suggestions were good, and thought a road behind Squire's would be plausible, but didn't know how if a road farther north would be feasible. She noted that there is a good bit of protected wetlands behind the school and farther north, and this may prevent development in this area. Ms. Maclean did not recommend the entire school area be zoned MU3.

Mr. Dye then suggested a different boundary line and drew the boundary he was suggesting over the proposed boundary.

Mr. Voelckers felt it would be good to not go into too much depth for this particular item at this time, but felt the minimum needed to be considered. He liked the idea of extending the boundary as Ms. Maclean and Mr. Dye were suggesting.

Ms. Crossley agreed with the suggested boundary adjustments.

Ms. Pierce asked if there were any foreseeable concerns with including the school within the boundary.

Mr. Voelckers noted that it is an existing use and felt that everyone understands it is a community use and there shouldn't be many concerns.

Ms. Eddins noted that, if the school is included, there would likely be a subdivision and the school would end up on its own lot.

Mr. Voelckers asked Ms. Eddins to show the Committee the proposed boundary of the NC zoning district.

Ms. Eddins presented a slide showing the boundaries of the NC zoning district, noting that the boundaries here included lots that are currently zoned D10. She stated that this is why they are proposing that the NC district come down, follow along the property lines, and include the CBJ property.

Mr. Voelckers drew a new boundary line that was extended to include the University of Alaska Southeast (UAS) Recreation Center. He felt this extended boundary is worth considering, because it could create a transition and give a definition that has consistency.

Ms. Crossley spoke in favor of this boundary extension.

Mr. Voelckers felt that this extension would not compel UAS to do anything, but the TPU could show that they could do more than less.

Ms. Crossley felt this would also give UAS more flexibility, as well.

Mr. Voelckers asked if creating two zoning districts was getting too complicated.

Mr. Dye felt that, while it is hard to parse individual items, the boundary should include more, possibly the UAS side of Egan and Backloop and wrapping it slightly more. He drew a new boundary line encompassing what he was suggesting, but noted that it was hypothetical and a lot depended on what uses were decided upon for what would be allowed there.

Ms. Maclean pointed out that the Steering Committee purposely did not include this added section, due to the single-family homes.

Mr. Dye noted that the Steering Committee had excluded some portions of this area, but not all, so it may be worth trying to weigh the options. If two new zones were made, they would need to be utilized. It seems that one area of this boundary would be easier to work with, but there is argument for why the other side should be included, as well. It really comes down to what the commercial zoning district will look like.

Mr. Voelckers spoke in favor of the buffering area, but would like to know more about how it applies and what it will look like.

Mr. Dye directed attention to page 6 of the draft ordinance, and asked about the WC being included in the Overlay district. He was under the impression that it was going to be removed from the Overlay district, but this zoning map included it.

Ms. Maclean stated that it was not intended to fully remove the WC district from the Overlay district, but to limit the height bonuses.

Ms. Eddins reiterated this intention, but noted that the WC could be removed from the Overlay district, if the Committee so decides.

Mr. Dye noted that some of the lines didn't correspond with the Overlay district boundaries and some areas were excluded from the Overlay, but not others.

Ms. Eddins stated that this was a mistake and the Overlay district should coincide with the other zoning boundaries.

On the water-side of the road, Mr. Voelckers thought this was a fairly significant boundary for the Overlay district. He was curious if this was overlapping into some other zoning areas.

Ms. Eddins stated that it was all WC and the Post Office.

Mr. Dye asked if the Committee should consider the Overlay district boundary to be wider in the NC district.

Mr. Voelckers felt that they should stick with what is being proposed. He then directed attention to the Density table on page 3 of the draft ordinance. He felt that if the WC district is included in the Overlay district, then the Committee needed to think about the upper bonus possibility and having up to 30 units per acre. It could be subject to a range. Mr. Voelckers thought the proposed Table of Dimensional Standards looked good, but thought it may be worth adding an asterisk to show that bonus provisions can be increased. Currently, one thing being excluded is the height limits, but more exclusions may need to be discussed. He asked if there were any approved projects that exceed these limits.

At this time, no known projects exceeded these limits.

Mr. Voelckers then directed attention to page 4 of the draft ordinance and noted some edits to the language used. He felt it would be good to reword the lines regarding maintaining privacy and views for abutting properties.

Ms. Crossley agreed with this and thought it important to change the wording, because people may try to say that this language entitles the CBJ to maintain the privacy and views of all properties.

Mr. Dye thought it would be important to craft the bonus section language as well.

Mr. Voelckers agreed with Ms. Crossley and Mr. Dye.

Ms. Maclean noted that the language on stepping out was to help with protecting views.

Mr. Dye agreed, but noted that the language can still be further worked to get the best language for the ordinance.

Ms. Crossley stated that scale is important as well, with wording.

Mr. Voelckers suggested that the side setback regulation for NC could be adjusted to 5' – 10', instead of just 5'. This would tie into the bonus provisions and asterisks. He went on to the Maintaining Building Façade Continuity section, specifically lines 72, 73, and 74. Mr. Voelckers didn't feel that this was over intending, but he did not believe it to be equivalent in absolute value in not having any gaps along the side. He thought that it may be tight on one side, but benches and similar structures on the other side. He asked if these lines could be omitted.

Mr. Dye expressed support for this and asked if line 75 should then be altered.

Mr. Voelckers stated that lines 75 and 76 could be altered. He then directed attention to the graphic at the top of page 5 of the draft ordinance. After some brief deliberation, the Committee and Staff decided this graphic was unnecessary, as the previous graphic captures what it is intending to portray.

Mr. Voelckers then directed attention back to page 4 of the draft ordinance, suggesting a radius or dimension be added, suggesting a 150 feet, similar to the ADOD.

Ms. Eddins replied this could be done.

In regard to line 81 and the table following, Mr. Voelckers noted that if NC is a buffering zone, then additional setbacks along residential zones wouldn't be needed.

The Committee and Staff agreed.

The Committee then moved onto page 6 of the draft ordinance, looking at the Overlay district boundary. Mr. Voelckers noted some language that could be slightly changed, without changing the intent, as this would create more linkage to what was wanted in the Auke Bay Area Plan.

Mr. Dye showed hesitation in indicating which zones are within the Overlay district, due to possible complications that could arise with future re-zone cases. He thought it may be beneficial to include the University of Alaska Southeast campus, as development would not be able to take place behind them, and to have the boundary lines drawn more similar to the boundaries in the original plan.

Mr. Voelckers suggested that the original lines be considered. Moving into the Public Benefits section, Mr. Voelckers felt this section was well written, but suggested an extra sentence regarding the bonus point process: "Bonus points and their use to gain additional density, height, or parking reductions is intended to create a working relationship between the developer and the CBJ to best achieve Auke Bay Plan goals and developer success."

Ms. Crossley showed support for the "developer success" wording, noting that this is appreciative, because the intention is to help everyone in Juneau, including the developers.

Mr. Voelckers stated that it is important to find a good balance for everyone.

Mr. Dye noted that the developers are needed and this has the potential for creating good relationships with the developers and the community.

Mr. Voelckers directed attention to line 121, suggesting that new wording be considered for parking fee requirements, in order to ensure reasonable parking fees.

Mr. Dye felt that no one would charge an unreasonable amount for parking, due to the public definitions currently in code.

Ms. Maclean stated this would need to be discussed with the Law Department, as the rules for establishing a parking fee are unknown.

Mr. Voelckers noted that many concerns have been heard regarding parking in Auke Bay and losing more availability to it, but the Committee is attempting to give incentive to developers to add public parking with the bonus points. If the Committee is going to give the bonus points, then there needs to be some say in what is being done with them.

Ms. Maclean stated that it all depends on the situation and the development, but the Planning Commission would have the chance to review it.

Ms. Eddins noted that the Planning Commission may be able to add conditions to any development they saw fit.

Mr. Voelckers showed support for this.

Ms. Crossley asked if there was a way to condition public parking be within 100 feet of a public right-of-way.

Mr. Dye noted that this could work, but the Law Department would have to be consulted. One would assume parking is in the Overlay district, but not far away.

Mr. Voelckers noted that all major and minor development will be reviewed by the Planning Commission, but the Planning Commission won't be involved in any of the pre-application conferences. He thought it may be best for the Planning Commission to review the development at an earlier stage in the process, before it has already had much work done on it.

Mr. Dye spoke in favor of this and suggested revising the process and incorporating it into the language.

Mr. Voelckers felt the process revision would work well for major developments, but not minor, and a new definition of major and minor may be needed. He wondered about special cases that weren't defined as major or minor and if those cases would be seen by the Planning Commission.

Ms. Maclean stated she would speak with the Law Department and noted that any special cases would be seen by the Planning Commission. She stated that the intention behind a pre-application conference is to give the applicant the information they need for development and for staff to have the chance to see and review all of the plans. Ms. Maclean is confident that Staff would have a strong idea if the bonuses are well intended or not. The Planning

Commission would have the opportunity to add conditions and make adjustments, if they would like to, but if the changes are substantial, then the applicant would have to take a few steps back.

Ms. Pierce noted that two meetings could be possible, but with the background research that Staff does, an informed decision could be made and the case could be moved back if really necessary.

Mr. Dye suggested utilizing a Neighborhood Meeting, instead of an extra Planning Commission meeting.

Ms. Eddins spoke in favor of the Neighborhood Meetings, noting that this could be very beneficial especially for larger developments. The intention with this language is to create a public process. Perhaps once things are more established down the road, the Neighborhood Meetings won't be as necessary, but for now they should be utilized.

Mr. Dye felt that two Planning Commission meetings should not be ruled out, yet, though.

Mr. Voelckers thought it would be best to first define major and minor development and then they would be able to better decide if two Planning Commission meetings are necessary for major development and if minor development needs to come before the Planning Commission at all.

Mr. Voelckers then directed attention to the table at the top of page 8 of the draft ordinance. He suggested that the bonus points could be earned for providing 10 *or more* public parking spaces and that each space provided be worth 0.5 points, for 10 or more spaces.

Ms. Eddins agreed with Mr. Voelckers.

Ms. Crossley suggested that the bonus points for Site Features be adjusted to reflect more points for bigger features. Ms. Pierce spoke in favor of this, as well.

Mr. Dye asked if there was any research done on what ratio for Residential/Commercial Floor Area is ideal.

Ms. Eddins replied that the 4:1 ratio is seen as the best, in order to know that you are allowing for enough development to support the 4:1 ratio.

Mr. Dye believed this may be more true for generalized commercial development.

Mr. Voelckers suggested that more bonus points should be put toward incentivizing creating a safe, usable, walkable district.

Mr. Dye reiterated that if a 4:1 ratio is being sought after, then the points should be scaled accordingly.

Mr. Voelckers felt that this was a very important item in the Plan and the Committee and Staff should try to make sure it is done right.

Ms. Eddins asked if the Committee would like to explore the possibility in having incentives for more 2:1 ratios in the NC, or possibly 3:1. This would be to act as a buffer.

Mr. Dye asked if the 2:1 ratio meant less residents.

Ms. Eddins replied that it did not.

Mr. Voelckers noted that the 4:1 ratio is going to have less commercial development, no matter what zone it is in.

Ms. Eddins stated that intensity was also a consideration factor.

Mr. Dye felt that this may be parsing things too much. He asked if the size of the development is what they are attempting to buffer.

Ms. Crossley suggested that the same amount of bonus points should be given for the outer portion of the NC district.

Mr. Dye felt it was more complicated than that.

Ms. Crossley asked if anyone thought it would be possible for someone to create a situation where they want the 4:1 ratio in the outer portion and could use unconventional means to do.

Mr. Dye felt it could be possible.

Mr. Voelckers noted that it seemed like they wanted the commercial development within the NC district to remain smaller.

Ms. Crossley noted that this could be creating a situation where someone develops more residential, instead of commercial, in the outer portion of the NC district in order to get more bonus points, since they can't get the bonus points in another way and this may be unfair.

Mr. Voelckers thought it may be best to discuss this topic at the next meeting.

Ms. Maclean asked if the Committee could discuss the next meeting dates.

The Committee and Staff deliberated on July meeting dates, concluding that July 24<sup>th</sup> would work for everyone for a late July meeting, but the group would have to check schedules in order to decide on an early July meeting.

## **V. Adjournment**

The meeting was adjourned at 1:30 pm.