

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

Wednesday, April 17, 2019, 6:00 PM

UAS Rec Center, Room 116

Call to order 6:07 pm.

**I. Roll Call**

Planning Commission:

Paul Voelckers (Chair)

Dan Hickok

Nathaniel Dye

Shannon Crossley

Staff:

Jill Maclean, Director, CDD

Allison Eddins, Planner II, CDD

Chelsea Wallace, Administrative Assistant, CDD

**II. Approval of Agenda**

Hearing no objection the agenda was approved. Hickok motion - approved

**III. Approval of Minutes**

A. December 20, 2018 Draft Minutes

***MOTION:*** by Mr. Hickok to approve the minutes, subject to minor edits.

**The motion passed with no objection.**

**IV. Agenda Topics**

**I. Public concerns on proposed density increases and ways to address it**

Ms. Eddins began with welcoming the Committee and thanking the members of the public that were in attendance. She stated that this meeting is for the Committee to hash things out and talk about the progress of the Auke Bay Area Plan, but public comment would not be taken during the meeting. The Auke Bay Area Plan has been progressing for some time now and, originally, CDD staff were just having the AdHoc meetings, used as work sessions, for the Committee to work on the project, but there was a lot of interest from the public, and people wanting to comment, so CDD staff began hosting neighborhood meetings to allow the public to ask their questions and give their input on the different topics. This meeting was held as a work session for the Committee to be updated on previous neighborhood meetings and decide how to move forward.

Ms. Eddins gave a brief recap about what was discussed at the recent neighborhood meetings. She felt it would be good to use this meeting time to discuss what has been heard regarding the proposed density and height restrictions within the Auke Bay Area Plan. Ms. Eddins presented some slides from a PowerPoint presentation, showing some information from the previous meetings, the Comprehensive Plan, what it allows, the Auke Bay background, and what things could look like moving forward. She spoke on the bonus points that builders can earn when developing within the Auke Bay area and how the public felt regarding the *potential* development these bonus points could have. Ms. Eddins discussed the proposed density increases and told the committee of some concerns the public has with these increases. There wasn't much comment from the public about commercial zoning changes. There have been many concerns expressed about the areas currently zoned D3, D10 and D15 increasing up to D30 or D50, along with the increases proposed in the school zone. Members of the public felt these proposed increases were too high and were not in support of them. Ms. Eddins had not seen much concern with the proposal of Mixed Use, more-so people have been expressing concerns about the potential for the increased density close to their neighborhood. Ms. Eddins said there has been some discussion about changing the zones to a lower density, but unfortunately that wouldn't be feasible with the set regulations. The Committee and CDD staff have been trying to keep things simple, trying to avoid proposing two new zoning districts, but they are seeing that two new zoning districts may be necessary.

Mr. Dye asked for clarification with the potential of having two new zoning districts, asking if they were to add two new districts, along with the proposed overlay district, would that actually give three new zoning districts? Mr. Dye also asked if there had been any consideration from CBJ on what they would like their lot zoned.

Ms. Eddins replied that CBJ Lands and Resources Department would like to the entirety of the CBJ-owned lot up-zoned.

Mr. Dye asked if there had been a transition zone proposed for that.

Ms. Eddins stated there had not been a transition zone proposed.

Mr. Dye asked for information on when a transition zone would be appropriate.

Ms. Eddins stated that transition zones are typically used when there are water and sewer expansion planned in the area.

Ms. Maclean noted that someone within CBJ would have to take up the information, create a case, and go through the work process for it to become a transition zone.

Mr. Dye stated that he was under the impression that the mechanisms for transition zones were simpler than that.

Ms. Maclean replied that it would have to go through the process to be official.

Ms. Eddins stated that there are always ways to make things happen and the different options and aspects need to be looked at and considered. She heard at least one member of the public speak in support of the density increases, but they had hoped that the zone could be pushed higher up the hill. Unfortunately, the problem with that is in regards to utilities and trying to pump water and everything up to developments.

Ms. Maclean stated that she had also spoke with the CBJ Lands and Resources Department, after hearing concerns from the community, and they know that above the back of the lots that are zoned D10 and Light Commercial (LC) is all wetlands and habitat area. So, another compromise could be that there is quite a large buffer that becomes protected and then development could be continued with more of the Mixed Use, or something else. This is just a suggestion, but it could provide a nice buffer and green space.

Mr. Dye asked if there was a density limit in Mixed Use zones.

Ms. Eddins replied that Mixed Use 2 has a maximum density of 80 units per acre, but Mixed Use has no density limit.

Mr. Dye stated that he had not noticed that before and thought that it was a big jump.

Ms. Eddins stated that there currently isn't a very good transition, so one would have to be created.

Mr. Dye replied that even though it seems like a big jump, the steps do make sense. He thought there should be more consideration for moving the boundary, rather than changing how those zones act as buffers. He noted that there is still a delineation between D10 and D30.

Ms. Eddins felt that the public has been showing some reservations in regards to the jump in the density bonuses. Jumping from a D10 zone to a D50 zone seems like a lot, to some people.

Mr. Dye said the Committee tried to address some of those concerns in the setbacks regulations and they tried to build in ways to get those extra bonuses via the setbacks to create the buffers and alleviate the density concerns and having people build right up to the property lines.

Ms. Eddins replied that they haven't talked about the setbacks too extensively yet, but the public has seen the draft plans. With this being Ms. Crossley's first meeting with this committee, Ms. Eddins took a moment to briefly explain some of the requirements needed in order to earn the bonuses (landscaping and setbacks), but the Committee had also previously decided against the landscaping requirements, due to the struggles of working with the current landscape features in the Auke Bay area.

Mr. Dye thought it was good to discuss those aspects, but possibly at a later time, and focus more on the density aspects at this meeting.

Mr. Voelckers arrived at 6:27pm.

In regards to the concerns with the density increases, Ms. Crossley asked if it was the general population of Auke Bay that had concerns with the proposals, or if it was just the people with properties neighboring the zones that would see increases.

Ms. Eddins replied that it was mostly just the neighboring property owners that were expressing concerns. Some of the people in the Auke Bay community actually have concerns with reducing the density, but not all of them.

Mr. Hickok stated that it seemed that the main concern with increasing density is parking requirements and losing the parking areas. He asked about how the meeting went when parking was the topic being discussed.

Ms. Eddins replied that most concerns expressed were regarding the Department of Transportation's Right-of-Ways and the possibilities of CBJ plotting a Right-of-Way near the Auke Bay Fire Station.

Mr. Hickok asked about the parking situation and if there were concerns.

Ms. Eddins replied that there were not many concerns expressed regarding parking, but they did hear more concerns regarding access and roadways and the ways to get bonus points.

Mr. Hickok asked if there could be a shared parking lot between all the mixed uses.

Ms. Eddins stated that there essentially could be a shared lot, as there could be ways for developers to earn bonus points by providing public parking. The public agreed that requiring each individual use to have their own parking would not work, so having a shared lot would be more feasible.

Mr. Dye asked Ms. Eddins to briefly recap what was discussed up to this point in the meeting, to update Mr. Voelckers.

Ms. Eddins recalled that the greatest concern seen so far is regarding the portion of Auke Bay that is zone D10 and the potential for it to become D50 and the CBJ property up-zoning. The idea of creating two new zoning districts is being toyed with. This would be entirely new, due to the current code not allowing what might be best. One zoning district would encompass D10 and D3 and allow for commercial development at a lesser density. The other district would allow for more commercial and higher density.

Mr. Voelckers stated that he recalled some ideas about potentially creating different zones.

Mr. Dye expressed that it sounded like this goes back to the very beginning. He asked if there was consideration for a 20-unit zone which would then increase to the 30-unit zone and from there up to the 40-unit zone, rather than jumping from D10 straight to D50, as the reality of 50 units per acre may not be realized. The goal is not to create another Downtown Juneau.

Mr. Voelckers felt that this would prevent someone from maximizing their bonuses right to the adjacent property.

Mr. Dye suggested using setbacks and buffers to prevent some of the potential fallout.

Ms. Crossley thought some properties could push the limits to the very max and asked how many properties were big enough to have a 6-story development.

Ms. Maclean replied that there aren't any properties in Auke Bay that could develop a 6-story building, due to the height restrictions set forth. The current and proposed height limits (with bonuses) would restrict a building to five stories.

Ms. Crossley felt that the numbers being proposed might sound scary to some, as they do seem like big increases.

Ms. Eddins said that current development potentials are limited due to access issues. To clarify, Ms. Eddins asked the Committee to confirm that they would like to see a draft of the two zoning options, along with another idea of starting with what we currently have and adding a little more of what could happen.

Mr. Voelckers replied that there could be some liberalness regarding the zoning lines and a possibility could be creating a donut of density where we want it.

Ms. Eddins felt this was right and wanted to get it on paper, but changes could be made.

Mr. Dye suggested that the outer ring could have lower density limits and it might be necessary to go past the current red line that is drawn. The lower density may need to expand, or be raised, and possibly stretched out on other sides.

Ms. Maclean stated that the Committee and CDD have heard that Auke Bay does not want to become another Downtown Juneau, and everyone agrees. The current reality of the General Commercial and Light Commercial zones gives the opportunity to get developers much closer to Downtown than what the proposals would allow. The proposals would actually allow less room for development than the current regulations already allow.

Mr. Dye asked what height and number of units would make sense for everything. He was curious to see if there are some planning numbers and if there is a positive correlation if someone were to do "x" amount of units per acre.

Ms. Eddins replied that it is a bit more complicated, because you have to look at the minimum lot sizes and asses what can be done on the lot, including how many buildings you can put on the lot and how big they can be. When working on this plan, staff didn't look at large places like Seattle, but looked at smaller, more similar places.

Mr. Dye suggested that the proposals actually look similar to Seattle developments.

Ms. Eddins validated Mr. Dye's comment and stated she could put some numbers together that she has been using for work on the plan.

Mr. Dye suggested looking at the density buffering, as well.

Coming from the public's point of view, Mr. Hickok stated that the proposals seem quite scary. He asked if some sketches could be put together in order to help the public better visualize what things might look like for future development.

Ms. Eddins replied that she may be able to put something together.

## **II. Public concerns on proposed height increase and ways to address it**

Ms. Eddins presented some slides showing the current height regulations and addressed how the proposals would change current regulations. She stated that the large concerns heard from the public are in regards to property owners getting bonus points to developer taller structures right next to people developing much shorter structures resulting in the taller structures over-taking the views of the other developments. Some ideas to help alleviate these concerns are considerations for tiered development, without requiring them as of right now. It is unknown if creating a new zoning district is the best way to tackle this. The Waterfront Commercial zones would be able to take advantage of the height increases, so the Committee may want to consider amending that.

Mr. Voelckers stated that the Committee has been thinking that the bonuses would incentivize the behaviors you'd want to see, but the reality is that people could create ideas that wouldn't actually be as helpful and you might not see what the community is hoping to see. Development would be subject to a hearing, but how else could the Committee make sure that the bonus points go where they'd like to be seen and help to keep neighbors happy and parking options available? How can the Committee regulate this more?

Mr. Dye asked if Mr. Voelckers felt the scoring afforded by the Planning Commission might not be enough.

Mr. Voelckers stated that he was concerned that people would use the points in a way that would not do the community good.

Mr. Dye asked what public concerns were heard regarding the height proposals.

Ms. Eddins replied that the concerns seen regarding height were similar to those seen regarding density; nothing was heard about the CBJ property, as it wouldn't be blocking anyone. There were some concerns heard about allowing the Waterfront Commercial zone to take advantage of the height bonus, but one possible solution for this would be to allow a height bonus only up to 45 feet for the Waterfront Commercial zone.

Mr. Voelckers felt this solution had some merit, as most would probably like to see developments start shorter on the waterside and then get bigger as they get farther away from the water.

Ms. Eddins stated that parking could then but up against the road instead of behind the building, as well.

Mr. Dye expressed some concern in making two zoning districts, as he felt it would be better to be able to make one zoning district work. He felt there could be a lot of complications seen coming from trying to have too many zones and the overlay, as well. He suggested taking a fundamental approach to creating what you want to see and not too much on what is already there. Take the Comprehensive Plan along with the Auke Bay Plan and move forward with that to determine what would fit in the most appropriate way.

Ms. Maclean asked that it be considered that Auke Bay Plan calls for protection of public viewsheds, not private, and those concerns are now being heard, as the bonuses may give those options. It is already difficult and expensive to develop in Juneau, so the Committee may want to throw caution on being extra nit-picky on the density bonuses, so the developers have some abilities, as they may run into trials depending on where they build.

Mr. Voelckers agreed with Ms. Maclean and stated that the Committee wants what will be successful and good for everyone, but the consequences of the bonuses need to be considered and the Committee needs to try to imagine and prepare for what might happen.

Mr. Hickok stated that, that is what the Committee is trying to do. The Committee put this information and proposals out, and the community did not react well.

Mr. Voelckers and Mr. Dye agreed with Mr. Hickok.

Ms. Crossley asked for clarification on some subjective language, who can get the bonuses and how they are approved.

Ms. Maclean clarified how the subjective language was intended to be interpreted and stated that it may be possible to get some pictures to get a better idea of what the views are and what the impacts of development could be.

Mr. Dye asked how one could legislate viewsheds and how far does one want the government to regulate your property; that is why this is very hard to define. Lawyers will help the Committee in deciding what can and can't be done when they get down the road.

Mr. Voelckers felt that the hardest part is determining how to protect viewsheds and determine all of this.

Mr. Hickok asked about being “grandfathered in” and that was possible for anyone.

Ms. Eddins replied that The Jetty has been “grandfathered in”. Different aspects are considered to determine the height and what is allowed, such as the topography of the land and the roof style of the development.

Mr. Dye asked what Ms. Eddins and the CDD currently needed from the Committee on this particular subject.

Ms. Eddins replied that she had enough information and feedback for the time being and would be able to do some revising and adjusting to bring to the Committee at the next meeting.

In likeness to the butting setbacks, Mr. Dye asked if a limit could be placed on height requirements.

Ms. Eddins asked if he meant something along the lines of the greater the height, the greater the setback.

Mr. Dye replied that he meant something similar to the higher part of the building would have to be farther away from the property line, or the development would have to be tiered based on distance to height. The Committee could require the height to be lower as the building gets closer to neighbors. How the bonus points are used and generated could give developers a way to utilize bonuses better.

Ms. Eddins said this could be considered.

Mr. Voelckers asked if parking concerns had been discussed.

Ms. Eddins replied that some concerns had been expressed in Auke Bay, with people saying the current parking that is available fills up when there is an event and people who don't want to pay for parking at Statler Harbor will come onto public property to avoid the fees. However, the majority of comments made at the prior Neighborhood meeting were regarding CBJ platting a right-of-way near the Auke Bay Fire Station. The idea of reducing individual parking and parking bonus points to owners that set aside space for parking lots was tossed around, as well.

Mr. Voelckers asked if parking would be discussed more later on.

Ms. Eddins replied that it would be.

Ms. Maclean felt it would be best to look at this from a staff level again, as it would be better that staff didn't get too far into details that could be changed down the road. She felt it would be best to start with some small sketches now and make updates along the way instead of one big download at the end.

Mr. Dye suggested that it would be better to wait until a better sense of the whole project is grasped before tons of extra effort is put into the ideas brought forward at this meeting.

The Committee and staff agreed with Mr. Dye.

Mr. Voelckers asked if viewsheds had been presented as a topic for the community yet.

Ms. Eddins replied that it had been discussed at the same time as density and height and the concerns they heard were mostly regarding the Waterfront Commercial zones and not allowing them to max out the height bonuses. The public seemed happy with some of the bonus proposals and with what the developers would have to do to get the bonuses. Ms. Eddins felt that Mr. Dye's idea regarding height requirements could be very beneficial.

Mr. Dye asked when the next Auke Bay Neighborhood meeting would be held.

Ms. Eddins replied that the next Neighborhood meeting would be held May 8<sup>th</sup> and the topics they were planning to cover included setbacks, buffers, and covers. The meeting would start at 6:30pm with a recap of the prior meetings.

Mr. Dye asked if there was a time set for the next Auke Bay Implementation Committee meeting.

Ms. Eddins replied that a time and date had not yet been determined.

## **V. Committee Member Comments and Questions**

## **VI. Adjournment**

The meeting was adjourned at 7:17pm.