

Planning and Zoning Commission Minutes

***Title 21 Text Amendment to Off-Street Parking
and Site Access Regulations***

PZC Case No. 2022-0026

- **April 11, 2022, Public Hearing**
- **June 6, 2022, Deliberations and Action**

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PLANNING AND ZONING COMMISSION
Assembly Chambers
Z.J. Loussac Library
3600 Denali Street
Anchorage, Alaska

MINUTES OF
April 11, 2022
6:30 PM

A work session on Title 21 Parking and Site Access Amendments was held prior to the meeting and conducted by Tom Davis with the MOA Long-Range Planning Division and Elizabeth Appleby with the MOA Current Planning Department.

A. ROLL CALL

Present Andre Spinelli, Greg Strike, Brandy Eber, Jared Gardner, Jim Winchester, Radhika Krishna, Jeff Raun, Scott Pulice
Excused None
Staff Tom Davis, Elizabeth Appleby, Francis McLaughlin, Daniel Mckenna-Foster

B. MINUTES

1. **Monday, March 7, 2022**
2. **Monday, March 14, 2022**

COMMISSIONER PULICE moved to approve the minutes. COMMISSIONER EBER seconded.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Raun, Pulice
NAY: None

PASSED

C. SPECIAL ORDER OF BUSINESS / EXECUTIVE SESSIONS

1. **Disclosures**

COMMISSIONER PULICE disclosed in Case 2022-0031 that his employer, Lounsbury & Associates, is a prime consultant and he is the hydraulics engineer on this project.

COMMISSIONER RAUN moved to direct Commissioner Pulice to participate in Case 2022-0031. COMMISSIONER STRIKE seconded.

~~COMMISSIONER STRIKE moved in Case 2022-0015 to approve the Development Master Plan for Alyeska Subdivision Prince Addition, Tract B, Fragment Lots 4, 5, and 7 per Plat 2008-126, subject to Conditions 1 through 4 shown on pages 6 and 7 of the staff report. COMMISSIONER WINCHESTER seconded.~~

~~COMMISSIONER STRIKE intends to support the motion noting that no written testimony was received, nor was there any public testimony heard for or against the proposal.~~

~~COMMISSIONER WINCHESTER added that the Girdwood Board of Supervisors supported the Development Master Plan proposal.~~

~~CHAIR GARDNER finds that Approval Criteria 21.09.030F are satisfied for the reasons described in the staff report.~~

~~AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Raun, Pulice
NAY: None~~

PASSED

2. **CASE: 2022-0026 (EA/TD)**
PETITIONER: Municipality of Anchorage – Long-Range Planning
REQUEST: Recommendation by the Planning and Zoning Commission to the Anchorage Municipal Assembly of a draft ordinance amending Anchorage Municipal Code Title 21 Chapters 21.04 - *Zoning Districts*; 21.07 - *Development and Design Standards*; 21.11 - *Downtown*; 21.15 - *Rules of Construction and Definitions*; and amending Anchorage Municipal Code of Regulations Section 21.20.007 - *Schedule of Fees*, in order to amend the Off-Street Parking and Site Access Development Standards and achieve Comprehensive Plan goals for infill and redevelopment, housing, and accessible land use.

ELIZABETH APPLEBY and TOM DAVIS presented the staff report and recommendations on behalf of the Municipality's Planning Department.

CHAIR GARDNER opened the hearing to public testimony. The following individuals testified:

CATHY GLEASON, Co-chair of the Turnagain Community Council, Land Use Committee
DONOVAN CAMP
EMILY WEISER, Bike Anchorage Board President
STEVEN BRIDWELL

Telephonically:

LINDSEY HAJDUK

There was no rebuttal testimony. MR. DAVIS responded to questions from the Commission.

CHAIR GARDNER closed the public hearing.

COMMISSIONER PULICE moved in Case 2022-0026 to recommend to the Municipal Assembly approval of the Public Hearing Draft Title 21 Text Amendment to the Parking and Site Access Regulations per the Department's recommended findings and that we see the responses to any remaining questions, and to include staff's proposed additional amendments noted in the staff report. COMMISSIONER SPINELLI seconded.

CHAIR GARDNER asked Commissioner Pulice for clarification that he would like to see the Department's responses prior to resolving the case.

COMMISSIONER PULICE did not think that would be a requirement and did not want to delay the process. He just felt the questions needed to be responded to and forwarded to the Assembly.

COMMISSIONER PULICE stated the following findings:

1. The request meets the approval criteria as outlined in the staff report.
2. There is a need to reduce parking requirements in certain areas.
3. This is a good starting point to get that process in motion.

COMMISSIONER RAUN intends to support the motion with a proposed amendment.

COMMISSIONER RAUN moved to amend the language in Recommendation 2 shown on page 18 changing the word "should" to "shall" to read, "The Planning Department shall work with other..." and adding a sentence within that paragraph that reads, "The Planning Department should work with other municipal agencies in evaluating the elimination of on-site parking minimums per Code. COMMISSIONER SPINELLI seconded.

COMMISSIONER RAUN noted that a lot of testimony was heard about doing away with on-site parking minimums. Clearly, there is a movement there that he would like to find a way to acknowledge and enable the Planning Department to continue moving in that direction, if we approve these changes as proposed. He did not want what may be good here to get in the way of, or pause, movement in that greater direction.

COMMISSIONER STRIKE intends to support the amendment. His concern with the main motion is that he still wants to see the responses to the Commission's questions before he votes. He also appreciated the process in reviewing the parking but is wondering if there might be an alternative solution. What is before us and what the Planners should have is a tool in their box that would allow them to go so far as to eliminate the parking requirement. It is a tool, not a by right requirement that is open to all. Some of these subdivisions are unique (not all the same), but with by right reductions, we take away part of that review process. There are cul-de-sacs, alleys, corner lots, traffic flows, etcetera. He would prefer to see an administrative process where the option to present for development allows for this reduction of parking to take place, and we do it not on the ad hoc or wholesale basis but

more on a case-by-case basis, so that it can take time to review the individual properties involved. We could even go a step further, than what is being proposed, by reducing it down further on certain case-by-case bases to accomplish what we are trying to do here. Currently, that tool is not available to developers. He would be more comfortable having this as a tool for them to now access and going in that direction, than to create a wholesale change to the process and make it a by right reduction, which the Turnagain Land Use Committee had expressed a concern as well.

COMMISSIONER SPINELLI intends to support the amendment. He thinks tools do exist in Code that allow for what Commissioner Strike mentioned. A lot of those cases go before the Urban Design Commission, so this body does not see them and, as a result, did not realize they are available. Site Plan Reviews, variances, and the PUD (Planned Unit Development) process also allows for major code changes similar to the Girdwood development case we just heard where they are allowed to actually make changes to Code for a project.

CHAIR GARDNER restated that the amendment is to increase the direction of the Planning Department that they shall work with other municipal agencies to prepare the Title 9 amendment, and also adding a requirement that they should work with those agencies to eliminate on-site parking minimums.

AMENDMENT

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Raun, Pulice
NAY: None

PASSED

COMMISSIONER STRIKE expressed that there is a process problem and efforts should be made to change and fix the process, as opposed to changing the Code on a wholesale basis. Let us fix the process for developers looking for those changes and give them an avenue to be heard. If the process is being blocked through whatever administrative process is currently available, then that system is broken.

CHAIR GARDNER asked Commissioner Strike if he would be interested in seeing further comments from staff as an Issue/Response Table to the items heard this evening. There is not a specific deadline for this and some of the comments to broader issues have been discussed and worked through, but there are also some that give specific recommendations to changes that might lead to amendments. We are the Body that can help provide that clarity, if nothing else, at this point. He would be interested in some feedback before moving forward.

COMMISSIONER SPINELLI noted that there are a few things that concern him, but he would be generally supportive of the main motion and, although he would be happy to be done with this section of Code, he is not in any rush to see this move forward this evening.

COMMISSIONER PULICE moved to postpone until all comments have been responded to by the Planning Department. COMMISSIONER EBER seconded.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Raun, Pulice
NAY: None

PASSED

H. APPEARANCE REQUEST - None

I. REPORTS - None

1. **Chair**
2. **Secretary**
3. **Committee**

J. TITLE 21 DISCUSSION - None

K. COMMISSIONERS' COMMENTS - None

L. ADJOURNMENT

COMMISSIONER PULICE moved to adjourn. COMMISSIONER WINCHESTER seconded.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Raun, Pulice
NAY: None

PASSED

The meeting adjourned at 8:53 p.m.

PLANNING AND ZONING COMMISSION
Assembly Chambers
Z.J. Loussac Library
3600 Denali Street
Anchorage, Alaska

MINUTES OF
June 06, 2022
6:30 PM

A. ROLL CALL

Present Greg Strike, Andre Spinelli, Jared Gardner, Radhika Krishna,
Jim Winchester, Scott Pulice, Brandy Eber
Excused Jeff Raun
Staff Tom Davis, Paul Hatcher

B. MINUTES

1. Monday, May 2, 2022

COMMISSIONER PULICE moved to approve the minutes. COMMISSIONER STRIKE seconded.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Pulice
NAY: None

PASSED

C. SPECIAL ORDER OF BUSINESS / EXECUTIVE SESSIONS

1. Disclosures

COMMISSIONER EBER disclosed that she was absent from the previous meeting when Case 2022-0023 was initially heard and will abstain from voting on the consent agenda.

COMMISSIONER SPINELLI disclosed in Case 2022-0026 that he received an email from a member of the public unknown to him that was interested in testifying. He informed them the public hearing was closed but was unclear if the Commission had the ability to reopen the public hearing. He did not communicate any further.

Hearing no objections, Chair Gardner directed Commissioner Spinelli to participate.

D. CONSENT AGENDA

1. Resolutions for Approval

a. Resolution: 2022-020 Related Case: 2022-0023

Purpose: APPROVAL (EA)

Context Sensitive Solutions (CSS) Design Study Report for the Seward Highway: 36th Avenue Interchange Project.

2. Introduction for Public Hearings

3. Site / Landscape Plan Approval

4. Time Extensions; Expedited Hearing Requests; Minor Conditional Use Amendments

5. Other

COMMISSIONER STRIKE moved to approve the consent agenda. COMMISSIONER WINCHESTER seconded.

AYE: Spinelli, Strike, Gardner, Winchester, Krishna, Pulice

NAY: None

ABSTAINED: Eber

PASSED

E. UNFINISHED BUSINESS AND ACTIONS OF PUBLIC HEARINGS

1. CASE: 2022-0026 (TD/EA)

PETITIONER: Municipality of Anchorage – Long-Range Planning Division

REQUEST: Recommendation by the Planning and Zoning Commission to the Anchorage Municipal Assembly of a draft ordinance amending Anchorage Municipal Code Title 21 Chapters 21.04 - Zoning Districts; 21.07 - Development and Design Standards; 21.11 - Downtown; 21.15 - Rules of Construction and Definitions; and amending Anchorage Municipal Code of Regulations Section 21.20.007 - Schedule of Fees, in order to amend the Off-Street Parking and Site Access Development Standards and achieve Comprehensive Plan goals for infill and redevelopment, housing, and accessible land use.

TOM DAVIS presented the Issue-Response Summary to the comments and questions raised by the public and the Commission on April 11, 2020, in which the public hearing was closed at that time.

The Commission discussed the possibility of handling these through a variance or a case-by-case basis as opposed to an overall change in Title 21. They also discussed the option of reopening the public hearing.

COMMISSIONER SPINELLI moved to reopen the public hearing to allow additional testimony from the audience this evening.

COMMISSIONER KRISHNA asked for clarification if reopening the public hearing would require a notice be sent as she was concerned of the ability of members of the public to know they had an opportunity to testify tonight.

MR. DAVIS recommended, should the Commission choose to reopen the public hearing, that they reopen and continue it to June 13. This would allow opportunity for the public to become aware of the reopening and participate either in-person or telephonically.

COMMISSIONER SPINELLI heard the recommendation to postpone it to next Monday, but he did not know of many people in town that are interested, other than the one person that may or may not be here tonight. He would prefer to reopen the hearing.

COMMISSIONER STRIKE seconded.

COMMISSIONER SPINELLI did not see the harm in hearing a few more people speak tonight.

COMMISSIONER STRIKE added that any additional information heard from the public to help clarify or identify concerns would be appreciated.

CHAIR GARDNER felt a fairly robust public process was held and did not see the need to reopen the public hearing to additional testimony. He would not be opposed if the Commissioners felt they could learn something useful from it. If it is reopened, and as a matter of fairness, the Commission should provide an opportunity to notice those that are interested in speaking to be able to participate.

COMMISSIONER STRIKE did not think this motion negates the ability to hold the additional public hearing next week but would agree to reopening the public hearing next week if this evening is not an option.

COMMISSIONER EBER noted that reopening the public hearing tonight would be okay but it could create an issue upsetting the public for not providing notice.

AYE: Spinelli, Strike, Eber, Pulice

NAY: Gardner, Winchester, Krishna

FAILED

VICE CHAIR KRISHNA moved to go into a Committee of the Whole. COMMISSIONER EBER seconded.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Pulice
NAY: None

PASSED

COMMISSIONER STRIKE moved to come out of a Committee of the Whole.
COMMISSIONER WINCHESTER seconded.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Pulice
NAY: None

PASSED

VICE CHAIR KRISHNA moved in case 2022-0026, to recommend to the Anchorage Assembly approval of the Public Hearing Draft Title 21 Text Amendment to the Parking and Site Access Regulations, subject to staff's recommendations on pages 17 and 18 and findings on page 19 of the staff report, and the amendments in the Issue-Response Summary Table as recommended by staff. COMMISSIONER WINCHESTER seconded.

COMMISSIONER KRISHNA stated the following findings:

1. This item has come before the Commission for a few meetings.
2. There has been a very robust public process both with opportunities for the public to testify, as well as deliberation by the Commission.
3. The recommendations in the staff packet and the amendments in the Issue-Response Summary Table, as well as whatever amendments are to come, respond to the many points of feedback, questions, and concerns voiced by members of the public.

COMMISSIONER SPINELLI intends to support the motion. There are definitely a lot of areas that give him concern with this but, overall, it is a good thing, and it is time to move it forward.

CHAIR GARDNER added the following findings of fact:

1. It seems to have been a robust process that incorporated a lot of input from the community.
2. He appreciated staff's effort in trying to realize those different comments and in compiling and providing information to the Commission.
3. This is a relatively narrow targeted change that is a small step towards trying to reduce the overall parking in the city and get away from relying on cars and making it somewhat easier for pedestrians; he would like to see more of this but did not know if this is what is being targeted. He thought more would need to be required before that would work in the city.
4. He supported the overall intent of these changes.

5. The Commission heard from staff earlier that the reductions in the parking minimums are not intended to change the maximum parking.

COMMISSIONER EBER moved to amend Issue-Response #9 to correct the Scrivener's error in Table 21.07.09, second column to add the word "of" after the word "centerline" to read, "...centerline of a right-of-way...". COMMISSIONER SPINELLI seconded.

AMENDMENT

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Pulice
NAY: None

PASSED

MAIN MOTION, AS AMENDED.

AYE: Spinelli, Strike, Eber, Gardner, Winchester, Krishna, Pulice
NAY: None

PASSED

F. REGULAR AGENDA - None

1. **Resolutions for Approval**
2. **Introduction for Public Hearings**
3. **Site / Landscape Plan Approval**
4. **Time Extensions; Expedited Hearing Requests; Minor Conditional Use Amendments**
5. **Other**

G. PUBLIC HEARINGS

1. **CASE: 2022-0060 (EA)**
PETITIONER: University of Alaska – Land Management
REQUEST: Conditional Use for Community Use, Health Services (Medical Office) within the PLI (Public Lands and Institutions) District.

PAUL HATCHER presented the staff report and recommendations on behalf of Elizabeth Appleby and the Municipality's Planning Department.