

**ASSEMBLY STANDING COMMITTEE MINUTES**  
**LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE**  
**THE CITY AND BOROUGH OF JUNEAU, ALASKA**  
February 14, 2022, 5:00 P.M.

**I. CALL TO ORDER**

**II. LAND ACKNOWLEDGEMENT**

**III. ROLL CALL** - Chair Hale called the meeting to order at 5:00 pm.

**Members Present:** Chair Michelle Hale, Greg Smith, Wade Bryson,

**Members Absent:** Wááhlaal Gíidaak

**Liaisons Present:** Chris Mertl, Parks and Recreation; Lacey Derr, Docks and Harbors; Mandy Cole, Planning Commission

**Staff Present:** Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Jill Maclean, CDD Director

**IV. APPROVAL OF AGENDA** – The agenda was approved as presented.

**V. APPROVAL OF MINUTES** – January 24, 2022 Draft Minutes were approved as presented.

**VI. PUBLIC PARTICIPATION** - No public participation.

**VII. AGENDA TOPICS**

**A. Franklin Foods Request to Purchase City Property at 139 S. Franklin St.**

Mr. Bleidorn discussed this topic. Mr. Smith commented that this property is that it is downtown and putting in housing downtown is an important factor in my consideration when I've spoken with Mr. McCasland. I've seen plans that show him putting housing on this, not necessarily on this piece of property, but as part of his overall project. That's one reason that I'm supportive of this.

Mr. Bryson commented that he has had the same concerns as Mr. Smith, in that there is little available buildable land and in the conversation with Mr. McCasland, he has indicated that at some point he was building housing there so that moves towards that project. I was concerned that we might not be charging enough for the land as property assessment values have been going up and this land priced out at \$41.93 a square foot, which is above most of the land that I've seen for sales around \$20 or less. Having the last piece of buildable land in the middle of downtown, he's paying double what you would pay in the Valley, so that does seem appropriate and I can support this.

Mr. Mertl commented that the PRAC did approve the disposal and one of the concerns of the PRAC and the Department, was the disposal of parkland is not necessarily in the best interest of the public, especially when the funds received from those go into the general fund and that money and land is lost for future park use. One thing that they wanted to have me bring up for clarity is that as we're seeing more and more requests for parkland disposal that there is some system that the money or the revenues generated from the disposal of parkland goes into a parkland fund that can be used for taking land and putting it into a new service or new land so that we're actually not losing that land or those facilities that really are in the best interest of the public. Mr. Bleidorn replied that the funds from this land sale would go into the land fund and not the general fund. This way the money can be used to acquire future properties, so if Parks is looking to acquire property, that money would come through the lands fund. This doesn't go to the general fund so I just wanted to make that clear.

Mr. Bryson commented that Mr. Mertl will be pleased to hear at the Public Works and Facility meeting, this morning, we authorized half a million dollars to be move forward to the Assembly for park deferred maintenance. It got its own line item to upgrade and update three parks that were mentioned earlier, Juneau loves its parks, it might not always be as straightforward, but we are taking care of the parks.

**Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Franklin Foods LLC for fair market value as determined by appraisal. Motion passed, no objections.**

**B. Ord. 2022-04 An Ordinance Amending the Parking Requirements of the Land Use Code.**

Ms. Maclean discussed this topic. The Assembly had asked CDD to look at downtown parking spurring off of the Archipelago development and the variants that they tried to have granted for their development. Staff has been working hard with the Planning Commission and the Title 49 Committee and have a solid ordinance that addresses many of the challenges. If you'll recall, we had a Parking District 1, where required parking was reduced by 60% and just outside of that we had a Parking District 2, where your required parking was reduced by 30%. Incorporating both of those zones was the fee-in-lieu map where, if you couldn't provide the required parking you could pay a fee-in-lieu which would change with the state income, with the index for to gauge what that fee would be year year-to-year. Around this same time, we had proposed in the Assembly adopted parking waivers. If you are outside of those three districts, you can apply for a parking waiver, rather than a variance. It was a much lower threshold to get that waiver, most of the time we've seen the waivers use for accessory apartments, occasionally some other commercial development and they've been hugely successful.

Looking at that, what we had before us, and working with the Commission, what we're proposing and what the Commission is recommending for approval is doing away with PD1, PD2 and the fee-in-lieu maps, creating one new map called the Town Center Parking Area, and within that area, your parking is reduced by 60%, so no more 60 and 30, it's all 60%. Within that same mapped boundary you can still apply for fee-in-lieu but one of the big differences is that prior to this, or currently on the books today, you cannot get a waiver if you're inside those parking districts. What's being proposed within these districts, you get a 60% reduction right off the top, and then you can apply for a waiver if you still believe that you don't need that parking. If you still need even more of a reduction, you can then pay fee-in-lieu and rather than having the fee-in-lieu be a fluid number that is increasing, over time, the Commission had recommended that it just be a straight fee of \$10,000 per space that you were looking to reduce from. Beyond these options, you still have joint parking and shared parking options, as we have currently in code. But you could then still apply for a variance if you thought you had the grounds for it.

While conducting the research and working with law, we started looking at the ADA regulations, those are federal and we have to abide by them. If you require any parking whatsoever, you can reduce all of it, but you can never reduce the ADA that is required to go along with it. Knowing that we went back to the books went back to title 49 and the Commission, and came up with a core area, more or less the real historic district, such as Franklin and Front Street, that area on the map in your packet. This is the area that in order to provide any parking you pretty much have to tear down buildings, which is not the intent that any of us have, to raise the historic district. In this very tight court area where you simply cannot provide any parking on site, where the buildings are basically building-to-building, we're proposing zero parking which means you aren't required to provide the ADA parking. We do have on-street and garage ADA parking and some others throughout downtown, which is why it's quite tight it ends of right before the Marine View building and goes up the hill, but it's intended for the for the buildings and the properties that simply cannot provide any parking at all on their site without taking down the building. The Commission also took time to go through the parking requirements for each use and that table that's in the land use code. They tried to work down and fine tune what those numbers should be to get it as low as possible when the 60% reduction was applied. The other thing of note, the

next item on your agenda, but they go hand in hand, when we were working on the parking code, we also realized that this impacted the on-street vendors and so that's address this evening.

Mr. Bryson commented about the Archipelago lot, he was hoping that the no parking would have been extended down two more blocks, so that the proposed Archipelago project might have a chance if it was included in a no parking area. Mr. Bryson asked if that was that discussed and what was the reason why the line was drawn where was at the Marine View. How much would it mess things up to go two block south and if Director Maclean could elaborate on the no parking area and the Archipelago lot and how they relate to each other. Ms. Maclean replied that the Planning Commission and Title 49 discussed this and it came up a number of different times. In general, not just for the Archipelago lot, but it's whenever we make code or the decisions they're based on, the findings and what's reasonable for all property owners. If you're giving special treatment there should be a strong reason why. When we look at downtown the Commission was quite diligent in looking at the areas where parking on site truly couldn't be provided and that's where the zero parking map was drawn from. It's where those historic buildings are built from property line to property line, and you can't provide ADA on site. There was discussion on the Archipelago lot and Second and Franklin because of those difficulties. Because they can provide some parking on site, if I recall correctly, the Archipelago had about six to nine spaces and because they could easily provide at least the ADA spaces, they were excluded from the zero parking area. The other thing I would add is that we did reach out to the Archipelago developers and we also reached out to Eagle Rock Ventures, they were looking at Second and Franklin and neither attended the public hearing. I believe Eagle Rock's comment was just generally that it should be zero parking for all of downtown and I can't recall that Archipelago gave any specific comments, just to say that they would not be commenting because they did not have development plans at this time.

Mr. Smith asked about page 40 of the packet, that overlays the new town Center parking area, the no parking required area, and then the PD1 and PD2. He wanted to know what the Commission's decision was to not include that square area, essentially, to have now that no parking required area, to go on Ferry Way and then South Franklin and not wrapped around that that corner. The reason for asking is that area used to be PD1, but now it's not included in the no parking required area. Ms. Maclean replied that the PD1, PD2, and the fee-in-lieu that are currently in place are incorporated into the new Town Center parking area. That area has been enlarged in certain places, near Coppa, and heading north. Those are still in the Town Center parking area, they didn't get a 60% reduction right off the top, but again they're not in the zero parking area because their lots aren't completely built from property line to property line so they can provide at least the ADA parking spaces on site and potentially more than that. Mr. Smith commented that it seems kind of incongruous to just have that corner not be included in the no parking required area, based on how the four different type of parking zones are overlaid. It just seems like an outlier and my understanding of that corner, is that it is pretty built out. I guess there's a parking lot behind the old Taqueria building, something I may evaluate as we go forward.

Mr. Bryson asked how many spaces will the new City Hall require under this new parking ordinance, whether it's a built at the 450 Whittier or on top of the parking garage, do we have any numbers for that. Ms. Maclean replied offhand, she does not know how many parking spaces a new City Hall will require, but happy to follow up.

Mr. Smith asked if there was any discussion to have less parking requirements with residential development versus commercial. Ms. Maclean replied that on page 21 or 22 of the packet, the table for parking spaces, there is one column for use, space is required in all other areas, with spaces required in

the Town Center parking area. For instance, for single family duplex if you're anywhere else in the borough, it is two per dwelling unit, but when you're in the Town Center parking area it's one per dwelling unit for a single family home. When it comes to multifamily units it's even more reduced because it's one per bedroom throughout the borough but in the Town Center parking area downtown it would be 0.4 spaces per bedroom. The table illustrates the number of spaces required.

Mr. Smith commented that in the Town Center, would we be willing to reduce the parking based on bedrooms, how that calculation is done. For example, the Second Street lot, if there was consideration or if that was being put into residential, having no parking requirements versus if it were in commercial then having parking requirements. I can understand that the calculation for parking requirements, based on use and some of those factors, I was thinking something for instance of development at that Second and Franklin lot if it might be a residential development, to have very low or no parking requirements. If it were commercial to have some parking requirements to incentivize residential development versus just purely commercial. Just an idea, knowing that we want to encourage housing downtown. Ms. Maclean replied that the Assembly could do that, and when the Commission worked through this, their line of thinking was, what is the minimum, where is the sweet spot that balances between incentivizing development but ensuring that there's enough parking downtown and then also being aware of the impact to the residential neighborhoods up the hill and if you don't provide parking in the Town Center then will people impact the neighborhoods with their parking. I believe the Commission was trying to find that balance of what's enough to require but not too much that it's a detriment to development.

Mr. Mertl agrees that cutting out around Marine View and Ferry Way seems inconsistent in terms of the general layout of the no parking area. Has there been any thought or desired outcomes that have a higher density housing that are outside of the no parking zone. Follow up question, how that affects the housing units along Gastineau Avenue, because that seems somewhat inconsistent and I guess I'm just looking for the rationale and maybe I don't have enough understanding. Ms. Maclean replied that when the Planning Commission looked at parking in general and this downtown parking, zero parking wasn't considered. When we came to the challenge of addressing ADA parking spaces, it became a reality that that we realized, we needed to somehow address the specific area again, where the buildings simply just take up the entire lot, how do we make it possible for them to be redeveloped or reuse if they if they cannot provide ADA on site. The Commission strived to look at this, and it's a big jump from where we've been to go to zero parking. The intention of the Commission was to keep this as narrow as possible to address the ADA issue, while still being balanced with, why does everyone else have to provide parking. It's coming back to trying to balance the needs and wants of everyone.

Commissioner Cole commented that the idea of no parking zones downtown is scary to a lot of people, and we were absolutely trying to walk this in to introduce the idea to really move forward the kind of commercial and housing potential of the downtown core without blowing up the issue so that everyone felt very uncomfortable. The entire Commission was divided, I happen to be on a no parking side of the fence and also wanted to include Second in Franklin in the no parking area. The rest of the Commission has more experience than I do and was trying to balance the years' worth of parking complaints and woes that exists downtown with some forward progress. The idea that it's not a fully formed progressive agenda, it is the first step toward, maybe thinking a little bit differently about parking downtown.

Chair Hale had a question that was related to Mr. Bryson's comment about the Archipelago lot and didn't realize it was included in the Town Center parking area, is that reduced parking? Ms. Maclean nodded in confirmation.

Mr. Bryson, moved to amend the motion, to move the dotted line that goes up the Ferry Way on the map, to move it down three blocks to include the Archipelago lot, stretching the map out.

Mr. Bryson spoke on his amendment, that he took the Ferry Way dotted line and in stretched it down South Franklin to include the Archipelago lot. While I completely understood Director MacLean's response and I understood the thought process behind the Planning Commission's decision to balance no parking with the fairness of the rest of the community, we have a different situation here. We had a land trade between the City and a private developer. The City got to develop their lot and got to use the Archipelago lot as a staging area. We don't know if there was a cost to that because the next plan was going to be that the Archipelago lot would build and they would use the City's land. We had this trade, it was moving right along until we ran into the Planning Commission and parking the waivers. The parking-in-lieu of, I wanted to say was a \$20 million project, that was completely designed to absorb tourism traffic, it was going to be a way to help deal with some of the higher volumes of tourists and traffic, but because we did not have parking solutions they said no. We have been asking for development and asking to help with the tourism, we have an opportunity here to correct a wrong and by putting that piece of land into a no parking. A no parking required area allows for the trade in its original desire to come forth. They showed an artist's rendition that had the Archipelago lot fully developed with the City parking lot, the 18 passenger shuttle parking lot. The City got to build theirs, and they have no parking requirements, even though they have dozens of people working there each day. So I thought that if we included that as the Assembly would be helping move development forward.

Mr. Mertl commented on the amendment that he believes in the Planning Commission, that they're going to do the best work that they can. I just have heartache when another Commission, as things move up the food chain, starts making spot changes to reflect one or two pieces of property, I fully understand where Mr. Bryson's coming I was involved in the Archipelago design property, I understand the challenges. But then I'm afraid that we're going to get pushed back from other people on the waterfront saying they want the same rights and privileges. I like the cleanliness of drawing lines along road so it's either on the upland side or the water side of Franklin Street. I get a little bit of heartache around Ferry Way and South Franklin not picking up that little corner that's notched out but for me that's just my personal take is that we want to make clean lines and make sure that everybody is being treated equally. I think the Planning Commission the Planning Department know this better than anybody else, and I have faith, but I do understand Mr. Bryson where you're coming from, and I do understand the challenges I'm just afraid of the ripple effect this may potentially have, thank you.

Chair Hale objected to the motion and spoke to her objection. Director Maclean and Commissioner Cole had clear explanations as to why the no parking zone area was arrived at. Originally there was the no parking area, and that area was arrived at, as I understand it, because if there is any parking at that location, it has to be ADA parking. The City provides ADA parking, so there is ADA parking and those buildings, as Director Maclean explained, would have to be torn down in order to provide pieces of them for that one ADA parking space. As I understand it, there is there are avenues, even beyond just the 60% waiver or whatever waiver if someone can demonstrate why they don't need parking. And I agree with Mr. Mertl that keeping it clean and following the logic that the Title 49 Committee, CDD and the Planning Commission used when we work very hard on this parking ordinance.

**Amendment to the motion passes with 2:1 vote, Mr. Bryson and Mr. Smith voting in favor and Chair Hale voting against.**

**Motion passed that the parking recommendations to the full Assembly as amended. No objections.**

**[Clerk's Note: It was discovered after the fact that it takes 3 votes to pass a motion along. There was an erroneous ruling to pass this motion that went to Assembly meeting on February 28, 2022 and then forwarded to COW for the March 7, 2022 meeting.]**

**C. Ord. 2022-11 An Ordinance Amending the Street Vending Requirements of Title 62 Regarding Parking.**

Ms. Maclean discussed this topic. Staff have been working through the changes to the parking code and with assistance, we realized that it would impact Chapter 62, which we don't often do too much work in, at least not the Planning Division side of Community Development. We do have street vendors that are permissible in the areas that use the PD1 and PD2 maps. Since the PD1 and PD2 will no longer be part of code, then we also need to update Chapter 62 to be consistent. We are recommending that similar to what exists today, there would be no vending carts allowed in on-street parking spaces. Currently they are not allowed in PD2 and we would be changing that to the no parking required area, or the zero parking area. Vending carts can park in parking spaces currently in the PD1 district and we're proposing to change that to the Town Center parking area. Switching it to be consistent and still keeping them permissible, but just in the map boundary area that most closely relates to what's on the books today.

**Mr. Smith move ordinance 2022-11 for introduction to the assembly. Motion passed.**

**VIII. INFORMATION ITEMS**

**A. Community Development Department information**

Ms. Maclean discussed this topic and wanted to take the opportunity to get the memo to the committee and was happy to discuss it at another meeting, if desired. Staff is still working on the other permit numbers that Committee has asked for and will present once completed.

**IX. STAFF REPORTS – Household Hazardous Waste Facility Disposal Verbal Update**

Mr. Bleidorn gave a quick update. Staff is continuing to work with Alaska Brewing Company, who is the adjacent property owner acquiring this property from the City. The Assembly process was complete and we were scheduled to finalize in 2020 but with Covid the City may have wanted to use that site at times between then and now. We are working with the applicant to acquire it and we expect it to be finished in April. It's moving right along, we need nothing from the Committee or the Assembly at this time, since we already have the ordinance adopted, but just wanted to remind you all that that's taking place and staff are working actively to dispose of that property.

**X. COMMITTEE MEMBER/LIAISON COMMENTS AND QUESTIONS - None**

**XI. NEXT MEETING DATE – March 7, 2022**

**XII. ADJOURNMENT - Chair Hale adjourned the meeting at 5:48 PM.**