

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
WORKSHOP**

September 19, 2016

7:00 p.m.

Present at the 7:00 p.m. workshop were:

Chairman: Alan Silverman

Commissioners Present: Bob Cronin
Jeremy Firestone
Willard Hurd
Frank McIntosh
Robert Stozek

Commissioners Absent: District 3 (Vacant)

Staff Present: Maureen Feeney Roser, Planning and Development Director
Mike Fortner, Development Manager

Mr. Alan Silverman called the Planning Commission workshop to order at 7:08 p.m.

**1. ZONING MANDATED PARKING REQUIREMENTS AND PARKING WAIVER STUDY
WORKSHOP.**

Mr. Silverman: I'd like to call the City of Newark Planning Commission Workshop of Monday, September 19 to order. We have two items on our agenda tonight. One is Zoning Mandated Parking Requirements and the other is the Parking Waiver Study. This is a workshop format. I'm going to try to keep it informal. We do have a background presentation to go through and some additional information with respect to parking as it exists in Newark. Basically the number of parking places. We're dealing with publicly controlled parking tonight. Both on-street and off-street. And we're doing this under the section of the Newark City Code, Section 2-87 and 2-89, where the Planning Commission is mandated by the City Council to prepare an annual Work Program and, under the general duties and powers of the Planning Commission.

The Work Program evolves out of the issues that we see as Commissioners throughout the year. Issues that are brought to our attention by City Council. Issues that are brought to our attention by staff. And this is the opportunity to bring the Commission together to allow public input, generally for the first time, in dealing with some of these issues. We work within the goals of the implementation of the Comprehensive Plan and tonight we're talking about parking. Parking is important for the implementation of both Plan IV and Plan V, which is being considered by Council. And kind of summarizing, we want to maintain a prosperous downtown. We want our downtown to be not only competitive internally, and with uses that support one another, but also be competitive with commercial areas and business areas outside of the City. We have a goal of a walkable community. We have a goal of affordable housing. Now until we really got into parking, I didn't realize how much housing was affected by parking. Both the availability and the cost of parking. For example, some jurisdictions claim that rents can be lowered as much as \$100-200 a month if "free" parking is not provided directly onsite. In other words, those people who don't have automobiles, who don't use automobiles, are heavily subsidizing those people who do. Maintaining a tax base within the City is always important. Stormwater run-off has become an issue and identified in our Comprehensive Plan. And impervious surfaces created by asphalt is a source of that run-off and is both a curse in the sense that water does run off, and it's an opportunity to deal with run-off through infiltration

and engineering within parking areas. And, again, looking at this problem and using Google Earth, it's amazing the amount of land in our City that's just covered by parking places in lieu of open space. So there is an open space issue.

Now the emphasis in parking management has shifted. The old paradigm was motorists should be nearly always able to find easy, convenient, free parking at every destination. And parking planning consisted of primarily generous minimum parking requirements where the costs were borne directly or indirectly through taxation and passed on to the consumer through the building rents. Passed on to property owners. Over the last several years there has been an interest in integration of transportation modes and parking has become an issue, the amount of resources that are applied to it. A gentleman by the name of [Donald] Shoup, who was brought to our attention by Dr. Morgan, and that kind of got this whole ball rolling, he and some of his contemporaries have taken a very, kind of, scientific look at parking and some of the implications. And it's suggesting there's a new paradigm now that parking facilities should be used effectively. So parking lots at a particular destination that would often fill, typically more than once a week, provide that alternative options are available nearby. So we're talking about shared parking. Also take advantage of technologies so travelers have information about what options are available. With handheld devices today, some cities actually have locators that will tell you where a vacant parking meter is or how many spaces are left in a particular lot. So as you're coming into Newark, there's at least the future potential of making better use of parking.

Parking can be priced and the technology exists today that as one area fills up, parking costs can be lowered in other areas to attract people to those areas. Looking at how parking is provided today, the notion of each employee having a parking space on the site where they work may be nice for suburbia but is it practical for the City of Newark as it exists today? So those are the kinds of things we're going to be, hopefully, discussing tonight. The notion of shared parking, potentially parking pricing and walkability. And they revolve around the issue of parking waivers and the standards that we currently use for parking.

Now Mike has a PowerPoint presentation. I'm going to move out of the way here and he will start off our activity tonight.

[Secretary's note: During the course of his presentation, Mr. Fortner referred to a PowerPoint presentation that was being displayed for the benefit of the Planning Commission, City staff and public.]

Mr. Mike Fortner: Thank you, Alan. The purpose of this workshop, first of all we want to present some information about parking. And so we'll do that. We're going to have a discussion with the Planning Commission and the public about different issues with parking. We hope this meeting will start a discussion for future meetings and then we'll get a direction or path forward for what things we want to look at further, what things we want to, perhaps, delegate to the Parking Committee. The overview presentation will have a brief history and background. We'll talk about the parking inventory. We'll kind of review Newark parking requirements and how we establish those. We'll look at parking supply and demand studies that we've done. We'll be looking at parking utilization studies that we've done. We'll also kind of give an overview of the parking waiver program and how that has worked and also the parking validation program. At this point I'd like to talk about how the City got into parking so I'll turn it over to you.

Ms. Maureen Feeney Roser: Hi, thanks for coming tonight. For those of you who may not know me, I'm Maureen Feeney Roser. I'm the Planning and Development Director and I get to talk about history because I've been here for so long. But before I do that, I'd like to introduce two people who are at the table tonight with us. Marvin Howard, he is our Parking Manager, and Courtney Mulvanity, he is our Parking Superintendent.

Mr. Courtney Mulvanity: Supervisor.

Ms. Feeney Roser: Supervisor. Sorry, I knew it was a big title. These guys are responsible for the day-to-day activities of the Parking Division and they're here as a resource for the Commission and for the public, so I just wanted to take a moment to introduce them.

Now I'm going to try to be quick and Mike did this slide, so . . . did you do that based on my . . .

Mr. Fortner: Yes.

Ms. Feeney Roser: I shared with him some of my remarks and that's wonderful how PowerPoints get created for me.

The City took over responsibility for off-street parking in November of 1998. The transition really grew out of a concern for off-street parking management at the time and the belief that there was a severe shortage of available spaces in downtown. Which is sort of a recurring issue over the years. And it began with a public forum that we had on downtown parking in March of 1997 and it was eventually coupled with the downtown revitalization effort which created the Downtown Newark Partnership (DNP) in 1998 which, among other things, dissolved the Newark Parking Authority, which was a separately State-chartered organization, and transferred off-street parking holdings and responsibilities to the City. At the time, on-street parking responsibilities which had always been the City's, were split between two different departments: the Newark Police Department for enforcement and our Finance Department, interestingly enough, for meter maintenance and collections.

As far as off-street parking spaces, at the time the City took over, there were four parking lots. Three of them were pay-to-park lots. That's Lot 1, Lot 3 and Lot 4. And there were a total of 435 hourly spaces. There was also one permit-only parking lot that had 32 spaces at the time. So when the City took over, there were a total of 467 parking spaces.

Also at the time, our off-street parking rates were \$0.35 per half-hour in Lots 3 and 4, and \$0.50 per half-hour in Lot 1. Shortly after the City took over, parking rates were made uniform and all parking lots charged \$0.50 per half-hour, which is still the rate we charge today.

Also, since that time, with the help of the DNP's Parking Committee and the support of City Council, Lots 1, 2 and 3 have been expanded to properties which were adjacent to them, and they were redesigned for more spaces. Lot 4 was also designed to add spaces. And Lot 5, which is also now a monthly lot, was added to the inventory, and there are 80 spaces there. These efforts resulted in a total off-street inventory of 577 pay-to-park spaces and 151 permit-only parking spaces downtown. Lot 6 was also added to the inventory which, although it is an off-street lot, because the fees are collected by meter, it's counted in the City's system as metered parking. So we'll talk about Lot 6 as part of the on-street inventory. At any rate, based on off-street parking efforts, 142 new pay-to-park spaces and 119 new permit-only spaces have been added to the parking inventory since 1998, which is a 33% increase in pay-to-park spaces and about 370% in permitted spaces.

In addition to the inventory increases, the off-street parking management staff was professionalized. Safety and aesthetic improvements have been made. Equipment and services were upgraded. Several attempts have also been made, three that I can count, at improving signage – lot identification and directional signage – to direct people into them. All improvements have been made with the goal of making parking a more user-friendly and convenient service that is supportive of current businesses and future economic growth.

As far as on-street parking, as I previously mentioned, those responsibilities were split between two departments and, frankly, as a result, were not a very high priority for either of those departments with other primary responsibilities and as a result, no one was spending too much time on it. So in 2007 there was a study of parking meters and their operations, which eventually resulted in the transfer of meter maintenance and collection responsibilities to the Parking Division. When this study was done, it showed that we had 391 parking meters in the

system and as many as 90 of those meters were not in service. And further it showed that there were inadequate supplies and almost no monies budgeted for replacement parts.

Rates were also variable at the time in downtown, which is a bit different than what we've recently heard about dynamic pricing. But there were two different fee structures for downtown meters. It was \$0.25 for 20 minutes from 8:00 a.m. to 6:00 p.m., and \$0.25 for 15 minutes from 6:00 p.m. to 1:00 a.m.

The Parking Division, since it took over, has designed an efficient parking operating system for meter maintenance and collections. It's replaced coin-operated meters with ones that accept credit cards as well as coinage. It's expanded the inventory by about 17%, to 457 meters City-wide, most of which are in the downtown area, and including the 33 meters that are in Lot 6.

In June of last year, the Parking Division also took over responsibility for parking enforcement and began the long and, may I say, somewhat painful process of transitioning Parking Enforcement Officers to Parking Ambassadors, with a goal of helping people find parking spaces and improving customer service, as opposed to simply focusing on issuing tickets. Meter rates were also made uniform throughout the system, as there had been many complaints about the variable rates. People who would come at 5:00 p.m. thought they were getting two hours worth of parking and since things changed at 6:00 p.m., didn't get two hours. And that it wasn't very well advertised that the rates were changing. Lots of those complaints had been fielded by the Police Department and Alderman's Court over the years, so we changed rates to be uniform and a consistent \$0.25 for 12 minutes in 2009, and Sunday fees were instituted in 2010.

So the Parking Division, with the assistance of the Parking Committee, continues to work on improvements to the on- and off-street parking systems, looking for additional opportunities to increase revenues and inventories, to improve customer service and make parking more convenient in downtown, which I'm sure we'll discuss throughout the work of this study. So that's really it for the quick overview of the history of how the City got involved in parking. We've added 329 spaces to the parking inventory, so we now have a total of 1,187 spaces which are managed by the City.

Mr. Fortner: Thank you. This first image that you see is an aerial view of the City of Newark's downtown. Kind of the core downtown. As you can see from that, it's an urban area but there is a lot of space dedicated to parking. And so the areas in blue and red are City municipal-run parking lots. And then there's the green too, a little bit below. And then the rest of the areas in kind of a yellow/gold is private parking that is dedicated for downtown, but it is for single use.

The parking lots you're seeing identified here are the lots that are in the City of Newark. The Galleria is Lot 1. Behind 58 East Main Street is a permit parking lot, Lot 2. And then Lot 3, which is behind restaurants like Caffé Gelato and Catherine Rooney's, and M&T Bank. And Lot 4 is what we call the lot behind Walgreen's and Home Grown. The inventories of those lots include 195 at the Galleria, 70 permitted parking spaces up at Lot 2, 230 in Lot 3, 152 in Lot 4, and then 35 [33 spaces with two handicapped], which Maureen referenced earlier behind Barnes & Noble Bookstore. Those are metered spaces but they're off-street. And finally, at the far east side of downtown is another permit lot [6] that has 80 parking spaces to it.

And under that are totals for private parking lots. So on the west side of Main Street, the Trabant Center parking garage is 181 parking spaces. According to the Haahs Study, approximately 150 of those spaces are for transient users, or people who can just come in. The rest are permitted for University staff. But that's only between the normal business hours of the University, 8:30 a.m. to 5:00 p.m. or so. After that, a lot of those spaces are open, say on the weekends or in the evenings. You also have Trader's Alley. For Trader's Alley I counted the whole area behind Wooden Wheels and Starbucks, and also Ali Baba and Papa Johns. There are approximately 183 parking spaces, and that also included CampusEdge. When you take out things that are reserved, a lot of them are reserved for specific businesses or for apartments, I counted about 65 that were kind of flexible for multi-users. And then you have Astra Plaza,

where you have 46 parking spaces. That's where Santa Fe is. There are about 14 spaces there for general business. And then the Newark Shopping Center, which has 546. I kind of kept that to its own since it's really meant for just the shopping center. It's not for the whole general purpose of downtown.

And then on top of that we have our parking meters. And so I've kind of gone block-by-block. We have a total of 207 parking meters between where Deer Park and I stopped at about Grain. I think they may go down a little farther than that. And I'm not even counting the ones that are more University-oriented down to the south, or really outside of the downtown district, or past Deer Park.

Parking requirements . . . this is our Zoning Code. Our parking requirements are under 32-45(a). We have about 34 parking categories and this is an example of some of the more common ones that we use. There's retail stores, all types, supermarkets, etc. We have a Zoning Code that says one off-street parking space per 200 square feet of floor area used or designed for sales on ground floor, plus one off-street parking space per 300 square feet of floor area used or designed for sales on all other floors, plus one off-street parking space for each employee. That is a very typical type of parking Zoning Code ordinance. Restaurants are one off-street parking space per three seating accommodations plus one off-street parking space per employee of shift of greatest employment.

So, like I said, we have 34 of these categories. Parking in BB must be at least 500 feet from the building from which they are assigned, and 600 feet in other zoning districts. So they don't have to be on the same parcel. Parking spaces must be 9 x 18. BB can accommodate some design accommodations. Shared use provisions for places of assembly, for example a church. They can use a shared use provisions with certain factors involved. And also a developer must now provide one bicycle parking space for every five parking spaces required.

And so how do we get the parking requirements for our Zoning Code? Well, we get it from APA. They do city surveys and we look at those. The ITE transportation engineering report, we look at those. And those are the ways that most communities do it. So it's very common to see that most cities will have this type of thing. Now the criticism of this type of parking requirement . . . first of all, they are built, as we call it, with a suburban approach. Their primary study designed for where there's free parking in suburban areas so the parking is free and it's set for maximum capacity. These types of provisions were designed to make and ensure that there was ample parking at any times. And so that's why you have the max capacity. What would be the most this type of use would need? When you read a lot of literature, there isn't really a lot of good documentation or support of these types of things. They're sort of assumptions and we will talk about this more later probably. But they're assumptions, and not very good ones. In a lot of planning schools they don't even teach parking requirements because the science is so inexact. Using suburban zones they also make assumptions that there is no transit, no ability to walk to the site, and no ability to ride a bicycle. These are completely car-dependent. So the Zoning Code ordinance is set up with those types of assumptions.

Just a little history, I'm going to talk about myself here, but when I started as an intern in 2001, I did a parking study with the City. We were assessing a parking shortage, or at least the perception of a parking shortage. We looked at what downtown would need if you used the suburban style parking requirement in our current Code. I divided it up into three zones. The zones basically correspond with the businesses that are supported by a lot. So Zone 1 is supported by the Galleria lot. Zone 2 is supported by Lot 3 which is behind Caffé Gelato and those businesses. And Zone 3 is supported by Lot 4 which is behind Walgreens and Home Grown. And so we looked at them and the total parking demand, according to a suburban style parking zone like this one in the City of Newark specifically, and you would need 459 parking spaces to support the businesses of just that little area. And then we had an off-street parking supply of approximately 237 parking spaces. So we had a negative of 222 spaces. Lot 3 we calculated a parking demand of 377, the off-street supply was 216, so we had a 161 negative

number. And then Lot 4 had a 376 lack of supply. So we had a total unmet demand of 759 spaces using our own Zoning Code behind the downtown.

So one thing we were looking at in terms of the City recently adopted a Zoning Code for shopping center. A shopping center . . . I should have included the definition . . . but it's basically three or more businesses operated and managed together. It includes restaurants, retail, and personal services. Your basic stuff you would find in a shopping center. And so that was the definition. And the parking requirement for that was four spaces per 1,000 square feet of floor area. And so we used that, and the reason it's a little different is because they [shopping centers] use a shared parking component. And so the idea is you go to a shopping center, you can park in one spot and visit several places at once. You don't need to move your car like in a suburban area where if you visit one store, you park there. And if you visit another store, you have to get in your car and park at the other store, instead of a shared component. And so the parking requirement is adjusted a little bit for that. What you got there were a different kind of set when you applied all of downtown. Downtown seems to operate as a shopping center. All the businesses are independent but they seem to operate as one and you have that, sort of, shared use component. So we looked at it that way and, of course, one of the things that's on the definition of shopping center is residential units. That's not in the definition. So we had to take those out and we controlled for that. We made sure they had the spaces they need and . . . that's when I'm supposed to be done, so I'm behind schedule. So 14 spaces for Zone 1. Zone 2 got 82 spaces deficit. And then Zone 3 had a 28 space deficit. So you had a total negative of 124 spaces for that. So you had that deficit but what you also have downtown is on-street parking. And so we calculated we had something like . . . I didn't include the number on there but it was about 138 spaces of on-street parking at the time. And so the conclusion was it sort of balanced out in that regard.

In addition, we've done lots of parking utilization studies. And so we've looked at Lot 1, Lot 2 and Lot 3. This is from the Desman Study. And this is a pattern and maybe we could have Courtney talk about this later, but you have Lot 1 where it's 28% full at 8:00 a.m. and as it gets to noon, it's 98% full. So that's pretty much at capacity. That means you're driving around looking for a spot usually. And then by 2:00 p.m. it stays pretty full, in the 90s. And after about 4:00 p.m., it's 65%. So by 4:00 p.m. you're able to find a space probably pretty easily there. At 6:00 p.m. it goes back up again to 72%. And in the evening, and this is during the school year, it's at 94%, and 80% even on that day. And that has a lot to do with the restaurant in there, too. Now it doesn't have a restaurant in there and I'll get to that. In Lot 3 you see a similar pattern there but it doesn't get as full. It maxes out at about 74%. And Lot 4 maxes out at about 97%. These are during, kind of, basic weekdays.

This is a report, I call this the Morgan/Gifford Study. This was done in June of this year. So June 9th when students are leaving by then, they went to Lot 1 only and did a count. They counted the parking spaces available. It was 77% full on June 8, and I think that might have been near the end of class. When you go to the next week, lunch still stays about 77% but if you look at other times, when you get to the next week, in the evening times they only get like 23% full on like a Saturday evening. That's Lot 1. Now that's after, what was the Irish place's name?

Ms. Feeney Roser: Kildare's.

Mr. Mulvanity: Kildare's.

Mr. Fortner: Kildare's. Okay, so Kildare's is now a big empty store. So my understanding is that lot is, with that vacancy in there, has . . .

Mr. Mulvanity: Has decreased.

Mr. Fortner: Decreased.

Mr. Mulvanity: Especially on Friday and Saturday nights.

Mr. Fortner: Especially on Saturday evenings. And when you're looking at the other lots, 3 and 4, those are more full on Friday and Saturday evenings, those get near capacity, as well, now.

Mr. Mulvanity: Lot 4 usually fills up and then we have an overflow into Lot 3 on Friday and Saturday nights.

Mr. Fortner: Okay. But as you see, once the students leave, it's certainly, at least on that first lot there, there are big vacancies. There are lots of parking spaces available.

Then this is back to when I was a grad student again [2001], but I did a parking utilization study where we issued surveys. We asked people, we gave them a half-hour of free parking if they did our survey, and we asked them what their primary reason for visiting downtown was. We asked them the approximate distance they traveled to the parking lot, the number of times on average they used the public parking lots downtown, and where they began their trip. We asked them the number of passengers in their vehicle, the amount of time they expected to park, and then, finally, where were the places they visited. So we asked them where they visited specifically, like what restaurant or what shop they went to.

So for the question why did I park my car, for Lot 1, the big thing . . . this is during the day, typical weekday, I think it was a Tuesday or a Wednesday . . . 40% were going to the University of Delaware. They said the reason they came here was to go to the University of Delaware. Twenty-four percent were going to a restaurant. If you go to Lot 3, those numbers go down. The percentages in Lot 3 and 4 were 9% and 1% saying they were going to UD, so very few students in that one. Restaurants were high. For Lot 3, the big ones were people going there for work, because they work downtown, and then personal business like beauty salon or going to the bank was high. Shopping was big with Lot 4. People going there to shop was 33% and personal business was in second place. Also in Lot 3 we had Mid-Atlantic Ballet. That was there at the time and people were just going there to drop off their kids and we were studying that specifically. And Goodwill was in Lot 4 at the time and people were just going there to drop off their supplies and getting out. So we were evaluating a program to give like 15 minutes of free parking.

So another question was how many times per week on average do you use public parking lots in downtown. Zero to one time a week, in Lot 3 people were more regular. Lot 3 had 55% of people that just come 0-1 time per week, and 52% in Lot 4. And on higher times, in Lot 1, five or more times per week, 27% said they come to that lot five or more times per week and use public parking. For people who said they were going to the UD campus, for Lot 1, the people that come there 0-1 times were 11%. For five times a week it was 38% who said they use it every day, the people that are going to the UD campus.

Then for approximate distance traveled for a parking lot, we show some distance there. You have approximately one-third traveling more than seven miles to get to that. But you have approximately 20% in Lot 1 that traveled less than a mile just to get to Lot 1. That's conceivably a walk or a bike ride for most people. And so for distance traveled by primary reason, we broke it down to shoppers, people going to UD and restaurants. People going to UD, 20% traveled less than a mile to get there, and then 29% traveled more than seven miles. So presumably that group, about a third, are commuter students.

So just another thing is proportion of times. This is just Lot 1. I basically took the amount of time that people spent there by different categories and then percentage of time parked. So 44% of the time purchased at the lot were people going to the University. Now of the 50 surveys in Lot 1 who say they were going for work, 32 responded and indicated . . . because we asked them why they were here and where did they go . . . so they were here to go to work but 32 respondents, or 64%, said they were going there for work and they went to UD's campus for work. So that's even more than just the original UD. Of the 158 responses who indicated they parking in Lot 1 to go to the University of Delaware, 18 of the respondents, or 11%, indicated that they also went to a Main Street business. And of the 28 respondents who indicated that

they park in Lot 1 for personal business, 8 respondents, or 29%, went to UD's physical therapy center.

There are some other questions like number of passengers in the car. Approximately 70-75% of the people who parked downtown are single passengers. And then a high percentage came from home.

Okay. Now we're on 32-45(b), central business district off-street parking option, which we call parking waivers. It says off-street parking standards may be reduced or waived for any permitted use in BB with the approval of the Planning Commission. And then these are the factors that they had. The applicant has to demonstrate that the proposed use does not conflict with the purposes of the Comprehensive Development Plan of the City. It conforms to and is in harmony with the character and development patterns of BB. It is not highway oriented or sufficiently dependent on automobile or truck traffic as a primary means of conducting business. And, finally, it will not adversely affect the health and safety of persons, detrimental to the public welfare or injurious to property or improvements in the vicinity. The Planning Commission may consider the availability of off-street public parking within 500 feet and they can require deed restrictions to continue parking validation or continue with shared spaces. And, finally, the Planning Commission may consider the advice and recommendation of the Planning Director when they make their decision on granting a parking waiver.

Anyway, basically, the Planning Commission does grant parking waivers. If they refuse, the applicant can go to Council and, if they make a request within 30 days, ask them to review it. Or Council can review it within 45 days.

So, required parking waiver in lieu of parking payments . . . applicants who receive off-street parking standard reductions shall be required to pay the City a fee in lieu of the parking spaces subject to the following: Payment shall be a percentage of the cost of construction of an off-street parking space as required in that category. So this is a current . . . this is the last one . . . \$6,272 was something we did recently. So for the first five spaces they pay 5% of that \$6,272 per space. And then from six to 25, it raises up to 50% of the cost of the parking space. And then for each space over 25 that they request, they pay up to 100% of the price of the space.

Parking validation . . . I'll get through this really quickly . . . but we have a parking validation program that people that get parking waivers are required to do, and we encourage other businesses to participate on. But it allows the business to pay for the parking of their customer and it's a shared fee. So they get a coupon. The business would pay one-half of the fee and the City would comp the rest of the fee. So it's half-price. It allows them to give their customer free or reduced parking fees . . . well it's subsidized, 50/50. And they only need to validate their customer.

This is kind of the end. This is the discussion that will be used for the next part. I can take a few minutes . . . we are a little behind schedule . . . but I can answer some questions or we can move on. These are sort of the discussion items that were brought up in some of the previous meetings that we wanted to talk about or review. Some things we might not want to look at. We hope to get out of this meeting something kind of like the next step. What we really want to focus on right now before we move on to other things. Because there will always be other things with regard to parking.

Mr. Silverman: Michael.

Mr. Fortner: Yes?

Mr. Silverman: Very good and very comprehensive. A lot of numbers flying around. What I'd like to do is open up the discussion among the Commissioners and the Parking Division people with respect to any issues or observations based on Michael's presentation. And . . .

Mr. Jeremy Firestone: I'll say who I am, too. Hi, I'm Jeremy Firestone. These are more, sort of, observations than questions. And I thought the presentation was quite useful for me. It seems that the parking waiver fee is grossly deficient, particularly when there's discussions of spending multi-millions of dollars on a parking garage. That we're effectively giving them away at \$0.05 on the dollar for a surface lot and we're going to talk about building not just surface lots but a more expensive structure. I mean the other thing is I hadn't been aware until the last Commission meeting how the parking voucher validation program worked in the City. And I would believe that probably most people in the City don't know that tax dollars are going to, effectively, subsidize the restaurants who are then going and validating people's parking for half the price. I think that needs to be considered, as well. Not everyone in the City goes out to dinner and so we need to think about how people's property taxes . . . or City Council needs to think about how people's property taxes are being used.

One other thing that's not in there and I think it should be something that's up for consideration, at least during the lunch hour on some of the streets that spur into Main Street, like Center Street where there's resident parking, there may be opportunities, as there are in many cities, to allow short-term, hour-and-a-half, limited, non-residential permit parking in those areas, which would relieve some of the congestion at lunch. You'd have to do, sort of, a survey to understand how that area is being used during the day. But it may be fairly open and allow the ability for people to park. That's what you have in a lot of cities where there's residential permit parking. Even in Wilmington there are places where, for short term, and you don't want to do it certainly not too late because people are coming back from work from the day and then they want to find a place to put their car near their house in the evening, but there may be some opportunities during the day to take advantage of some of those opportunities.

Mr. Fortner: This would be some sort of permit that someone like me or Maureen or somebody, any person, would buy and you could park on Center Street?

Mr. Firestone: No, you wouldn't need a permit. Normally if you park on the street in a residential permit-only area, you have to have a residential permit. You could go and park there as a non-resident for a limited period of time. You generally see them for an hour or two hours and they're of limited time during the day, as I said. Looking at your data, it suggests during the lunch hour it might be a way to relieve some of the congestion.

I guess just one other observation is that it seems that our parking issue, to the extent that there is one in downtown, is more down towards Lot 4 than Lot 1, where they're talking about building a lot. So it's not quite clear how that's going to relieve the angst of people who can only get to businesses by vehicle. So those are just some thoughts that I had. Thank you.

Mr. Bob Stozek: Bob Stozek. I apologize for being late. I won't ask any questions about the parts of the presentation I wasn't here for. I was just curious, the cost that you had for parking spaces – \$6,000 and change – where does that number come from? How old is that number?

Ms. Feeney Roser: That is an estimate done by our Public Works and Water Resources Department and it's done probably bi-annually based on what it costs to construct a space. It does not include the land costs but it's based on the street contracts that they see coming through. So they give us a price for the construction of a space. And that is what's been used, traditionally.

Mr. Stozek: I mean I haven't built any parking spaces for 15 years but that number seems very, very low compared to . . .

Ms. Feeney Roser: We had them look at it just recently. I can give you the date on it.

Mr. Silverman: Maureen, point of clarification, that's for a surface parking space, correct?

Ms. Feeney Roser: That's to construct a surface parking spot where you already have control of the land.

Mr. Frank McIntosh: Frank McIntosh. While I generally agree with all the points you made, one of the things that strikes me, however, is the impact that increased fees would have on business activity downtown. To have a vibrant downtown you need to have people running businesses there, and successfully. So I'd be very concerned about adding to their costs unless we could show that adding to their costs was not a problem. But just to shift the expense from one place to another, I think it's in the best interest of all residents, whether they eat downtown or not, to have a vibrant downtown. A vibrant downtown is going to affect property values no matter where you are in the City. So it's pretty complicated and I'm not sure what the answer to any of that is but I do think that it's very important to keep in mind that we just can't unilaterally . . . and I'm not suggesting that you were saying that . . . but just pass that expense over to the business, because that may not be. There are a lot of restaurants downtown and they can't all be doing really well. They just can't. So we don't want to have churn. It doesn't want to look like the Newark Shopping Center which is largely, 90% I'd say, vacant.

Unidentified Speaker: You mean College Square.

Mr. McIntosh: So anyway, that's it. You get your own microphone.

Mr. Will Hurd: Hi, I'm Will Hurd: This is actually a comment on the reports that we were given. There was just, sort of, one thing that struck me. Both the Tim Haahs Study and the Desman Study made, I think, a fundamental flaw in their assumptions, which is that all the parking was available for all the people. So they're like, here are the deficits that we have and here are the available spaces in both public and private lots. And you have this deficit number or you have this available number. But, of course, most of those private lots are used only for that business, so you can't count them in the same way. They're not all available for everybody. So I think there are, in some cases, a rosy, sort of, sense of, you've got a bonus at this time. And it's like, no, you don't because some of those are locked up in ways that others aren't.

Mr. Firestone: Yeah, just further, Frank, I would agree with you. The objective certainly should not be to impair the vibrant downtown that we've got and that we all enjoy and like. I agree wholeheartedly. We do, though, see in many urban areas where you can't get any parking that they're the most vibrant places around. So the . . . and it may be that our culture here will not allow that, but having a congested parking situation doesn't necessarily mean that you don't have a really strong economically vibrant area.

Mr. McIntosh: Which I agree with, as well. If you go into downtown Boston, they can charge whatever they want, right? Nobody cares. They'll just pay it. But this isn't that. Or some other city, lesser known.

Mr. Silverman: Several things came to mind as I listened to the discussion. There appears to be a significant cost-shift, particularly, I believe, in Lot 1 behind the Galleria, by the University to shift the cost of them providing parking spaces onto the taxpayers and the business community in Newark. I have no idea how we identify a college student and say it's going to cost you double to park here. So there needs to be a discussion of parking equalization. I looked at a Google aerial photograph from 2016 that's available to anyone, and one of the things that I found when I was examining parking opportunities in Newark was, and this appeared to be about mid-day because the shadows were very short, and it was during a work day because the City parking lots were relatively full, there were virtually no cars on the top decks of the Deer Park [Trabant Garage] university parking building and the Landis [Center for the Arts Garage] parking building. So that tells me that there's a cost inequity here. I don't know how we balance that out, but that's something that needs to be looked at.

Now, anecdotally, there are reasons why individuals, and Dr. Morgan and some of the others who have looked at this have suggested that the University's fee structure . . . and they control about 9,100 parking spaces that they consider public spaces, not reserved . . . I don't recall the number but the City, with on-street parking, is about 1,000-ish.

Ms. Feeney Roser: Eleven hundred eighty-seven.

Mr. Silverman: Yeah. So there's quite a discrepancy there. It's been suggested that the parking fees, and I don't know how we deal with this, are such that if I'm an itinerant professor, it's cheaper for me to come in and park for my three hours or four hours in the evening, three times a week, in a City lot, than it is to even buy a daily or weekly permit from the University. So they're definitely cost-shifting some of their responsibility back onto the taxpayers.

I saw another thing that struck me as very interesting. When Michael went through the various parking ratios for bakeries and barber shops and all that, and we saw those numbers and there was a tremendous deficiency if we 'guesstimated' what the downtown CBD needed based on the kind of square footage we were looking at based on the existing Code, compared to the 4 per 1,000 shopping center standard, and that deficiency number closed rather quickly. Something that didn't come out in the discussion, the BB district is the only district where the . . . I hate to use the term parking waiver . . . the parking reduction program is in effect through the Planning Commission. In every other zoning district an applicant has to go before the Board of Adjustment to get a variance from the Code. So we're talking about apples and oranges here. We're concentrating on the BB, the downtown business district.

I look at parking as . . . we've talked about the public cost . . . I look at parking as a utility. It's what supports the economic base of the City of Newark. We've gotten used to building sewer lines, running electric lines, putting in substations, and we know that the rate payers don't pay the full rate with respect to those utilities. It's my belief that having a vibrant downtown, and in particular in this last economic cycle, there are places in Delaware that would give anything to have a parking problem downtown. Because, as has been suggested here, and this is counterintuitive, the more congestion you have, the more parking issues you have, generally speaking, the more vibrant your local economy. So, you know, it's kind of a very strange mix.

We didn't talk about . . . can you go back through your slides . . . thank you, Michael . . . there is a criteria that's listed . . .

Mr. Fortner: Parking waiver?

Mr. Silverman: Yes. Okay. Item 2. Planning Commission may consider availability of off-street parking within 500 feet. Notice it says public parking. One of the things that's missing from this equation is letting the free market start dealing in excess parking, after-hours parking. In other words, as an applicant I can come in and I can only contribute money toward building a parking space in a City lot, arrange with the City to lease, or use the coupon. But I don't get any credit if, say, I'm Klondike Kate's and I make an arrangement with the person who owns the Burger King lot that on Saturdays, Sundays and after 6:00 p.m. at night, I want to lease space from the Burger King guy for my overflow. A five minute walk from my front door. I don't get any credit for that in my parking reduction. So we need to look at a way to allow the private sector to start entering into those agreements. Now City Council recently, with the hotel that's being built next to the firehouse, across from the post office . . . and I'm going to date myself here, by the traffic circle . . . Council, through a special consideration, allowed an agreement to be put in place where the owner of the hotel property would contract with an offsite parking circumstance, whether it's in the shopping center or however he does it, to ensure that his employees would be parking offsite. Maybe that contractual relationship, letting the market equalize, is something we need to look at here. I know if I have a resource . . . I've got 6 or 8 parking places behind my store on Main Street and I close at 6:00 p.m., boy would I love to have cash flow until 2:00 a.m. But I don't have anybody I can officially sell it to. Because there's no . . .

Ms. Feeney Roser: I don't mean to interrupt you, but the Code does allow for consideration of parking within 500 feet. That's for the waiver.

Mr. Silverman: Understood but I . . .

Ms. Feeney Roser: Okay, so if they could make those private arrangements and if they were within 500 feet and they could document that, that parking could be counted as parking for their business. So they may or may not need a waiver. But it is possible for them to craft those kinds of arrangements. It's just, in the Code, when you're considering the parking waiver, you're supposed to look at the proximity of public spaces.

Mr. Fortner: One East Main. South Main.

Ms. Feeney Roser: Yes, we did that with One East Main

Mr. Fortner: South Main.

Ms. Feeney Roser: South Main. Because they contracted with the Trabant Garage for some of their parking and every year they show documentation that they actually have paid for those spaces in the Trabant Garage.

Mr. Silverman: Okay, well that's something that maybe we need to . . .

Ms. Feeney Roser: Yes, I agree with you. I was just trying to make the distinction.

Mr. Silverman: And to build on what you were saying, the other thing that occurred to me, now that there is a Parking Division within the Planning and Development and Code Enforcement Department, there is a group of people who are now responsible for tracking those arrangements. Whereas in the past, these arrangements existed on paper. They may or not may have been memorialized in the land development plan or the subdivision agreement with the City, and how did it ever get to the guy in the Finance Department who was handling the parking meters whose responsibility it was? We have a system in place now where we have a Division who can monitor and administer some of the more interesting kind of parking arrangements we may be able to come up with, with the Code.

Mr. Stozek: One quick question. Just yell?

Ms. Feeney Roser: You have to turn it on.

Mr. McIntosh: No, that's your microphone. We have our own.

Ms. Feeney Roser: Alan is in the middle though.

Mr. McIntosh: Well Alan takes whatever he wants. He's the Chair.

Mr. Stozek: I saw in the Desman report that included in the people that were interviewed was Dr. Roselle from the University. Of course that report is 10 years old. In the more recent report, was anybody at the University interviewed about this issue?

Ms. Feeney Roser: About the parking waiver issue, or just parking in general?

Mr. Stozek: No, just parking in general.

Ms. Feeney Roser: Yes, they did meet with Rich Rind, whose title is going to escape me, but all of the parking is under him. They did meet and talk with him and his staff about it sometime during this study.

Mr. Stozek: But he probably just administers the parking, I would think.

Ms. Feeney Roser: He's in Facilities under the vice president for them.

Mr. Silverman: Michael, can you go back to one of your picture exhibits and showed the parking arrangements? Okay, right there.

Mr. Fortner: Do you want the aerial?

Mr. Silverman: No, that one. The University of Delaware . . .

Mr. McIntosh: It's right here for you.

Mr. Silverman: In this color, the University of Delaware is a major player around the perimeter in campus. Using Google Earth again, in this area, from here up, I counted about 120 parking spaces. After 6:00 p.m., most of them are empty. On weekends most of them are empty. We're talking about a 5 or 10 minute walk. So somehow if the University could be brought into a parking partnership. Now the literature suggests one of the things that goes against the shared parking is the issue of liability. What happens with the people who come from here and get hurt here on the University parking surfaces? There can be lease arrangements where the City, or even a private entity, leases these 100 parking places on a Saturday or Sunday, and takes away some of that liability. So I don't know whether legislation would help on that or using the Parking Division and its ability to lease, and shifting that liability over to the City . . . another kind of subsidy . . . would provide more parking. But we have opportunities within relatively close distance. Burger King, again, this is what I was talking about before. So if somehow we can encourage those private contractual relationships, we go a long way to providing additional parking places.

Mr. Fortner: What would we charge? Would we charge them?

Mr. McIntosh: Sure.

Mr. Fortner: We'd have to come up with something to charge.

Ms. Feeney Roser: I think that the University has looked into doing that, and I'm sorry that Mr. Rind or his staff couldn't be with us tonight, but we can certainly talk with University of Delaware again about what is possible there.

Mr. McIntosh: Well, you know, the liability issue, so who under your proposal would get the money that was being paid for these leased spaces?

Mr. Silverman: And I'm going to do a disclaimer, I'm not an attorney and I have not played one. Let's say the City goes into a parking arrangement at, I believe it's called Pearson Hall parking in here, to provide another 100 parking spaces. The City would lease the spaces during a certain time period. The City would manage . . .

Mr. McIntosh: Lease them to . . .

Mr. Silverman: From the University of Delaware, taking that liability from them. Maybe the City puts in its own parking meters. Maybe the City puts a parking attendant in so it's a controlled area. There may need to be some improvements. The University would share in that parking revenue. There would have to be at least enough money generated to cover the cost of the City operation and allow the University to continue to profit after-hours.

Mr. McIntosh: While I don't have a lot of problems with the University profiting, they seem to know how to do that on their own without any advice or counsel. But what bothers me under that proposal, at least as I understand it, is that we pay the University money to use the lots and we would take away their liability and assume the liability ourselves. So now the University

gets money for something they weren't getting money for before and they have no liability against it. And that seems to be un-American.

Mr. Stozek: I'm not sure about the legalistics but one thing I do like about that site that Alan brought up, not only do you have the Pearson parking lot there now, and of course to say some of those spaces go to the City is going to decrease the inventory of University lots but . . . hold on, let me finish . . . but just north of that you've got a large grassy plot, you've got two small buildings that are administrative offices for the University that, if you're talking about building a garage, I think you should look at that site. Again, working out a deal with the University. But perhaps building a garage on that site, because it would benefit the businesses on the eastern side of the town that are only a block away, and since we do have a huge student parking problem, being that close to campus, you would tend to entice students to park there and not the lots on Main Street or other places on Delaware. So I think that, again, the legalistics and the financing you have to talk about, but I think that needs to be discussed.

Mr. Firestone: I think what's driving the students to park downtown is a price differential. And if there was a big expensive garage there, there's not going to be that price differential. I mean right now they have the other option of parking down near the stadium and there's a huge price differential for them to do that. And some do, but then you have to take the University bus up to the other part of campus and then you're remote from town. So I'm not sure that you're going to entice a lot of students to go and park in the garage. And it would also be, sort of, against . . . I mean part of it is University policy is really to get students not coming onto campus with automobiles. So they're trying to encourage them to park down near the stadium and I think you wouldn't get low rates at a garage on campus. I don't think you'd be able to get the University to do that because it seems to go against, sort of, their primary direction.

Mr. Stozek: But I think you need to look at it not in the context of the way things are done in the City now. This is, I think, something that needs to be studied and discussed with the University. Because you might decide to change the whole fee structure in all of the parking areas. Again, it has to be a composite discussion and solution to the problem. Because it's not just a City problem. It's a City and University problem, even though they haven't stepped up that much.

Mr. Silverman: To provide some perspective on that, I talked about 9,100 University, I'm going to call them leasable parking spaces. According to their last transportation report, they had just over 1 million bus riders. Now something happened because from previous years to last year, calendar 2015, their ridership went up 130,000+/- riders. So maybe this pricing differential is working. Maybe we're seeing the fall-out of, as some of the apartment complexes developed that were going to be designed primarily for students, that the bus service provided to those complexes really is working, in the sense of students don't drive their cars on campus. So something is happening there. We have a very vibrant public transit system even though it's privately owned by the University. We have the Ucity system that's being worked on now. So there are opportunities out there to maximize the resources we have now by looking at some of these other arrangements. I know, personally, with the lot here at Academy Street where the firehouse, we, the fire company . . . I'm a member . . . share that parking lot with the University. The University side is virtually deserted after 5:00 p.m. and on Saturdays and Sundays. And I think I counted 40 parking spaces within minutes of the Main Street CBD. And that's gate-controlled. There's actually a gate card that's there. So it sounds like the Parking Division and the City may need to open up a dialog with the new University president.

Mr. Firestone: I've got a question for the Parking Division. The metered lot behind the bookstore, does that get much action? It never seems . . . whenever I go by it, it often seems quite vacant.

Mr. Marvin Howard: It depends. The utilization there depends on the day of the week and time of day and what's going on. But it's getting more use now because it is a 4-hour lot, or 4-

hour metered lot, where the other meters are 2-hours. So we are starting to see it get used more and more, especially if Lot 1 is full. That's the overflow lot.

Mr. Firestone: I guess one question is would it be more enticing to people if it was gate-controlled like Lots 1, 3 and 4, rather than meters?

Ms. Feeney Roser: It's the cost of doing a gated lot. You need some fee collection mechanism so either you're paying an attendant to sit there with 33 spaces . . . there are 35 spaces, but two of them are handicapped and we don't charge for handicapped meters. We did look at that [gating the lot] but the cost of putting in pay-on-foot equipment or an attendant led us to meters, particularly now that we went to credit-card-enabled meters. I think maybe it's a marketing issue more than an issue that people would prefer to be behind a gate. It's that they don't realize that they can park there and stay for four hours, I think. Perhaps. Maybe.

Mr. Firestone: We may want to find out more about why people don't like to park there.

Mr. Hurd: I guess since we're throwing out ideas, I will lend support, I guess, to the idea of essentially bumping our rates . . . I mean, I know this may not be . . . but essentially bumping our rates to be equal to the University's garaged rates. Because I think that's going to drive a chunk of the students out of Lot 1 and either they'll go to the University where it's more convenient or they'll find something else. And I think that starts to get a little more space in Lot 1 so that it becomes useable at peak hours, and it's, you know, it's a way to kind of start to balance it . . . to say, you know, if there's capacity in the garage but it's not being used because it's \$0.75 an hour more, well of course they're going to overload us. And I think that 40% number was surprising to me. That there was that many using that lot, which tells me . . . so it's like, and the garage is not really that far away from Lot 1. So it's very much, you know, push them into the lot that they should be using and leave Lot 1 more open for downtown customers and such. And I almost want to say, you do that and sort of see what that does for our capacity and our sense of it before we start saying let's build a garage. Because it's like we're building a garage . . . I think someone, maybe it was Dr. Morgan who pointed it out . . . we're building a garage for students, but they already have a garage.

Ms. Feeney Roser: I think your point is well-taken. But the idea of doubling our rates in one fell swoop . . . I think you'd get an awful lot of pushback on that. You know, I understand the point and it's been brought up before just among staff, to talk about it.

Mr. Fortner: Just to add onto that, I like the idea of raising the rates to at least match Trabant and then you reinforce the parking validation program to that. But another little side effect of that is, you're supposed to have your on-street meter rates be higher than your off-street because you want to encourage people on that. Then you'd have to raise those rates and we don't have a validation program for the parking meters. Or we'd have to invent something.

Mr. Hurd: Okay.

Mr. Silverman: Except with the on-street parking places, the operation and maintenance of those parking places – snow removal, painting – is rolled into the cost of maintaining the street, as opposed to a separate capital cost for repaving, striping and monitoring the parking lot. So there's some dollar trade-offs there. And the City Manager is going to throw something at me after I make this statement . . . no, she's not here . . . we seem to have reversed thinking if I'm reading what I read in the paper . . . and I'll cross my fingers . . . correctly. But if I'm reading that correctly, the idea is to have in and out in the sense that the less time you spend . . . you do your shopping, you're in and you're out in an hour . . . you have your meal and you're out in an hour-and-a-half . . . maybe we need to go back to the 15-20 minute, half-hour, at greatly reduced, to increase turnover, and the student who wants to park in a parking lot for 4-5 hours, that's where we start increasing the increment. In other words, we invert the pyramid based on time and get back into the dynamic cost.

Ms. Feeney Roser: Dynamic rates.

Mr. Silverman: Okay, we're trying to keep on a working schedule here to give our brains a chance to absorb what we're doing here by not going more than two hours, and if there are no other comments from around the table . . . do the Parking Division people have any comments? Okay, I would like to open the floor up to the public. I know there are some people here who are very passionate about the issue and I'm looking at one of them. If he could hold back until the general public has had a chance to make their comments. If you come up to the microphone and the stand. We have our sign-up and the first person that signed up to request speaking is Nancy Willing, followed by Albert Porach, and then we'll take people from the floor.

Mr. Firestone: Should we count how many people we have so we can find out how much time to allocate?

Mr. Silverman: Okay, let's do that. That's a good idea. How many, by a show of hands, how many people would like to speak? Okay, so between now and 9:00 p.m., it looks like we have 5-10 minutes apiece.

Mr. Fortner: We need ten minutes at the end.

Mr. Silverman: Five minutes apiece. Okay.

Ms. Feeney Roser: We need ten minutes to figure out where we're going. I mean, it's great and I think it's very important that we're having an overall and open discussion of what can be done about the parking challenge in general, but we really need to be thinking about this study and what you want us to do, so we need some time at the end to talk about it.

Mr. Silverman: Okay, let's try about 3 minutes and see how that works out. And we are recording and we do a verbatim transcript, so if you would identify yourself by name, please.

Ms. Nancy Willing: Sure. Nancy Willing, 3rd District. I am absorbing so I can't think very well with so much input, and very good input. I really enjoyed the discussion. And I think that the people following me will probably have more concrete things to say because they've been thinking about it. I just have one comment that these pretty much show that the problems with Lot 1 won't be solved by a new garage. So that's, I think, very important for the City to recognize and acknowledge that the data doesn't support a garage at this time. And also, I guess as a sort of general idea, I'm not sure if it's completely valid, but I was in Ali Baba and I looked up at all the residences and I thought, well, it could be that with the BB we've pitted residential against commercial parking interests. And I think it was Kevin Mayhew who was in The Post quoted as saying that he didn't really even consider that his residents would have guests. It was in The Post that he said it. But that struck me that it could be that our model had the unintended consequences of creating some of this monster. And the perception . . . it's more than perception, it probably is competition for those spaces because of the business model. So that's about it for now.

Mr. Silverman: Mr. Porach.

Mr. Albert Porach: I'm Albert Porach and I live in District 2. And I'm really impressed with Mike Fortner's presentation and the results of his study. And I really am impressed with some of the discussion that's going on around the table here. I just have one question for Mike. When you had the Code 32-45 on the screen there . . . next slide . . . no, wait . . . where you do you come up with . . .

Mr. Fortner: The parking waivers? The parking waivers are later on.

Mr. Porach: When I downloaded the Code offline, it's different than that.

Mr. Fortner: It is. I paraphrased. It's . . .

Mr. Porach: Oh, okay.

Mr. Fortner: The first part is in quotes and I put little dots to cut some stuff out, and I did take out some of the legalese and try to write it in more English.

Mr. Porach: But Item 1 . . . Item 2 comes under Item 1 as subcode C . . . no, what is it . . . E.

Mr. Fortner: Planning Commission may consider availability?

Mr. Porach: Yeah, yeah. It goes on to say . . . it's quite a bit more here, you know, what the Planning Commission can consider, right? You know what I mean?

Mr. Fortner: Yeah.

Mr. Porach: Yeah, okay, okay. I was a little confused about that. I came in here expecting to talk about parking waivers but these other issues are probably just as important. And I had one question. Has anybody looked at adding parking meters along Delaware Avenue? Is that a feasible thing?

Ms. Feeney Roser: We have talked about it, Mr. Porach, but at this point the bike lane and, I can't remember what they call it . . .

Mr. Fortner: Cycle track.

Ms. Feeney Roser: The cycle track would preclude that, would it not?

Mr. Fortner: The cycle track is going to be on the north side so you'd have that and then you'd pretty much have enough room for the lanes after the cycle track.

Mr. Porach: Okay. I just thought that was a possible solution. Alright, thanks. You did a very good job here with this workshop.

Mr. Fortner: Thank you.

Mr. Silverman: And . . .

Ms. Feeney Roser: I have it. Who is next, Alan? I'll just holler out.

Mr. Silverman: There is no one else signed up so it's whoever can get to the microphone first.

Mr. Fortner: I'll be Oprah.

Mr. Jeff Lawrence: Hi, I'm Jeff Lawrence. I'm going to start off by saying I do appreciate a lot of the comments I've heard tonight. I've heard far more intelligent discussion here tonight than I ever have at any Council meeting. So I definitely appreciate that. As a little background, just to sort of set the stage where I'm coming from, I'm not a big fan of government and I'm a much bigger fan of the free market. I feel if the market was driving this parking, it would've been solved ages ago. That being said, we're in the situation we're in, so I think we need to borrow from the ideas of the free market, which is basically creatively trying to solve problems in as broad a way as possible. A lot of that has been discussed tonight. If there is any direction or path forward, which I believe there's been discussions as doing at the end of the night, I feel one action item for today is I think immediate direction should be given to Council to end the voucher program. Whether that would make the parking problem better or worse, I think it's really a completely separate situation which is why, as it's been said tonight, why are the taxpayers subsidizing the businesses? I think it's a moral decision more than a parking logistics decision. So I would say, first and foremost, you should give direction to Council to end that.

When I heard discussions about some other ideas and how those ideas can be complicated by the parking voucher program, again, an easy way to solve that is just to get rid of it outright.

A lot of people discuss how they don't believe that there's a parking shortage. I'm in that camp. And there's a lot of different ways to look at whether there is or is not a parking shortage. You can look at the microscopic view of an individual space or an individual strip and count the percentages. But I'm going to look at it from a little bit of a broader perspective. Downtown Main Street is thriving. Businesses probably are clamoring to come in there. But go two blocks in any direction and, as has been stated tonight, you see a very different story. And I'm bad with the names of the shopping centers. I think College Square, where K-Mart is, you know, a wasteland. It's three blocks away. Park N Shop, underutilized. Just at the, sort of, edge of the main part of Main Street, where the movie theater used to be, underutilized. And I don't think that's a coincidence. I think that that is by creation in, as was stated in the presentation, starting in 1998 with the creation of the Downtown Newark Partnership and an overemphasis and preferential treatment being given towards those Main Street businesses. At a Council meeting, I think it was, we had Ryan German from Gelato come and talk about the parking voucher situation . . . not the parking voucher, the parking waiver . . . and how when he applied for the parking waivers that he got at the beginning, he was one-fourth the size that he is now. The other way to look at is he's grown four-fold since he first started. Great. Good for him. I'm the biggest pro-business person you can come across but I'm not, at the same time, going to have a whole lot of sympathy for someone like Ryan suggesting that, while he's thriving in his business, the taxpayers of Newark should subsidize that operation. It's akin to when cities get the taxpayers to build football stadiums for billionaire sports owners. It's insane and it doesn't make any sense. So I would suggest to look at this problem as completely as possible and that the Newark Partnership be examined and the affect that it's had in creating the downtown Main Street area compared to, and I pick on Newark Shopping Center because that's probably the worst in town, and they're a quarter mile or half a mile part . . .

Unidentified Speaker: College Square.

Mr. Lawrence: College Square, thank you . . . and what has created that situation. When Iron Hill comes crying that there's not enough parking, too bad. Go to that other shopping center where there's plenty of parking. There's the . . . market forces are not at play because this is an artificial market and that's causing the problems. Am I out of time? Thanks.

Mr. Silverman: Thank you.

Mr. Lawrence: Sorry if I talked too long.

Mr. Silverman: That's okay. We'll hear from another citizen.

Mr. Rob Gifford: I didn't realize that the parking study that we're doing already has a name, the Gifford/Morgan study. I wouldn't call it much of a study. It's called when we're downtown. So, I think first, Mike if you could go to the slide where you show all of the parking. I think it's everything, which is our parking and private parking. Is that it? I think you had one with more than that.

Mr. Fortner: No, I think that has it everything . . .

Mr. Gifford: Go up . . . you have the numbers there, yeah.

Mr. Fortner: We can show the different numbers.

Mr. Gifford: Sure. Sure.

Mr. Fortner: If you go there you see the off-street or private lots.

Mr. Gifford: Right.

Mr. Fortner: And that's just off-street.

Mr. Gifford: Okay, that'll do it. So I think what's striking is how much parking there is. So there's 1,187, if I can remember correctly. If we get a 400 space garage where Lot 1 is, that's only 205 extra spaces, which is only a 17% increase, and it's only on the far left side of downtown. So it actually isn't even really that much of an add, considering all the parking that we have. I was actually . . . when you finally look at all of the parking and then you add on to that all of the private parking, it's like a drop in the bucket. It almost won't do much of anything, especially with 581 spaces at the University. That one. When you really look at how much we're devoting and it's not a lot of ours, considering a lot of the area that is taken. So that was just my first thought. And then when you look at some of the parking work that we've done, which is just informal surveys when it's convenient and we're down there. We've started to do it since . . . I think you've got the first set of data, Michael . . . the students have returned. And really what we're seeing is it's the Lot 1 lunchtime crowd. I mean that's when Lot 1 gets really packed. But by dinner you could have 150 spaces there. And even if Lot 3 and 4 are packed, no one is walking to Lot 1. I do things like that. I'll walk as far as possible. There were food trucks once at the Arts Alliance and I parked in Lot 3. So I walked. In fact I parked, I walked all the way back and then my wife had to turn me around because the food trucks ran out of food. So I didn't even get any food and I parked all that way. But if I'm walking that distance, I'm like one of 100. So that's as far as anyone is going to walk. So I'm concerned that if you put the parking garage in and when you look at Iron Hill and those restaurants, not a lot of folks are going to take advantage of that. And that's, sort of, what we're seeing here. We have the lunch and dinner crowd. You've got Lot 3 and Lot 4 is dinner nighttime, and then Lot 1 is just lunch. So really it's like a lunchtime thing. Plus we've noticed a lot of people with backpacks. It's a lot of UD students. You can see them lined up with the pay meter in the afternoons or coming in for nighttime class. And I'll add a personal piece of that. For two years I actually worked in conjunction with a company that rented space in CCM. It was harder for me to get University parking even though we paid CCM to use their space. I parked in Lot 1. I would've parked in Lot 6 but I didn't even know about Lot 6 at that time. Lot 6 needs some advertising. It's a really great lot and the meters are easy to use. So that's something that can definitely be fixed. But even as a City resident, I should have been using UD parking and there was space, probably, for me, but it wasn't easy. So we are subsidizing UD's use. And that all jives with what Michael was talking about with the 40% student survey. You know, 40% of those folks parking were going to work or going to class.

And let's see . . . and just to comment, I think Mr. Firestone said something about Lot 6 maybe being gated. I would say leave it the way it is because, actually, now that I'm used to the meters, the meters are easier to use than the pay lot or the gated lot. In fact, with the gated lot often I'm asked for different size bills when I pay and everything. It's just really confusing, so I think that the meters actually have solved a lot of those problems. And I've provided Michael with a copy of some of the data, and there's one for each of you if you want to take it home and check it out. There's no analysis yet. We're just kind of handing it out as we go and there will probably be some trends that we pull out of it later. And I don't think I said my name. I'm Rob Gifford. Thanks.

Mr. Silverman: Go right ahead.

Ms. Donna Means: I'll only be one minute. I'm Donna Means, I'm from District 5. This is the first Planning Commission meeting I've ever been to and I have to say that it was refreshing. It was very informative. I appreciated all of the comments that the members had. I thought they were very, very good. And I could see that when people were up here speaking, there were members on the board who were kind of shaking their heads like, sort of in agreement. And that was very refreshing. Michael Fortner is wonderful. He does very good presentations. I've worked with him on a real estate thing. He was very, very precise and it was a pleasure. So this meeting really was wonderful. Thank you so much.

Dr. John Morgan: Thank you. John Morgan, District 1. And I have some more information to present so I'll be just as brief as I can within a couple of minutes. I have several hand-outs for you. One of them is a print-out that I made from the City's Municipal Code and you can pass that around the table. And I'd like to draw your attention to one of the conditions for the parking waiver program, which is the Planning Commission shall consider . . . it's not an option . . . shall consider whether the applicant has demonstrated that the proposed use is not highway oriented in character or significantly dependent on automobile or truck traffic as a primary means of conducting business. And I think the obvious conclusion to draw from this is that it is inconsistent for any business which has received a parking waiver to claim that its business is now suffering because of a lack of parking for automobiles.

And I will now distribute some material which is some minutes of the City Council meeting from October 23, 1995, where the Trader's Alley project was first approved. And I would draw your attention to what is on page 17 of these minutes . . . thank you . . . in which Council voted unanimously that one of the conditions of the special use permit would be that the applicant would be required to establish an effective means by which access to the parking lots on the site would be controlled 24 hours a day. And we'll see soon whether that's actually being adhered to. I'm also going to pass around the minutes of the meetings of the Planning Commission from 1986, when Bread & Company at 90 East Main Street was given a modest parking waiver, and from 2007 when Ryan German applied for an additional parking waiver. Pass those around. And it is perhaps, therefore, somewhat surprising that earlier this year Mark Edelson, the proprietor of Iron Hill Brewery, which is a tenant at Trader's Alley, and Ryan German appeared before Council arguing that the City really needed to solve their parking problems. During his presentation before Council on March 14 of this year, Mr. Edelson stated quite clearly that they had basically just given up on monitoring the parking situation in their lot, which they were supposed to be controlling. And so I think that the City needs to get on top of this situation because the reason we have a mess is that we have business owners who are not living up to the conditions under which their parking waivers were granted.

And I'd like to conclude by echoing some of the comments that were made by Mr. Firestone and Mr. McIntosh about the issue about what would happen if the City were to increase the rate to park in Lot 1. I think there's no doubt that if a parking garage in Lot 1 were economically viable, it will have to have higher rates than \$1.00 an hour, with the City subsidizing half of that. For example, there are parking garages in West Chester which charge \$1.50 an hour. The University is charging \$2.00 an hour. If downtown businesses say charging \$2.00 an hour will kill our businesses, what you're saying is that an economically self-sufficient parking garage will kill their businesses. Food for thought. Thank you.

Mr. Silverman: Thank you, Dr. Morgan. Is there anyone else who would like to speak? Sir.

Mr. Steve Hudson: Good evening. My name is Steve Hudson, I actually live in the City of Newark. I'm a resident at 114 West Mill Station. And I've lived here and grown up here as a child and seen all the development going on. And some of the things I wasn't aware of is the subsidy on the parking tickets when you go into Panera and the rest of them. I always assumed that the merchant purchased the ticket. I didn't know that the City was subsidizing half of that ticket until tonight. The other thing is the University of Delaware should be a co-partner here. We talk about leasing space from the University. I think the other way around. That on off-hours the University should provide that parking free of charge. Maybe somewhere along the line the City has some responsibility as far as liability, but that would be the only thing that I could see the City actually paying for. For the City to step up to the plate and say we're going to purchase your lot, I don't see that that would work.

The other thing that we've done . . . and as I said, I grew up here as a kid, so I've seen the whole place develop . . . we've actually accomplished gridlock. When you go down . . . tomorrow morning I ask you to take a ride down Cleveland Avenue. The Trash Department does a wonderful job. I give them a hand. They did a heck of a job. But we're going to lose two or three students this year. They're going to be killed on Cleveland Avenue. When they're picking

trash up and you're behind them and you're trying to get around them, and someone steps out from in front of that trash truck . . . because they don't want to walk all the way down behind the trash truck, they're going to take a 45 degree cut across it . . . somebody is going to get killed. And what I'm suggesting is that we ban all parking on Cleveland Avenue. That we get rid of the parking spaces from, is it North College there, down to South Chapel. That all of the parking be banned on both sides. There's no reasons for students to park their car in front of that house. They have turned the backyards into asphalt from one spot to the other, so push them in the back and get them out of there. We already have the issue of trying to get our trash receptacles out there and get them back in there, and the spaces between the cars, and the students trying to walk. I make a complete loop all the way around the City to go from one spot to another. I go down Route 4 and around 4, and come back in the back way, go up and across Wedgewood Road and come across Hopkins Road to come around to avoid all of that. I'll just say that we've successfully created gridlock with the way things are.

Parking is going to be what it's going to be. And if you can get the University to start loosening up on their lots on off-hours, and if it's free . . . I call it Central Junior High because that's what it was when I went there . . . Central Elementary School, I've walked there. I don't have a problem with parking there. And if that's free, that will alleviate some of the parking. And I am against spending \$10 million, because I am on the Downtown Partnership, to build that garage. I don't think it's necessary at this stage. I think you need to ask the University to start letting loose on their parking. That's really all I have.

Ms. Feeney Roser: If you don't mind, Mr. Hudson, I just wanted to respond to two quick things. One, there is a Cleveland Avenue Street Improvement Task Force that is actually a product of the Traffic Committee, that has been looking at Cleveland Avenue. One of the things that they're trying to do is remove the parking there. There are two owner-occupants on that street that we have to work with to figure out how we're going to get them parking, one of them is a handicapped spot, along Cleveland Avenue. So that project is ongoing and I'm not sure when their next meeting is but it should be posted shortly when they'll get back together again about what they might do there. And the other thing is . . . and I may be splitting hairs here . . . the City does subsidize validation at 50%. It is a forgoing of income, not a subsidy per se. So, yes, it is true that when a business pays, we're only getting \$0.25 for that half-hour, not the full \$0.50 were it not subsidized. So the City is forgoing \$0.25 of income for that half hour but it's not actually paying it out.

Mr. Hudson: Do all merchants have that availability?

Ms. Feeney Roser: It is available to all merchants in the downtown area. There are some that have been required by virtue of a parking waiver. But most of them do it voluntarily. So it is something we need to look at. I just wanted to let you know since you mentioned you didn't realize it.

Mr. Hudson: I didn't. And the next thing I was going to say is that the, it used to be called the Elks Club, on Cleveland Avenue is now going to be developed.

Ms. Feeney Roser: Yes.

Mr. Hudson: And do you know the number of residents that will be residing in there?

Ms. Feeney Roser: I think there are 16 or 18 units. I'd have to go back and check. And they probably have five per unit.

Mr. Hudson: And they will have . . . it's just that it provides more congestion to that road. Since 1964, when I moved here as a child, we've always talked about the bypass. The loop. The bypass, the bypass, the bypass. It was going to come through Suburban Plaza and it was going to come across Valley Road and it was going to tie into 273. Now we've lost all those options. The only option left is down Cleveland Avenue, to take out the whole right-hand side, all along

the railroad tracks and open it up. Because eventually people won't go downtown to shop or to go anywhere else because you can't get into it. Don't worry about parking. You can't get there. That's it. I thank you.

Mr. Silverman: Any other member of the public.

Ms. Heather Dunigan: I'll be quick, just 30 seconds. Heather Dunigan, District 3. Also a member of the Parking Committee. Great discussion tonight. I really encourage members of the Planning Commission to attend the Parking Committee meetings. I think you'd add a lot to the discussion. Also one idea I had. I just learned that the parking as part of the new apartments by Newark Shopping Center actually charged separately for the parking space, in addition to the apartment rental. I think that's something that would be good for the City to encourage of our landlords to do. To decouple the rent from the parking space cost to actually discourage people from bringing their cars. Thanks.

Mr. Silverman: Thank you.

Mr. Fortner: We had that on our . . .

Mr. Silverman: Yeah, that's of our items that has come up either through public hearings, public discussion, or discussion among ourselves.

Mr. Fortner: It was also in Kirsten's report on rental parking, on uncoupling it.

Mr. Silverman: Yes. And the rental parking is important from the affordable housing side, that de-coupling. And the idea of automobile owners not being subsidized by others, they start paying the cost of operating an automobile. Anyone else? Okay, I would like to come back to the table, and I lost my agenda in all the hand-outs. I think we're at the point now where we need to . . . thank you . . . Item 5, discuss our path forward. And we're pretty much on time.

Although we've heard a variety of issues raised tonight, such as the parking garage, that's a separate issue that resides with Council. Our charge tonight is to deal with parking waivers and the land use parking standard, and that relationship. I think we've gotten a lot of useful information. I'd like to thank Mike for a very, very comprehensive presentation. Given his time span to put this together, a matter of a couple of weeks, I think it gives us a very good representation of the dynamics of parking in Newark. It has confirmed some conclusions that others have had and, I know for me, it's brought new information to the surface.

Let's move into discussing our path forward. Maureen, did you want to work off of this list or just go around the table for some generalities at this time?

Ms. Feeney Roser: Whatever the Commission feels would be the most useful. I think that whatever we do, it would be most helpful to staff, because our time is somewhat limited with the other things we have going on, if we could sort of assume we're going to do a series of these workshops and take a subject or two that you would like us to focus on between them. And then we can come back. If you say the next time around we'd like to work on the parking regulations, we can come back with a report for that and sort of have this conversation again before we submit amendments. If you want to talk about the parking waiver, we can take what we heard tonight and try to work up reports on, first of all, why we have waivers in the first place, what it was about, and how they worked. And maybe it's time to make some sweeping changes to that. And we can talk about those things. I would like us to be able to focus on individual projects rather than, sort of, the overall what do we do with parking in general.

Mr. Silverman: Okay, I think we can carve off some tasks here. Now that the City has focused its parking operations efforts through the Parking Division, Mr. Howard's operation, it was brought up by the public and in discussion that there needs to be some system to even list inventory, monitor parking waivers and whatever other parking arrangements exist within the

subdivision process approved by Council. I think Trader's Alley was specifically mentioned, and that question was raised when Trader's Alley came back before the Commission. We couldn't find who really controlled the parking lot, and we found documentation that wasn't very clear when we were dealing with the lawyers, as to who is responsible for what. So maybe solving the Trader's Alley issue could be a task that could be assigned through your office to Mr. Howard and his group. And then coming up with the inventory of the waivers and what they involved and any monitoring. For example, I believe the director mentioned annually a contract had to be presented to the City showing that there were off-street parking spaces available.

Ms. Feeney Roser: What we could do, and hit me if I'm offering too much here, is go back through the parking waiver process since the beginning . . . it was in the middle 80s when it started . . .

Mr. Silverman: I believe it started with the Opera House and one other store.

Ms. Feeney Roser: The Opera House is not a waiver. The Opera House was pre-waiver system.

Mr. Silverman: Okay.

Ms. Feeney Roser: But, at any rate, we could start at the beginning, when the first parking waiver, as we know them, was issued. We could give a summary of how many spaces were waived. If there were any conditions attached to that. And I think that would be best done by the Planning and Development Department because that's where those files are. Then we can work with Mr. Howard's office about how to verify and how to enforce those. And how to bring them into the process, you know, to keep track of them. For example, it's pretty easy for us, if we have a list of those that are required to validate, that they do validate. Because if they're not processing validations through that Division, we know that. And then we go after them. But Dr. Morgan brought up about the access to Trader's Alley being controlled. That was originally set up, previous to us dealing with it here . . . almost anybody here . . . that they would have a monitor in that lot, which they did for years and years, and then the new owner bought it and she didn't find it valuable, so they stopped doing it. Nobody caught that, and we should have. So we need to determine how to keep a tickler system on what's supposed to happen and a regular basis for checking them. That would be enough between now and . . . depending on when you want to meet next.

Mr. Firestone: Yeah, I would rather have a more general approach like that than taking out Trader's Alley as the evening's bad boy. And it seems like the other sort of topics that people have thrown out . . . and this is not necessarily between now and the next workshop . . . but further discussions with the University, what effect we can have on parking through pricing, and shifting demand. Those seem to me to be perhaps the consensus topics. There may be some others as well.

Mr. McIntosh: One of the things that I would like to see happen . . . it seems to me that we're discussing this in a vacuum. The University comes up in these discussions all the time. Businesses come up in these discussions all the time. And they're not at the table with us. They share, equally, in the issues that are facing us. And until we come to grips with the fact that they're not here . . . for whatever reason they're not here, it's immaterial . . . we need to find a way to get them here, and to make them part of the solution so they're not sitting on the outside throwing rocks later and saying you really hurt us by what you did, when we don't necessarily understand what their issues may be. They may have very valid issues that we don't understand because they've never presented them. And we get those presentations when somebody wants to develop the land. But I'm talking about the people that are here, that deal with it on a day-to-day basis. The University is one of them and the businesses are another, and there may be more than that. I don't know. The residents certainly have a stake in what goes on here. But this is the life of a community that's very well defined, and they all should be part of our discussion. We shouldn't be making decisions for them without their input. If they

choose not to give the input, well, too bad. You get what you get. But I think we should at least let them know that that's available.

Mr. Silverman: Any other comments?

Mr. Hurd: A couple of things. Returning to the main topic, or the agenda topic of the workshop about Parking Requirements in the Zoning Code and the Parking Waiver Program. To me part of the problem with trying to pull things out in pieces is that so many things are interrelated. For me, personally, part of the question about the parking requirements set up in the Code is a question of whether we are actually providing . . . whether we actually have enough spaces to support the businesses that we have out there. Or, conversely, if we've got so many square feet of business space, how many spaces do we need to have to keep that operational? My sense from looking at the maps is that if we look at everything in aggregate, which is, I think, how we need to start looking at the downtown, we've got the spaces for a lot more commercial usage than we currently have. The problem is that a lot of it's locked up in little lots that are privately owned or it's in University lots. So if you look at just the City supply, yeah, we're under-supplied. But then you start adding in private lots and it starts to bump up. And you're adding the opportunity of sharing with the University and now we're looking good in the evening. So for me it's like I need to . . . if we can come up with solutions that allow us to aggregate the parking and share it in a better way, than I think that we can say I'm comfortable with that, you know, one space for every 250 gross square feet of commercial area. And if we really have enough, we can almost say we don't need a waiver program anymore because there are opportunities out there to find parking for your square footage in a variety of ways. But it requires everyone being at the table – the University, the private developers, the owners – to kind of look at that as a bigger solution. But I think Mike did a good job analyzing it by saying by the current Zoning Code, we're like 300 spots short. If we call it a shopping center, which I think does make sense because there are ebbs and flows and overlaps, oh, we're not actually that bad. And I think that's sometimes people's experience. Because especially in the summer, it's not bad. It's when you start overloading it with people who have other places they could park, like students, who are using commercial lots. So that gets into pricing, I think.

So I'm not entirely sure what the next step forward is for me. But, for me at least, I think it would be getting more people to the table to explore some of those options. Like de-coupling. Like pricing. Like sharing. Even big things, by saying every single lot in the Downtown Newark Partnership is under the control of the City. Boom. Meters go in everywhere and it's all aggregate, shared parking that everyone can use. Except for handicapped. And if you want to provide a space for your employee, you give them a placard. You pay for it or something. I don't know. But just as a way to say here's our inventory, here is every single space that you can use, and now it's up to internal arrangements to figure out how you're going to allocate and lock up some of them. But you're not locking up big chunks of it that nobody can use.

Mr. Silverman: I like the idea of unbundling parking from residential units. If we're to believe what's out there in the literature with the millennials, 25% of millennials don't have a driver's license and another 25% don't invest in automobiles because they have other expenses. Something that's up here on our slide that we haven't touched on is the need for more bicycle parking, bicycle spaces, that aren't competing with parking meters and access to stores and that kind of thing. So we can . . . some areas actually take a parking place and turn it into a bicycle parking area kind of thing. So maybe that's the kind of thing we need to look at as we're working through this list. I kind of favored the idea of several different parking-to-use ratios, depending on where you are in the City. The point is well taken with we've been concentrating on the central business district and a fifteen year program. The private side and the City side, I'd like to think, have made it a success. It may not be what people had envisioned. Now it's time to include a Cleveland Avenue, a Delaware Avenue, down to South Main, so maybe that mixed use area, the big shopping center, has one basic parking standard. Maureen has been working with, and it seems to be working successfully, a shopping center standard with a single ratio. When we get out into other areas that are developed, that are going to be redeveloped, maybe that has a slightly different standard, where there's a very specific kind of use like a

church, a school or a movie theater. And when we get into, and we don't have much left, more suburban kinds of opportunities, whether it's redoing a College Square, that we rely on the more standard mixes that are found in the literature and recommended by the engineers. So we've got a number of things we can look at.

Any other comments from the table? Any other discussion from the citizenry tonight? Okay, I would like to conclude this workshop for the Planning Commission. If there is no objection, we stand adjourned.

Ms. Feeney Roser: Thank you all.

There being no further business, the Planning Commission workshop adjourned at 9:13 p.m.

Respectfully submitted,
Michelle Vispi
Planning Commission Secretary