

Mark Davis
652 SE Washington Street
McMinnville, OR 97128

December 20, 2017

McMinnville Planning Commission
McMinnville Planning Department
231 NE Fifth Street
McMinnville, OR 97128

Re: VR 1-17

Dear Chair Hall and Members of the Commission:

I would like to comment for the record on the hearing scheduled for December 21, 2017 to decrease the number of parking spaces required for the property at 826 SE First Street. While I am generally supportive of the vision that the applicant has for the property, I don't believe a 70 percent reduction in the parking requirement is justified with the evidence provided. Below are my comments about specific issues raised in this application.

Proximity to "No Required Parking" District

While the applicant refers to the "No Required Parking" district being "just to the NW of subject site," the staff report erroneously asserts it is "only one block to the north," a misstatement that is repeated in the findings you are being asked to adopt. Were you to levitate the building and move it one block north where the Transit Center building sits, it would not be in the "No Required Parking" district. In fact, if you moved it from there either one block west to the Post Office lot or a further block north to Third Street by the railroad tracks, it would still not be in this district.

Why is being in or out of this district so important? The reality is that City-provided free parking lots are available in the district. Neither the applicant nor the staff report has asserted that employees or customers of this property will park in these City lots and walk to the site, so I would conclude how close or far away the exact line of the district is irrelevant because it will do nothing to help with the parking need of this property. Legally it is outside the district, and practically the district businesses were told by parking study provider to urge their employees and customers to park on the east side of downtown, increasing competition for the very on-street parking spots this application wants to use.

The Definition of "Downtown"

The finding for compliance with Policy 44.00 claims to have some insight into what "downtown" means in this policy, but this is an opinion based on the lack of specific evidence to the contrary, not fact. This policy likely hasn't been updated since it was

written about 35 years ago, and my opinion as someone who was managing a business on Third Street 35 years ago is that no one in 1982 ever would have considered that building across the tracks down on First Street as part of downtown. The claim might be more credible if the property were in the McMinnville Economic Improvement District paying to support MDA, but even today it is not in the fringe areas paying a 50% assessment.

Lacking a specific definition, instead of relying differing opinions about what “downtown” means in reference to parking, I think it would make more sense to look to the only City document that refers to downtown parking—the Zoning Ordinance. In that document Section 17.60.100 (which has already been included in the record) does not include First Street in the downtown “No Required Parking” district as has been previously noted. The subject property is not part of “downtown” in relation to parking.

Minimum Variance to Reduce the Hardship

The applicant and the staff report are asserting that the particular relief requested (use of the building for 13 different businesses requiring by code 106 parking spaces) is the only possible use of the building for commercial purposes. The staff report goes further by stating that if the relief requested is not granted the only possible legal use of the building is for bulk retail like a furniture store. In fact, the variance could have been filed for the most common commercial uses in the city under 17.60.060C, which are general retail use (1 parking space per 250 square feet, or 74 spaces) and general office use (1 space per 300 square feet, or 62 spaces). Either of these reasonable choices by the applicant leads to a much smaller variance request than that brought on by 106 spaces in the application.

Instead the applicant chose to bring in uses with higher parking requirements like a restaurant and beauty shop. The background about the property talks about its existence decades ago, but the property changed hands recently within the past two years. The purchaser should have been aware of the zoning requirements at the time of purchase. While I would hope the Commission can find something to approve that would improve the financial viability of the property, I don’t believe the present request meets the requirement of 17.74.110D.

What This Request Means on the Ground

The record for this hearing includes the contention by the applicant that the overflow parking for the site will just use street parking (supposedly sanctioned by the recent parking study) and the insistence in the staff report that this is not a permissible justification for the application. Regardless, those of us who live in the neighborhood where the rubber literally hits the road will have to live with the impact of the decision.

The applicant identifies 13 potential business locations in the building, meaning a minimum of 13 vehicles just to get the doors open each day. Clearly the beauty shop with its 6 chairs and a 5000 square foot restaurant are going to have at least 5 more employees each, meaning you have used up 23 of the 32 available parking spaces before you even start talking about potential additional employees, to say nothing of customers actually wanting to patronize these businesses. The proposed restaurant is likely to have

a major parking demand, especially if you think about the use of the Golden Valley parking lot which is much bigger than the 32-space lot proposed here.

Granting this variance will not turn all the building's customers to pedestrians or cyclists. They will inevitably seek parking in front of the residences in the neighborhood, just as the applicant has admitted is the plan. Only to the north of the site where the transit mall is located is there a commercial use. All uses to the east, south, and west are residential, and increased parking and traffic from the site would detrimentally affect those legally preexisting residential uses, many of which were sited decades before the subject site was turned to commercial use. As such, I believe it would qualify as a condition for denying the variance under 17.74.110C, being materially detrimental to residents in the vicinity.

Traffic Safety on Washington Street

While the staff report does not mention it, the applicant's map appears to indicate a change in traffic flow in the present parking lot, as the First Street opening is marked "entrance" and the ramp in the back to Washington Street is marked "exit". At present traffic can enter and exit as they please and most people seem to use First Street. I believe that routing all traffic out of the parking lot onto Washington Street is a mistake.

As Mr. Freeman pointed out in his comments to the Commission, the intersection at Washington and Irvine is a safety concern. The staff report dismissed this concern by pointing at the designated capacity of the street is 1200 vehicles per day. This dismissal misses the point. Washington Street intersects Irvine at an acute angle on a steep slope with limited visibility. Traffic on Washington approaching Irvine has to accelerate rapidly to have any chance of making it up the steep slope, while traffic coming down Irvine cannot see traffic coming on Washington until they are committed to making the turn with downhill momentum pushing them forward. Increasing the traffic through this problematic intersection simply increases the risk of an accident.

In conversation with staff I was informed that there is no legal requirement for the rear exit to Washington Street. I believe both the applicant and the neighborhood would be better served by locking the gate there and turning the opening to the exit into two additional parking spaces.

Conclusion

I believe the general thrust of this application has real merit and could be a great addition to our neighborhood. I am not, however, convinced that McMinnville residents are ready to abandon their vehicles and start walking and cycling to business locations, so the proposed 70 percent reduction in parking will not reduce car travel to the location by a similar amount. If the Commission were allowed to negotiate a parking variance number (I understand you cannot do that), I would propose they reduce the parking requirement by 40 to 50 percent for three years and see what happens. Perhaps this would require more creative spaces for artists and a coffee shop instead of a restaurant, but it would give us an idea of what impact such a step would have on parking in the area, and would lead to a better informed decision about the impact of the current request. It would also

give the applicant time to see if pedestrian-centric, downtown-style mall idea is really viable.

Given that you are constrained to either approve or deny the request in front of you, I would respectfully request that you deny the application because it does not meet all the conditions set forth in 17.74.110 as I have outlined above. Following that denial I would hope you would encourage the applicant to revise the request to a parking load that will have a minimal impact on the surrounding neighborhood.

I appreciate you taking the time to read what I have to say on this matter. I look forward to addressing you on Thursday evening and to answer any questions you might have about the points I have raised.

Sincerely,

Mark Davis