

Agenda

Planning Commission - Title 49 Committee City and Borough of Juneau

October 2, 2019
Marine View Building, 4th Floor
12:00 PM

- I. **ROLL CALL**
- II. **APPROVAL OF AGENDA**
- III. **APPROVAL OF MINUTES**
 - A. Draft Minutes, September 4, 2019 Title 49 Committee Meeting
 - B. Draft Minutes, August 7, 2019 Title 49 Committee Meeting
- IV. **AGENDA TOPICS**
 - A. Proposed Rezoning of Downtown Juneau Alternative Development Overlay District Area
- V. **COMMITTEE MEMBER COMMENTS AND QUESTIONS**
- VI. **ADJOURNMENT**

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

Wednesday, September 4, 2019
Community Development Department
Large Conference Room, 12:00 pm

Members Present:

Nathaniel Dye, Travis Arndt, Ben Haight, Ken Alper

Members Absent:

Shannon Crossley

Staff Present:

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

I. Call to Order

The meeting was called to order at 12:07pm.

II. Approval of Agenda

MOTION: by Mr. Arndt to approve the agenda.

The motion passed with no objection.

III. Approval of Minutes

A. July 10, 2019 Draft Minutes

MOTION: by Mr. Arndt to approve the July 10, 2019 minutes.

The motion passed with no objection.

IV. Agenda Topics

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

Ms. Christian had prepared a memo and started a presentation for the Committee, noting that minimum lot size, lot coverage, subdivisions, and dimensional standards would be discussed at this meeting. Ms. Christian stated that when she and CDD Staff were looking at new zoning areas, they had a desire to keep the character of the neighborhoods as they are, but also bring new aspects, as well. Staff recommended 3,500 square feet as the minimum lot size, showing a table with the percent conforming with 3,500 square feet as the minimum lot size. Ms. Christian asked what the Committee thought about this regulation.

Mr. Dye asked what the standard minimum lot sizes were for D10 and D18 zones.

Ms. Christian replied that the standard minimum lot size for is 6,000 square feet and 5,000 square feet for D10 and D18, respectively.

Mr. Alper noted that some houses were within the Alternative Development Overlay District (ADOD) boundary, but were zoned Mixed Use (MU).

Ms. Christian affirmed that there are some MU lots within the ADOD.

Ms. Pierce stated that Staff was trying to focus on the majority of the lots at this time, and will work on the MU lots more, after the bigger parts are reviewed and decided on.

Ms. Christian recalled questions from the previous meeting regarding the red lots toward the bottom of the ADOD boundary that were not fully included within the boundary. To follow up on those questions, she stated that the parcels share a parcel code, so they were unable to separate the parcel on the map.

Mr. Arndt clarified his understanding of the percent conforming with the different lot sizes and asked if the total number of lots within the ADOD was known.

Ms. Christian stated that Staff did not have that information at that time but could get the information for the next meeting.

Mr. Dye asked if Staff had an estimate of the number of MU lots within the ADOD.

Ms. Christian estimated around 30 or 40 MU lots within the boundary, but said she was not sure and could get the exact number

Mr. Dye asked what the minimum lot size in the MU districts is.

Ms. Christian replied that it is 4,000 square feet.

Mr. Alper asked, for the 28% currently nonconforming, if the new code would be the path toward options for development for those properties.

Ms. Christian stated yes.

Mr. Dye asked if a regulation of 3,000 square feet was considered and if there were any particular reasons it might be too small.

Ms. Christian stated that it was more about the balance between building area and creating lots that were conforming. Additionally, if smaller lots were allowed, there would be more future subdivision potential, which some neighbors had expressed was not desirable. The 3500 recommendation mirrored bungalow lot sizes for D5, which is a known number in the community.

Ms. Pierce reinforced this, stating that Staff was trying to tie the regulation to existing developments, but this could be adjusted, if the Committee saw fit. Ms. Pierce noted that there are a lot of buildings on small lots and Staff wanted to keep the character of the neighborhoods. The smaller regulations for minimum lot size also open up more potential for subdivisions.

Mr. Dye thought it might be worth adjusting the regulation, if it brings more developments into conformity, and thought 3,000 square feet would be a good choice.

Mr. Arndt thought if lot coverage drives part of this regulation, then it may be good to discuss that.

Mr. Dye agreed.

Ms. Pierce recommended reviewing a 3,000 square-foot requirement more, and moving forward into the other topics before fully deciding.

Ms. Christian stated that Staff was not recommending a change for the maximum lot coverage regulation, showing slides with more information and some pictures for examples. The first example showed a lot with 51% lot coverage, but noted that the porch on the house was not included in the percentage.

Ms. Maclean asked if the deck on the house was part of the percentage of lot coverage.

Ms. Christian stated that the deck on the rear of the house was not included in the percentage.

Ms. Maclean clarified that anything that has a cover would be included in the percentage; for example, a deck on the house with a roof covering it. If there is no covering, then it is not included in the percentage.

Ms. Christian presented a few more examples including a 4,663 square-foot lot with 30% lot coverage and a 2,698 square-foot lot with 45% lot coverage.

Mr. Arndt thought the last example seemed to have more than 45% lot coverage.

Ms. Christian stated that Staff used the as-built drawings when deciding on the examples. She noted that when thinking about lot coverage, using the sliding setback box helped make things more flexible and Mr. Arndt agreed.

Ms. Christian moved the conversation forward to allowing future subdivisions in the ADOD and the use of ADOD dimensional standards. Staff wanted to match the character of the neighborhoods, but also allow for future development, so they wanted to find the balance, without removing the old feel. Ms. Christian presented a few slides with more information, showing the common ownership and why some areas are not included in the boundary, and some hazard areas, as well.

Ms. Maclean was happy to see which properties crossed the boundary on the map, noting that the ADOD was explicitly only for residential use.

Ms. Christian stated that Staff would like to know if the Committee would like these areas to have the same regulations as the ADOD lots.

Mr. Dye asked how the ADOD was restricted to residential use only.

Ms. Maclean stated that when the boundary line was drawn, it was intended to be temporary. Some changes have come, but Staff tried to follow where there were only residential lots and exclude the MU lots, but some areas have been adjusted. The MU lots already have regulations that are much less strict than the others are. Ms. Maclean suggested looking at the boundary line more and being more specific with the lots that are included.

Mr. Dye noted that the lots from the Starr Hill Church area and down are all zoned MU.

Ms. Maclean suggested looking at redrawing the ADOD boundary to only include residential lots and exclude all MU lots.

Mr. Dye noted that all the calculations have been made with lots that are not zoned MU.

Ms. Christian asked if the Committee would like to see numbers for the MU lots at the next meeting.

Mr. Arndt asked if some lots were zoned MU2, or if all were just MU.

Mr. Dye stated that there were just MU lots, no MU2.

Ms. Pierce recommended that the information regarding the MU lots be heard at the next meeting; for that day's purpose, it might be best to focus on the information at hand and the MU lots could be discussed more when more information was gathered.

Mr. Dye agreed and thought the discussion on the MU lots would be easily completed. He thought it would be good to see the boundary redrawn, showing how many lots were excluded, but wasn't sure if the extra work would be necessary, as there may not be many lots excluded.

Mr. Haight thought it would be good to redraw the map and talk about MU at a later meeting.

Mr. Arndt thought it might be unnecessary, extra work for Staff and Mr. Dye agreed.

Ms. Pierce asked if the Committee was comfortable with the recommendations regarding subdivisions.

Mr. Arndt recalled from the previous meeting that the Committee and Staff wanted to consider having 5,000, 6,000, and 7,000 square-foot regulations to see how things would work and Mr. Dye agreed.

Ms. Maclean stated that the different regulations could be considered. Then, if the hazard maps change, the work would already be done for that portion, as well.

Mr. Arndt asked if Staff had information for the smaller lot sizes.

Ms. Christian stated they just had the information being shown and asked if the Committee would like to see the information for 5,000 square feet, as well.

Mr. Dye and Mr. Alper stated that they would like to see that information at the next meeting.

Ms. Christian then presented a table with some changes and recommendations, stating that Staff recommended no changes to maximum lot coverage, maximum height, or minimum vegetative cover. Staff performed site visits and did not see many situations where vegetative cover and height were a problem. Ms. Christian noted that staff reviewed as-builts for 82 lots in the ADOD boundary and the average lot coverage was 33%.

Staff recommended changing the regulations for common walls to be consistent with what the minimum lot size for a single-family dwelling that is decided on. If a smaller regulation than 3,500 square feet is sought, then the

regulations for bungalow lot sizes may need to be changed, as well. Ms. Christian asked if the Committee was comfortable with the height, vegetative coverage, and maximum lot coverage regulations.

Ms. Maclean stated that Staff had previously discussed decreasing height with the Committee, and the Committee was strongly opposed to reducing the height requirement. She stated that it may not be necessary to address it at this time, but it may be good to discuss what is, and is not, working with the height.

Ms. Christian stated that lot coverage could also be increased, but that topic hadn't been seen, yet.

Mr. Arndt thought it might be more of a paperwork difference, rather than a development difference.

Ms. Maclean stated that, as far as dimensional standards go, Staff was working on common walls and updating the numbers with Title 49. Historically, when common walls were introduced, they were not common at all. Ms. Maclean thought this may have been due to lack of information regarding them and Staff was working on changing it.

Mr. Dye asked if Staff was now looking for recommendations on minimum lot width and depth.

Ms. Pierce stated that the table being shown was why Staff had waited to talk about lot size. She thought this was a good time to talk about considering how a 3,000 square-foot regulation would affect the dimensional standards.

Ms. Christian asked if the Committee would like to hear the information on duplexes.

Mr. Dye stated they would.

Ms. Christian presented a slide on duplex lot size, stating there were a couple options, with pros and cons to each option. She noted that the D5 lots do contradict the D10 lots in some way, but because it's based on density, the square footage per acre is needed and allowing the duplex lot size to be the same in every lot would also contradict matters.

Ms. Maclean thought that, when it comes to density, it would be best to be consistent with how density is regulated in all of the CBJ and consistency should be used for the duplexes, as well. She noted that there is currently an ordinance being worked on to change the accessory apartment regulations. Duplexes currently are not allowed to have accessory apartments, but Staff is working to change that.

Mr. Dye thought that reducing the minimum lot size so drastically would not be remaining consistent with other regulations. He noted that many examples have been reviewed and asked if this would be an opt-in plan or a full rezone.

Ms. Christian stated that Staff planned to move forward with the ADOD overlay boundary and it would not be an opt-in plan.

Ms. Maclean noted that, even if the main focus is on residential, Staff knows there are other zones, as well, and looking at the Table of Dimensional Standards shows the square footage regulations.

Mr. Dye asked how regulations would be adjusted for single-family lots vs. multi-family lots.

Mr. Haight clarified that it would be like the Flats area of downtown having a unique density. The suggestion is to maintain that character, so maintain the density. Everyone wants it set so that it doesn't increase the density.

Mr. Dye thought that, since the ADOD is not an opt-in plan, there may be good argument to rezone to a new district. He asked if the Table of Permissible Uses (TPU) is different enough to worry about this.

Ms. Christian stated that it was a consideration of commercial uses vs. residential uses.

Ms. Maclean stated that there was less concern with the D10 and D18 lots and what could be allowed there. She noted that use in the Flats area is pre-dominantly residential and there is some worry about commercial uses.

Mr. Dye asked if the structure deterred from the harmony of the Flats.

Ms. Pierce thought that it did not. She stated that the purpose of looking at it this way was to maintain the character of the neighborhood. It also helps avoid talking about uses and just considers the residential aspects and gets the lots into conformity.

Mr. Arndt felt that the ADOD, as an overlay, has 3 or 4 goals in mind and if it were changed to a full rezone, instead of an overlay, then that may create many new problems.

Mr. Dye felt there was already information that considers everything with the underlying zoning of the Flats and older neighborhoods only built by the TPU. He thought it might be worth considering two zoning districts, with the dimensional standards being the same and adjusting the TPU with specific regulations.

Ms. Maclean felt there were two trains of thought occurring. This all started to attempt to fix the things CDD consistently received variance applications for, and the uses were not the issue at hand. Creating a new zoning district in Auke Bay is currently ongoing and that committee has had discussions about how many districts should be created. Ms. Maclean felt that opening up the topic for uses would make this a much bigger conversation, that would lead to include the Blueprint Downtown work and future Douglas work.

Mr. Dye agreed, but felt that the uses would not have to be changed, and it could be left to the TPU. Mr. Dye thought that if consideration was being given to rezone all of CBJ, then consideration should be given to making small changes vs. adding overlays and attempting to fix things later.

Mr. Arndt thought that looking at and combining everything would be good, but then the variance problem would ensue. Mr. Arndt thought creating an overlay would be the groundwork for the bigger work that would come later on, but the other process could take 5 to 10 years.

Mr. Haight agreed and spoke in favor of transitioning, with more time to understand the consequences.

Ms. Maclean asked for clarification if the Committee would like to see overlays with changes of uses, or without, noting that there was different timing for the big changes.

Ms. Pierce stated that the new Comprehensive Plan will create the opportunity to update TPU and everything else. She thought that if the Committee would like to look at the TPU in the future, and create a district for downtown Juneau and Douglas, then the guidelines of the overlay could be used to make this happen, without having to go through a rough process around uses. It is possible to solve one problem, see the other problems that come with it, and still make progress.

Mr. Dye stated he was okay with that and the overlay.

Ms. Christian then presented some pictures of duplexes from Staff's site visits, noting that there were 17 duplexes within the ADOD boundary and they did not seem out of character with the existing neighborhood.

Ms. Christian discussed the example duplexes noting that some lots are clearly quite tight, especially on Gastineau Avenue.

Ms. Maclean asked if the example being shown had received a variance.

Ms. Christian stated they had received a variance for the setback. She then showed a new example, noting that it wasn't much different from the others in the area.

Mr. Dye asked if duplexes usually only have one address with and "A" or "B" assigned to each side.

Ms. Maclean stated that, that did not always occur, as people are able to change it.

Mr. Alper went back to the duplexes options, asking how the number of 5,250 square feet was calculated for reducing according to existing ration.

Ms. Christian stated that the number was calculated for D10 and D18 by the density calculation which takes the square footage of an acre and divides is by 10 units per acre then multiplying by two units for a duplex.

Mr. Arndt asked if duplexes were allowed in those districts.

Ms. Maclean stated that they were multifamily lots, so duplexes were allowed and Ms. Christian reaffirmed that the TPU states duplexes are allowed in those multifamily zone districts.

Mr. Dye felt it would be unnecessary to do the math for reducing density. He thought the regulations being used for others would not have to apply, and it would be okay to use what is cohesive for that area. He asked if anyone had any concerns with this.

Ms. Pierce stated she had no concerns with this. She suggested the Committee now discuss minimum lot size and consider how that would apply to a duplex and other dimensional standards. Staff thought 3,000 square feet was reasonable, but wanted to discuss the other topics first.

Mr. Dye stated he would like to see how many subdivisions could be developed if the minimum lot size was 3,000 square feet.

Mr. Alper thought if a smaller regulation was made, adjustments may be needed at a later time due to a need for variances.

Ms. Pierce recapped that at the next meeting Staff would have maps and numbers showing the minimum lot size and subdivision potential for 3,000 and 2,500 square-foot lots. Staff would also adjust the dimensional standards down by ratio for the smaller lot sizes. Ms. Pierce asked if everyone was okay with the concept, theory, and scaling everything down.

Mr. Dye stated he was okay with everything. He asked if it mattered what the minimum lot width and depth square footage should be and if the ADOD needed those numbers.

Ms. Christian stated it would matter for future subdivisions and that the committee should determine if future subdivisions will be allowed at the next meeting

Mr. Alper asked if there were setback requirements.

Ms. Christian stated there are setback requirements, as well.

Mr. Arndt stated that the decision comes back to if the Committee wanted to allow subdivisions. He noted that if they did not want to allow subdivisions, this discussion would go away, so it would be best to decide if subdivisions are wanted or not.

Mr. Dye asked if Mr. Arndt was conceptually okay with them.

Mr. Arndt replied that he was.

Mr. Dye asked if Mr. Arndt was conceptually okay to allow subdivision anywhere in this area.

Mr. Arndt replied that he was, but he would like to think about it more.

Mr. Haight felt it would be best to see more information and see what's actually feasible, before making a decision. He asked if the lots that could subdivide would feasibly work.

Mr. Dye asked if there was a chart with all the lot depths and widths.

Ms. Christian stated they did not have that information on hand.

Mr. Dye stated the Committee would like to see those numbers at the next meeting and see what everything looks like.

Ms. Pierce felt that this information would not drastically change anything. She noted that concerns had been heard regarding losing the option to subdivide, but also with neighbors being able to subdivide.

Mr. Arndt, referencing the ADOD boundary map, noted that the purple lots are already subdivided, so Staff and the Committee would just need to focus on the red lots, unless the Committee decided to force them to combine, which would make the purple lots go away.

Mr. Dye asked, if the square footage regulation was lowered, if the purple lots could potentially subdivide into 3 lots.

Mr. Arndt said with that approach, that potential could then apply to most everything.

Ms. Pierce stated that Staff was mostly looking at the red boxes and staying away from the shared lots and with the existing lots, the red lots would likely not cause much change in this conversation.

Ms. Maclean stated that the big properties, like Telephone Hill and the cemetery, could be removed and areas like park space that is set aside as parks can be excluded, to get a better idea of everything.

Mr. Dye felt that removing the MU lots would also help.

Mr. Arndt stated he would be in favor of moving to lower numbers if subdivisions were allowed and looking at the other square footage didn't show big changes in the numbers.

Mr. Dye asked if there were any other questions.

Ms. Gallion, for clarification for Staff, asked if the Committee wanted to see new boundaries and exclude the MU lots.

Mr. Dye replied that, that was correct and asked if everyone was okay with everything else.

Staff and the Committee stated everyone was okay with what had been discussed.

V. Committee Member Comments and Questions

Mr. Dye asked when everyone would like to meet next.

After some deliberation, Staff and the Committee decided to meet on October 2, 2019.

VI. Adjournment

The meeting adjourned at 1:21pm.

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 theses 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.

DRAFT



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: September 27, 2019

TO: Nathaniel Dye, Chair
Title 49 Committee

FROM: Irene Gallion, Senior Planner
Amy Liu, Planner
Laurel Christian, Planner

CASE NO.: AME2018 0004

PROPOSAL: Proposed Rezoning of Downtown Juneau Alternative Development Overlay District Area

Attachments

Attachment A – Proposed revised ADOD boundary

Attachment B – Map showing subdivision potential within the proposed revised ADOD boundary

General Overview

At the September 4, 2019 Title 49 Committee (T49) meeting staff and the committee discussed minimum lot size, subdivisions within the ADOD boundary, and other dimensional standards. The T49 committee requested additional information to inform the following questions:

- What should the minimum lot area be for a regular lot?
- Should future subdivisions be allowed to meet ADOD standards?
- Should lots in non-residential zoning districts be removed from ADOD?

The committee also requested a revised ADOD boundary. This memo provides the requested information which will be discussed at the T49 meeting on October 2, 2019.

Revised ADOD Boundary

The minimum lot size in MU is 4,000 square feet and there are no required setbacks. The minimum lot size in MU2 is 4,000 square feet and the required setbacks are 5' on all sides. The following table shows nonconformity for lot size.

Zone District	Count Non-conforming	% Non-conforming
Mixed Use (191 lots total)	92	48%
Mixed Use 2 (89 lots total)	78	88%

Staff recommends removing the Mixed Use (MU) and Mixed Use 2 (MU2) zone districts from the ADOD overlay boundary. Lots should be removed because most are non-residential, and benefit from less restrictive setbacks than those of ADOD. Attachment A shows the revised ADOD overlay boundary, with 280 lots zoned MU and MU2 from the ADOD boundary. This number includes all lot fractions, so the number may be inflated.

There are 18 lots within the ADOD overlay boundary that are zoned Light Commercial (LC). These are located in Casey Shattuck near the flats neighborhood. The minimum lot size for LC is 2,000 square feet and the required setbacks are 25' front yard; 17' street side yard; 10' side yard; and 10' rear yard. ADOD may be more generous for setbacks, but more restrictive for minimum lot area. Two lots do not meet the minimum lot size for the LC zone district, and 16 lots are non-conforming for at least one setback.

Staff recommends leaving LC lots in the ADOD overlay boundary but restricting the ADOD Overlay to residential uses only. Lots should remain because most of them are used for residential purposes and are presently non-conforming for setbacks. Allowing these lots to remain in the ADOD boundary is consistent with the goal of increasing conformity and maintaining the existing character of the neighborhood. Many of these lots are constructed similarly to their D5 zoned neighbors.

Minimum Lot Size

Per T49 Committee's request, the following information is included for review:

Conformity for All Lots within the ADOD Boundary

Combined (D5, D10, D18, LC)		
Area	Count	% Conforming
3500	586	72%
3000	632	78%
2500	676	83%

Conformity by Zone District

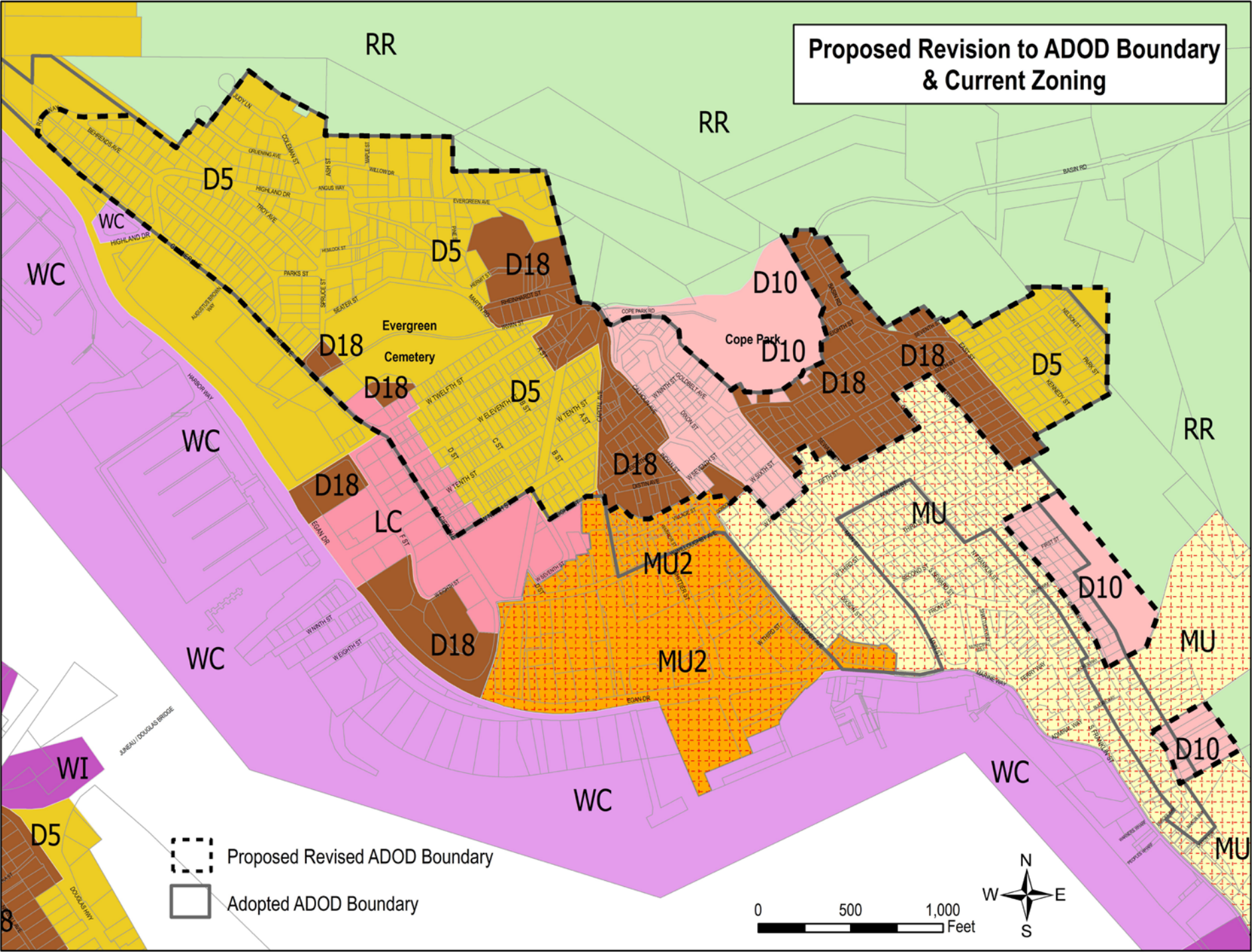
D5 (465 lots total)			D10 (115 lots total)			D18 (212 lots total)			LC (18 lots total)		
Area	Count	% Conforming	Area	Count	% Conforming	Area	Count	% Conforming	Area	Count	% Conforming
3500	360	77%	3500	66	57%	3500	145	68%	3500	15	83%
3000	385	83%	3000	70	61%	3000	161	76%	3000	16	89%
2500	402	86%	2500	83	72%	2500	175	83%	2500	16	89%

Potential for Future Subdivisions for All Lots within the ADOD Boundary

Combined (D5, D10, D18, LC)		
Area	Count	% Conforming
7000	183	23%
6000	220	27%
5000	306	38%

Potential for Future Subdivisions by Zone District

D5 (465 lots total)			D10 (115 lots total)			D18 (212 lots total)			LC (18 lots total)		
Area	Count	% Conforming	Area	Count	% Conforming	Area	Count	% Conforming	Area	Count	% Conforming
7000	106	23%	7000	29	25%	7000	41	19%	7000	7	39%
6000	127	27%	6000	34	30%	6000	52	25%	6000	7	39%
5000	183	39%	5000	45	39%	5000	70	33%	5000	8	44%



ATTACHMENT B – Map showing subdivision potential within the proposed revised ADOD boundary

