

— *EXCESS PARKING: DON'T LET IT BE A STUMBLING BLOCK TO GOOD PLANNING* —

January 6, 2022

Planning Board
8 Newmarket Road
Durham, NH 03824

Re: Mill Plaza Redevelopment. 7 Mill Road. Continued review of application for site plan and conditional use for mixed-use redevelopment project, drive-through facility for bank, and activity within the wetland and shoreland overlay districts. Colonial Durham Associates, property owner....Central Business District. Map 5, Lot 1-1.

Dear Members of the Board,

This document consists of:

1. observations and questions
2. data and screenshots extracted from the December 1, 2021 site plan
3. median width revisited and recommendation

Observations

- On August 25, 2021, the Board granted two waivers, the second of which was tantamount to approving the parking plan, *with no discussion whatsoever, nor reference to the specific section of the Site Plan Regulations being waived (i.e., 5.8.6).*
- Nonetheless, the continuing **gap between “required” and “proposed”** number of parking spaces leaves open a window for a discussion that should have occurred earlier to allow for an applicant response but that nonetheless *must occur during the Board’s deliberation.*
- Residents have observed for years that:
 - **The lot is never full**; when UNH is not in session, many spaces are empty, even in front of Building A, and **even on “holiday shopping days.”** (The public perception of a large number of empty parking spaces might be more worrying for a business than a nearly-full lot.)
 - Nearly half of the existing parking spaces have been **leased to rental permit holders.**
 - **The strip of spaces along Mill Road**—“a prime location for Hannaford customers,” as Colonial Durham claims—is, **to the contrary, almost always filled with permit holders, not Hannaford customers.**
- Site Plan Regulations argue for the Planning Board to consider the Mill Plaza as a prime candidate for the constraints and benefits of **“shared parking and reduction in parking spaces”**—which the Town Council may not even have been aware of when drafting the Settlement Agreement:

Part III. Section 10.2 Shared Parking and Reduction in Parking Spaces

7. While the subsection above provides the minimum number of on-site parking spaces, **there shall not be created an excessive amount of parking either, in order to avoid unnecessary development and unsightly expanses of pavement.** The Planning Board may limit the total amount of on-site parking spaces where it determines that an excessive amount is proposed, including, in unusual cases, stipulating a total amount less than what is specified in the subsection above.

- CDA could request **exemptions for required parking spaces**—for either/both residential or commercial uses. It wouldn't be the first time in downtown Durham.
 - Referring to data provided by the Town of Durham Business Department, I calculate that, as of March 31, 2021, post-2005 downtown multi-use (“student housing”) projects have been granted exemptions for 1,345 parking spaces.
 - That number includes 635 spaces for Madbury Commons, 65 for 10 Pettee Brook, 42 for Pauly's Pockets, 49 for 1 Madbury, and 235 spaces for Orion, Mill Plaza's abutter.
- **The high cost of parking:** Our outdated parking regulations are what they are, but excess parking is not good for the environment—natural or human.
- Location and number of parking spaces may be a stumbling block for the applicant, but **it should not impede the Town's best planning efforts.**
 - The Settlement Agreement yields planning to the Planning Board.
 - As Attorney Spector-Morgan notes in her April 6, 2021 letter to Administrator Selig: *“...Disagreements between Hannaford and Colonial Durham regarding Hannaford's lease, replacement of the existing building, and/or parking are private disputes in which the town should not involve itself...”*

Questions to help structure your evaluation of excess parking.....

- How many parking spaces would the Planning Board countenance in the absence of any evidence that Hannaford and/or Rite Aid actually needs as many spaces as CDA claims?
- The Mill Plaza is privately owned. How could an excess of parking here in any way help demand for parking elsewhere?
- If the Board considers a reduction of the 372 proposed parking spaces, how many should be removed, from where, and what would be gained or lost?
 - **Southern edge across the site: If spaces were removed at the “bottom” of the rows (toward College Brook), the access road could be curved north out of the 75-foot setback.** These spaces would likely be perceived as least desirable by both customers and employees and might otherwise remain empty.
 - **Mill Road strip:** 18 compact spaces (of the 179 spaces in front of Building A). These prime spaces have historically been leased: They have not been used by customers of Hannaford or Rite Aid, despite the claims of CDA.
 - **North of Building B, below the Grange:** 31 spaces. This area appears to be needed for truck turning (see Sheet C-601), but one row could be removed and still retain that truck access. (If Building B were moved back into that space, could truck access be retained?)
 - **South of Building B, toward College Brook:** 48 spaces. This area includes the Jellyfish stormwater management system (perhaps not a concern on the surface?) and would serve a restaurant but is also closest to the residential neighborhood.
- Will employees of all Plaza businesses be required to park in certain areas, e.g., in the garage in Building C—and will that requirement be monitored and enforced?
 - At least one member of the Board has commented that parking choices of downtown business employees can make it hard for others to find a parking space.

Sheet C-102: Notes

Screenshot, top of Sheet C-102:

<u>NON-RESIDENTIAL PARKING REQUIREMENTS</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
• BANK: 1 PER 250 SF (3,505 SF)	14 SPACES	
• RESTAURANT <4,000 SF: 1 PER 100 SF + 1 PER EMPLOYEE (1,600 SF)	16 + 6 SPACES	
• RESTAURANT >4,000 SF: 40 + 1 PER 200 SF OVER 4,000 SF (5,032 SF)	46 SPACES	
• PROFESSIONAL OFFICE: 1 PER 350 SF (22,226 SF)	64 SPACES	
• RETAIL/COMMERCIAL: 1 PER 250 SF (47,887 SF)	192 SPACES	
NON-RESIDENTIAL TOTAL: (80,250 SF)	338 SPACES	372 SPACES
<u>RESIDENTIAL PARKING REQUIREMENTS</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
• DWELLING UNITS: 1 PER RESIDENT (258 BEDS)	258 SPACES	0 SPACES
RESIDENTIAL TOTAL: (258 BEDS)	258 SPACES	0 SPACES
<u>TOTAL PARKING REQUIREMENTS</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
	596 SPACES	372 SPACES (1)

The above table as text:

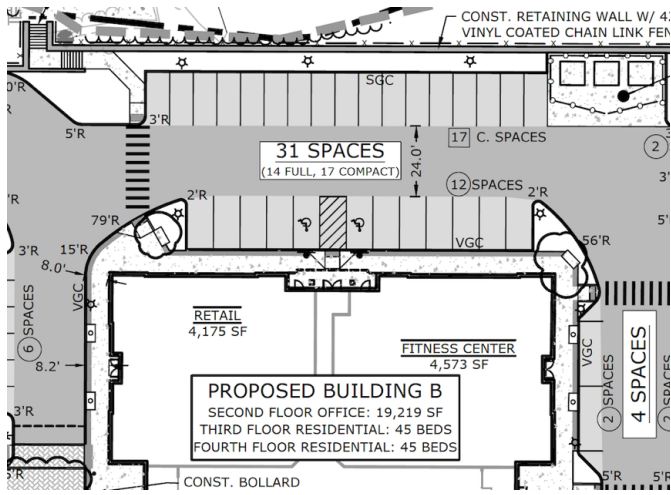
Non-residential parking requirements	Required	Proposed
• Bank: 1 per 250 sq (3,505 sf)	14 spaces	
• Restaurant <4,000 sf: 1 per 100 sf + 1 per employee (1,600 sf)	16+6 spaces	
• Restaurant > 4,000 sf: 40 + 1 per 200 sf over 4,000 sf (5,032 sf)	46 spaces	
• Professional office: 1 per 350 sf (22, 226 SF)	64 spaces	
• Retail/Commercial: 1 per 250 SF (47,887 sf)	192 spaces	
<i>Non-Residential total (80,250 sf)</i>	<i>338 spaces</i>	<i>372 spaces</i>
Residential parking requirements	Required	Proposed
• Dwelling units: 1 per resident (258 beds)	258 spaces	0 spaces
<i>Residential total: (258 beds)</i>	<i>258 spaces</i>	<i>0 spaces</i>
Total parking requirements	596 spaces	372 spaces⁽¹⁾

PARKING NOTES [text copied from Sheet C-102]:

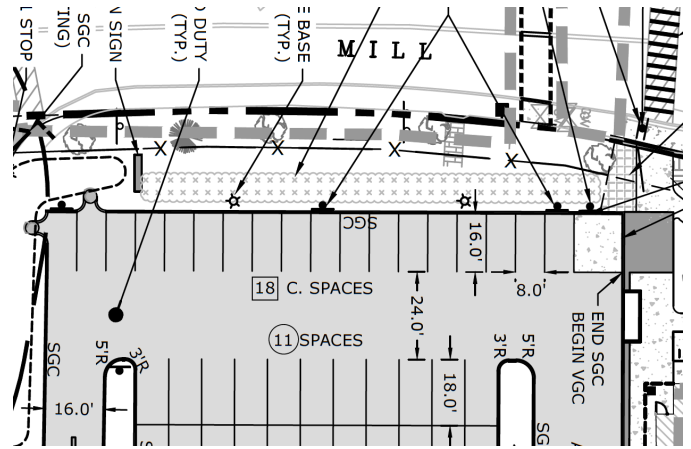
- (1) EXISTING SITE CONTAINS 345 PARKING SPACES. THE PROPOSED 372 SPACES CONSIST OF 288 SURFACE PARKING (59 COMPACT, 229 STANDARD) PLUS 84 GARAGE SPACES.
- (2) PER AGREEMENT WITH TOWN OF DURHAM, DATED DECEMBER 14, 2015, PARKING ON SITE SHALL BE INCREASED BEYOND THE 345 SPACES THAT CURRENTLY EXIST.
- (3) SECTION 175-112.A., OF THE DURHAM ZONING ORDINANCE ALLOWS AN EXEMPTION FROM THE PARKING REQUIREMENTS IN THE CENTRAL BUSINESS DISTRICT. THIS PLAN REQUIRES AN EXEMPTION OF 224 PARKING SPACES.

Sheet C-102: Additional screenshots

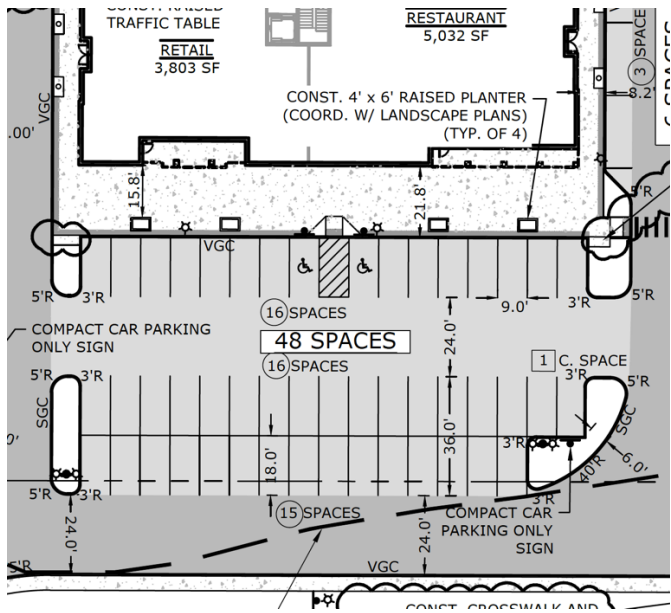
31 spaces north of Building B



18 compact spaces along Mill Road

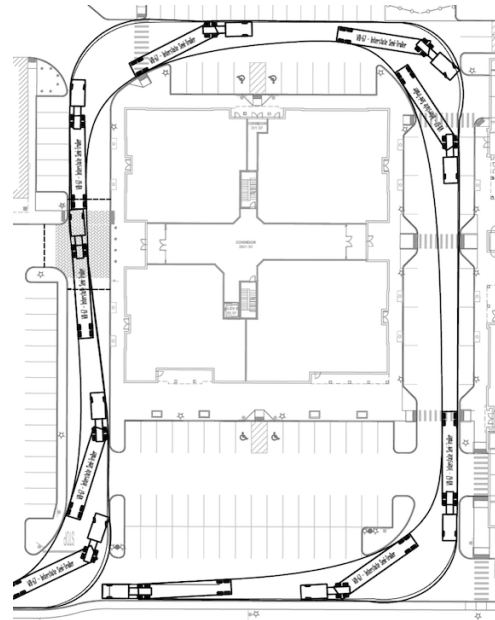


48 spaces south of Building B



Truck Turning Plan

See Sheet [1] M1529-002_C-TRUCK-C-601; Building B is in the center of the loop:

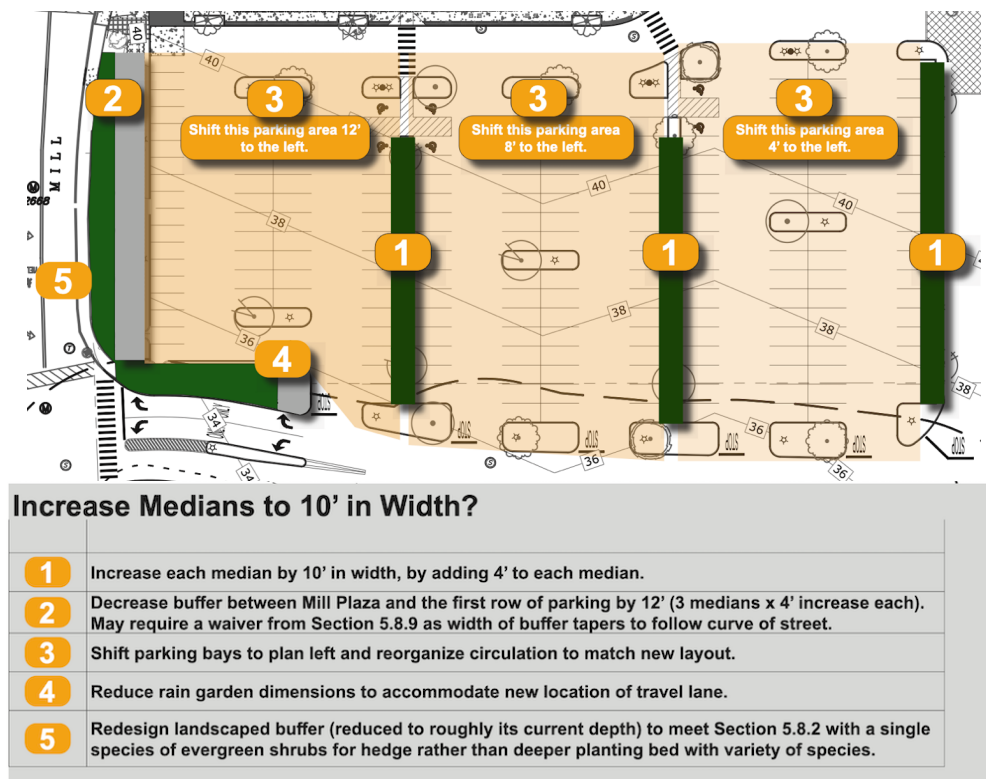


Median width revisited and recommendation

At the June 17, 2020 Planning Board meeting during a discussion about landscaping, CDA presented a diagram showing "implications if we were to go from a 6-foot width to a 10-foot width." ([Diagram of Implications of Increasing the Width of the Medians from 6 Feet to 10 Feet 6-17-20](#)], also shown below.)

Emily Innes argued for CDA that the change would reduce the buffer. (It was not possible for home viewers to see to what she was referring: buffer to College Brook?) She also argued that the change would have other implications such as on circulation.

Screenshots of details on original are shown below.



Recommendation (no surprise): Fewer parking spaces

I wonder whether CDA seriously brainstormed solutions to the challenges of increasing the width of median strips, particularly since the Planning Board did not ask them to do so. **In other words, no one pointed out that reducing the number of parking spaces might open opportunities both for greater landscaping and solving circulation challenges.**

Throughout the site plan review CDA has made comments reflecting the challenge it has had in fitting everything in, such as “every time there was a push in one direction or the other, there was a consequence in another part of the plan.”

It’s the well-known girdle effect, i.e., trying to push fat around. The solution? Lose weight.

The benefits to the community of reducing excess parking are clear.

It is less clear what the benefits to CDA are in maintaining excess parking—except for pleasing Hannaford, which for decades has been holding our good planning hostage.

Regards,

Robin