

Planning Commission
Auke Bay Implementation Ad Hoc Committee
Friday April 13, 2018
12:00-1:00 PM
Marine View Building
4th Floor Large Conference Room

Call to order 12:04

I. Roll Call

Planning Commission

Dan Miller

Paul Voelckers

Dan Hickok

Nathaniel Dye

Assembly Member Loren Jones

Staff

Beth McKibben, Planning Manager, CDD

Allison Eddins, Planner II, CDD

Teri Camery, Senior Planner, CDD

Brenwynne Grigg, Administrative Officer, CDD

Bhagavati Braun, Administrative Assistant, CDD

Rob Palmer, Law Department

Rob Steedle, Director, CDD

II. Approval of Agenda

Approved

III. Approval of Minutes

A. March 22, 2018 Draft Minutes

Approved

IV. Agenda Topics

A. Auke Bay Zoning Alternatives

Ms. Eddins presented about the various zoning alternatives highlighting the three options in the packet. She expressed her hope that the Committee would give a clear direction for next steps. Mr. Voelckers asked if the Auke Bay Area Plan called for specific viewsheds to protect. Ms. Eddins stated that the “mapped viewsheds” in the Plan were loosely defined, and encouraged the Committee to keep these in mind throughout this process.

Ms. Eddins spoke about lot coverage, stating that with potential lower building heights it may behoove the committee to call for more lot coverage to meet desired density. She added that

by creating a new zoning district lot coverage and heights would be a blank slate, adding that issues specifically concerning Auke bay, such as viewsheds and screening of utilities, would be contained in an overlay specific to the area.

Mr. Miller asked if there were currently overlay districts in use in the Borough, Ms. Eddins said yes; one is the Neighborhood Commercial Overlay District which allowed Duck Creek Market to be constructed in the Valley. Ms. McKibben added that the Borough doesn't currently have an overlay district like the one proposed for Auke Bay, but the Historic District downtown could be looked at for reference, it doesn't speak about uses but does cover design standards.

Mr. Milled asked how overlays used by planners and by developers, questioning if the people meant to use it would know it exists or be blindsided by it after planning their development. Ms. Eddins replied that the decision has not been made about this at the moment, but it would probably be listed in a special use or area provisions. Ms. McKibben spoke about the special regulations regarding Marijuana uses. These are referenced in the Table of Permissible Uses (TPU). Sand and Gravel are similarly referenced with a pointer from another section.

Mr. Voelckers asked if there is anywhere else in the Borough where a small area gets their own special regulations – screening for trash was an example. He voiced his concern that a geographical issue makes sense to have special regulations, but maybe not more subjective items like screening. He added that not everyone is excited about the ideas put forth in the Plan and he wouldn't want to create an undue burden, he also asked if there was any precedent for this. Ms. Eddins replied that the Alternative Development Overlay District (ADOD) is still fairly new and has certain setback requirements that only apply in downtown Juneau and Douglas for example. Mr. Dye added that the ADOD is opt-in, not required. He suggested that there could be an incentive for opting into an overlay district instead of it being required, he asserted that this would encourage the outcome desired by the Plan. Ms. McKibben replied by stating that an overlay is not unheard of, in the Borough the Historic District in Downtown Juneau is a good example, saying that overlay districts are not uncommon in planning and the Auke Bay Area Plan allowed the community to ask for these things that would be specific to the area. She added that any ideas put forth by the Committee would have to have public input, and if items are controversial they can be removed during this process and not adopted in the final ordinance.

Mr. Voelckers brought up maritime uses, stating that it's important to think about each side of Glacier Highway. Ms. Eddins and Ms. McKibben highlighted the option of two Auke Bay specific zones, which includes more maritime focused zoning on the water side of Glacier Highway. Ms. Eddins pointed out that these new zones may be less flexible than other ideas put forth.

Mr. Voelckers stated that he liked the idea of a new, somewhat generic, zone with an overlay and opt in bonuses. He said he would not be in favor of a "hyper-specific" zone. Mr. Miller agreed that something too specific can be difficult to use. The Committee members voiced their

desire to implement the most usable solution. Mr. Miller asked if it would be better to have two generic zones with one overlay or one generic zone with two overlays (to account for the water side of Glacier Highway).

Ms. McKibben suggested one zone with two overlays, stating that the overlay could have both mandatory and opt-in items. Staff have been advocating for a new zone with overlays because they think it'll work best for the community. Additionally she cautioned the Committee that creating a specific zone for Auke Bay could lead to each area having very specific zoning districts.

Mr. Miller asked if changing items such as allowable building heights could be seen as a taking. Mr. Palmer replied that that would not be a taking. Property owners who want to use the current height on their property would need to apply for a building permit and act on it within a certain timeframe. Staff added that there will be significant public process involved so the public and property owners would be able to weigh in.

Mr. Hickok asked if the current Waterfront Commercial (WC) zone on the water side of Glacier Highway is the best zone already. Ms. McKibben stated that WC doesn't embrace some of the concepts that were advocated by the Auke Bay Area Plan.

Mr. Voelckers brought up transitional zoning, voicing his desire that there be less intensive zoning on the borders of the "town center" area as the area transitions to more residential areas. He continued, stating that the neighborhoods that are near this area are nervous, suggesting that the new zone be implemented where the General Commercial (GC) zone is now, and keeping the outlying zones that are currently Light Commercial (LC) to act as a buffer before the neighborhoods start. Ms. McKibben suggested staff could create some maps to show variations of that, Mr. Dye suggested the committee finalize some ideas before showing proposed maps to the public. He stated he would like to see a zoning map that shows which properties are privately held versus owned by the city, state, and federal governments. Ms. McKibben asked the Committee if they want staff to focus on a new zoning district with one or more overlays. Mr. Miller asked about keeping the current underlying zoning and creating new overlays, to which Ms. McKibben replied that this could cause some complications because the overlay may allow more leniency where it is generally designed to be more restrictive than the underlying zoning. Mr. Palmer echoed that stating that it could be difficult for the public to use a more lenient overlay, adding that overlays should be more restrictive than underlying zones both for legal reasons and for usability. Ms. McKibben added that in planning usually the more restrictive rules are the ones that are applied, so planners might not think a less restrictive overlay applies to a property. Mr. Palmer suggested the Committee identify with a motion what areas they want changed and what they want changed, giving staff an opportunity to present a more solid idea for the Committee to review. Ms. McKibben encouraged Committee members to review the Auke Bay Area Plan and keep the concepts put forth in it in mind.

Mr. Voelckers moved to adopt staff's recommendation to create a new zoning district or districts with overlay district(s) for some of the detailed Auke Bay requirements, this would be different from Mixed Use (MU or MU2) in that it accommodates the Auke Bay Area Plan's desired limitation on size of commercial development and focuses on parking in the back and some percentage of greenspace, all of which don't align with current Mixed Use zones. Motion passes.

Mr. Dye asked for a good map with outlines of where zone changes would be implemented, he also suggested looking closely at the draft proposed zoning districts that were created by former staff as a good jumping off point. Ms. Grigg added that these concepts were approved by the Auke Bay Steering Committee. Mr. Dye also stated his preference for a familiar title for this new zone – maybe Mixed Use 3 or Mixed Marine – stating his desire for the ease of integration into the city's current zoning.

Mr. Voelckers voiced caution about determining frontage and what the "rear" of a building or parcel is, stating that the vision and technical reality are at odds. He also noted that a minimum percentage of lot coverage could be restrictive and at odds with the vision because of the large lots that exist in the area. Mr. Miller added that the opt-in idea still seems strong to him

Next meeting: May 8, 5:30-7pm

VI. Adjournment