

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
WORKSHOP**

March 21, 2017

7:00 p.m.

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

Chairman: Jeremy Firestone

Commissioners Present: Bob Cronin
Willard Hurd
Frank McIntosh
Stacy McNatt
Alan Silverman
Robert Stozek

Commissioners Absent: None

Staff Present: David Culver, Interim Planning and Development Director
Mike Fortner, Planner II

Mr. Jeremy Firestone called the Planning Commission workshop to order at 7:08 p.m.

**1. ZONING-MANDATED PARKING REQUIREMENTS FOR DOWNTOWN DEVELOPMENTS
AND USES.**

Mr. Firestone: Good evening. This is a Planning Commission workshop on zoning-mandated parking requirements for downtown developments and uses. I'm Jeremy Firestone, Chair of the Planning Commission, and sitting around the table are the other members of the Planning Commission.

I do want to welcome Stacy McNatt. She hasn't been to a first official meeting but this is actually the first time she's been with us, and so she's joining us tonight at the workshop from District 3. So welcome, Stacy.

We're pleased by the turn-out both from members of the public and we have some City officials here, and we thank you. And we have some parking experts, both from the City as well as Evan Horgan from DART, and so we very much thank you for coming and helping us work through these issues.

This is a workshop. It's relatively informal. We have a structure as far as what we're going to do in various blocks of time, but we are going to end at 9:00 p.m. sharp, if not before. If we finish our business early, we will leave then. But this is a workshop that's scheduled to end at 9:00 p.m. Like our normal meetings, it is being recorded and minutes are being taken so when we get to the point when any member of the Commission wants to talk, or public comments, we're going to have to pass the microphone around so that our voices can be heard on the recording so that minutes can be taken.

The one last thing I wanted to say, just for those who may not have heard, and since this is a meeting coming quickly after, is that we owe a debt of gratitude to Carol Houck, who is departing, retiring, what-have-you. We wish her good luck and hope she does for Delaware City what she's done for us here in the City of Newark. So we always like to acknowledge our public servants.

With that, I'm going to turn it over to Mike Fortner, who is going to take us through the parking workshop. This is our second parking workshop. And just one other note of thanks would be to my fellow commissioner, Alan Silverman, who, when he was Chair, got us going down the road of thinking more about parking and parking workshops. So with that, please take it away, Mike.

Mr. Mike Fortner: Michelle's going to explore the lights a little bit. We're going to do a little light show.

Mr. Will Hurd: The microphone's not on.

Mr. Fortner: What's that?

Mr. Hurd: The microphone's not on.

Mr. Fortner: Can you hear me now? Alright. Did you hear the part about the lights? There's going to be a little light show. That looks pretty good actually. Okay.

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

Welcome, Planning Commissioners, members of the public, members of Council. This is a Planning Commission workshop for zoning-mandated parking requirements for downtown developments and uses. The purpose of the workshop is to discuss the Zoning Code mandated parking requirements. We're going to discuss why we have them, its impact on land use, and, in particular, the urban environment, and explore options on how to improve or modernize our Code. The workshop will include this presentation and then the floor will be turned over to the Chairperson and the Planning Commissioners for discussion among the Planning Commissioners and members of the public.

The purpose is not to make any kind of final decision today. This is a big topic. Parking was my, kind of, introduction to land use and zoning in the City of Newark, and it's a very hot topic in Newark. It's a hot topic in all towns, even towns where you go and you perceive there being plenty of parking . . . I've been to several of them . . . and when you ask a downtown or main street administrator what the big problem is, what people complain about, they complain about not enough parking. And so this is nothing unique to Newark. It is something that all towns do, and I'm going to talk a little bit about what towns are doing about parking. So we're going to present information, we're going to have public discussion, and then we'll talk about direction forward.

To open the presentation, I'm going to talk about parking and the built environment. I'm going to talk about our Newark parking requirements as they are now. I'm going to talk about the history and justification of minimum off-street parking requirements. I'm going to review criticisms of minimum off-street parking requirements. And then, finally, we're going to review some different approaches and alternatives that we're going to consider.

So parking and the built environment. It's widely understood that parking requirements are the primary factor in determining urban design, land use density and the experience of place. It determines how we relate to our environment, the built environment does, and how we can walk it, bicycle it, drive it. Most minimum parking requirements drive up the amount of land and capital devoted to parking. In zoning codes, what they have sought to do in the past with minimum parking requirements is to ensure that there is ample, convenient and accessible free parking for all uses at all times of day. So in the United States, and this is a factor of the built environment, we have approximately 3.4 parking spaces per vehicle. Parking requirements are the primary determinate of land form, as we see in this thing about how we allocate those spaces. And parking tends to have no other form of usage. There's no, sort of, shared use besides say a farmers' market or maybe having an occasional carnival or event in a parking lot. You can't do other things when the parking lot is not in use.

Parking requirements cause more parking to be built than the developer would have otherwise provided. And if that wasn't the case, we wouldn't need to have minimum parking requirements because the developers would provide all these parking spaces anyway, so why have parking requirements if they're going to do it anyway. So it's generally understood that it causes developers to create more parking than they otherwise would have.

Most local governments set parking requirements through a thing called the Institute of Transportation Engineers (ITE) Parking Generation Handbook. It has very standardized things. I'm going to talk about this more later. We also tend to look at other municipalities, what they're doing, and sort of how many parking spaces they have per certain uses, and we duplicate other things that may not always be a useful things for municipalities to do.

I'm going to go and there's a short little video. This video is one-and-a-half minutes. It's from Canada which, you know, you take for what it is. But it kind of just gives a little intro to parking requirements, and we're going to see if this works.

[Secretary's note: A short video was played for the benefit of the Commission, Interim Director and public.]

Mr. Fortner: Alright. Okay. So it turns out that Canada has parking problems, too. So it's not just in the United States that we have parking issues. Alright.

This is downtown Newark from an aerial view and, for Newark, this is our urban environment. And so, like in the video, this was created before the automobile, or a lot of this was developed, or the format of this was developed, and so parking requirements came about. In the beginning only rich people had cars and used to just park wherever in the street. Sort of like where you hitch up the horses. But as suburbanization happened, more people began to have cars, and more people started to use them to come downtown. Now it was originally sort of an environmental concern, creating off-street parking spaces, because cars would have to drive around and around blocks, looking for a place to park. And this cause street congestion, pollution and so it was considered an environmental benefit to start requiring that businesses or buildings had off-street parking on-site that would facilitate their site.

When you look at our downtown, it's our densest area. But when you look at the colored areas, these are all areas dedicated for parking. So you have the blue areas and the red areas are City municipal lots for public parking. And then you have, scattered throughout downtown, a whole host of private parking. Much of this is underutilized because it's for a single use. Whereas public parking can be for all uses. But, anyway, this gives you a sense of how much of our downtown is paved for the use of parking.

Parking requirements and how they work. Okay, so this is the City of Newark and, as I said, the City of Newark's Zoning Code for parking is very typical. You can almost go on any municipality's page and you would find something very similar to this. We divide our land uses up into categories. And in our Zoning Code we have approximately 34 categories. And so we have this category like in the first one, retail stores, all types; supermarkets; adult bookstores/entertainment centers; department stores. And so here's our parking requirements. If you're going to have a retail store, you need to be able to provide one off-street parking space per 200 square feet of floor area used or designated for sales on the ground floor, plus we have a different requirement for second floors, and then you need to have one off-street parking space for each employee. For restaurants, you have to have a parking space for every three seats at the peak hour and also one for every employee at the peak shift. And that's another thing we put, it's always at the peak shift. So parking in the BB zone, we have some requirements. You can do the 500 feet from the building. Parking spaces have to be 9x18 feet. We regulate that. We use provisions . . . we have a shared use provision for places of assembly and we also have a bicycle parking requirement. One bicycle parking space for every five car parking spaces required.

So justification . . . why did we enter into these minimum parking requirements? As I said, they became very common in the '60s and the '70s. In our Zoning Code it was adopted in 1970, and with only a handful of amendments to it since. So the justification for these were transportation efficiency. It reduces street congestion. So we don't want people driving around the block looking for a place to park. We want to have ample parking for them to park off-street so they're not driving around causing traffic congestion and pollution. And we wanted to avoid parking spillover, which is back-ups and congestion.

Alright, urban design. We wanted to create an urban, orderly development pattern. All businesses were to be treated equally. Anticipate land use intensification would help us kind of mediate density.

Economic development. Create a level playing field so all places would have the same type and amount of parking. During the '70s, certainly, when malls were starting to come into existence, people were going out there and a lot of downtowns were hit. We thought we've got to have these parking requirements even in our downtown so we can be competitive with the mall.

Good city administration reduced parking management and conflicts, and reduced demand for public provisions for parking. So by making developers build parking spaces, the City would need to build less public parking.

And so, as I said, we get these parking measures from the Parking Generation Handbook. It measures peak usage. So you go in and it would say retail requires one parking space for every 200 square feet would be a typical measurement. And it's using the assumption of the peak. This is basically the week before Christmas or Black Friday. You know, what is the most it's going to need, and make them require that. It assumes at the peak that there's no shared used. So every individual business is its own island. There's no possibility of parking your car once and walking to several businesses. Each business . . . like in a very suburban area, you have to drive to each. You go to a store, then you drive to another store or another restaurant. And it assumes that everyone would drive and that there's no availability of transit or options for bicycling or walking. It assumes everyone is going to drive there. And then it assumes free parking. The parking is free and abundant and convenient. And that is a little bit like having an all-you-can-eat buffet and making it available and watching people eat, and making it free, and that's how much people need to eat, so they need to have that much to eat every day. And so it assumes this massive amount.

So criticisms of minimum off-street parking requirements. Transportation efficiency . . . it encourages private vehicle use. So it increases the incentive for you to drive. It hides the cost of the parking. The cost of the parking is built into the store. So it creates ample parking and makes it the easiest way to get there. It adversely impacts alternative transportation such as transit, bicycling and walking. It's so easy to park there, why take transit, why walk, why use a bicycle, if it's just so easy and convenient.

With urban design, it reduces density. Of course this makes it less feasible for people to want to walk or ride their bike. It degrades urban design. It creates environments with large parking lots that are not good for anyone who wants to bicycle or walk, and just makes people want to drive. It creates unfriendly urban design for pedestrians and bicyclists. It hampers investment in infill development and adaptive reuse. So you have a building that was built before maybe the parking requirements were in effect, or an older building, and it has a change of use. Maybe it was a nail salon and someone wants to go in there with a restaurant, but the parking requirements are now raised and they can't convert that. So you have a business that can't go into a site because they can't meet their parking requirement or some sort of adaptive reuse. Something was designed for another thing but someone wants to use it for something else, but there's no way to accommodate it.

Economic development. The cost of free parking is subsidized by non-drivers. So if you go to any place and your housing, if you live in multi-family housing particularly, you are paying for

the parking spaces even if you don't use them. So those costs are transferred into the rents and to the business owners or the tenants. And then those costs get passed on to all of us, whether we drive there and use the parking or not. It stifles small business development, as I kind of alluded to. A business wants to go into a site but they can't meet the parking requirements because there's a change of use, and so it stifles that.

Sustainability for the environment. It harms the environment through creating large sections of asphalt. It creates heat islands, stormwater run-off, reduced groundwater recharge. Parking lots collect pollution from leaking oil and fluids from parked cars. It reduces opportunities for open space. It encourages driving, thereby increasing vehicle miles traveled.

And, finally, sustainability, health and equity. It lowers your incentive to do physical activities such as walk or bicycle or run if you have an environment built for cars, with consequences on public health. And it disadvantages non-drivers. Everything from they need to have a car to get to their work or they're paying for goods even though they're not using the parking, or in their house if they don't own a car, they're paying for those parking spaces.

And so this is effectively, again, our built environment. We've got large asphalt parking lots over on the right-hand. That's College Square, which was built during the time when we had very high parking requirements. I think it was before even our shopping center parking. So it's what we get. We have a land that's mostly dedicated to parking, with surprisingly very little actual retail stores to go shopping in compared to the parking.

So normally we would have something like form follows design but what we have is form follows parking, versus form follows people. So our Zoning Code, not just in parking requirements, but also through . . . what do you call it . . . separation of land use is through zoning . . . Euclidean zoning, where we separate land uses. We create work over here and people have their jobs over here and they shop over there. And so people have to drive to get to different points of access. By creating this sort of single use land use and parking requirements, we create an environment like on the left-hand side in many of our areas. So the form of our urban design follows what the parking need is, rather than form following what people's need is. And on the right-hand side we have, well one of the pictures isn't from Main Street, but the others are from Main Street, which is built as a pedestrian environment. And it's one of the central things that make this a character, makes it the quality of life, and makes it a quality place to go. As the video said, if we put our modern suburban style parking requirements on our downtown, we wouldn't be able to have this type of density downtown, where people could come and walk like this.

Now we'll get into some different alternatives. This, again, is going to be presented as a lot of research and a lot of ideas. These ideas can be for the sake of discussion. We're not going to decide on one of these. They're not different alternatives, meaning all of these ideas could work. We could take three or four ideas and make them work somehow and make them part of the Newark way of doing it.

But anyway so we're looking at Alternative 1 and it comes from the book *The High Cost of Free Parking* from Donald Shoup, which a lot of you are familiar with by now. He's probably the leading authority who studies parking. His basic contention is that cities, and many cities have, remove minimum off-street parking requirements. Many cities, major cities especially, have already done this. You price on-street parking rates to achieve a target occupancy of about 85%. So you have what they call dynamic pricing. You price the thing so that it creates a vacancy rate of about 15%. If it gets higher than that, you would actually raise the price of parking and then that would stifle demand and push it to go to off-street parking spaces or get people to use other types of transportation. And if it goes below that, you would lower the price to get people to park there. So sort of keep that at 85%. It allows developers and investors and their tenants and customers, and not city officials, to determine the amount of off-street parking to provide. You would leave it to them. They would make the market decision based on what their needs are, what they think the market rate is for parking, and they

would provide that. So if they would like to build an apartment building where they're just not going to offer parking there, they could offer a cheaper apartment building and if they think there's a market on that, they can offer that or a lower rate of parking, and they make those types of decisions. They can make a commercial building with lower parking and therefore it allows them to charge lower rents, and they make those decisions. Or they could provide more parking if they think that is a selling point, that there would be plenty of parking there and that would be a benefit to their project. It also supports a lot of things. It basically advocates or supports things like in lieu of parking fee programs which I'll talk about later that the City has. It also supports parking impact fees, flexible parking requirements that allow developers an alternative to providing the on-site parking. And these give an option to developers to either provide the parking or pay some sort of fee in lieu of and not provide the parking. It would encourage shared parking options as opposed to single use parking. So it would encourage developers to work together and say we'll provide parking that's for your building, too. We're not just going to provide parking that's just for these two businesses and three tenants that live in this building. And when you see a lot of the private parking, oftentimes there's a lot of open spaces not being used at a lot of times of the day. And so you can encourage those types of strategies. You'd improve the urban design by consolidating and using the shared parking design. And then you'd need fewer variances. It also would help with historic preservation because a lot of older buildings are not going to be able to meet these parking requirements and you want them to be active buildings in your downtown or wherever.

And so on this, this is a map of cities that got rid of parking minimums. This certainly is an emerging trend and has been the trend for a while. In the '70s and '80s we were very auto-oriented, but we are getting more into . . . planners and many cities are embracing the idea of having a walkable community, a bicycle-friendly community, and not orienting their urban design to the automobile. And so you're seeing these pop up in major cities, and this is an interactive map if you want to go to this website and you can read about what these cities are doing.

I'm going to go over a case study that's sort of another alternative. It's the use of flexible parking requirements, and this is an example from Santa Monica in the '80s. Santa Monica is, of course, near the ocean but it has kind of a historic downtown. But it was also, in the '80s a rundown downtown with a lot of auto-oriented development meeting the parking demands. It was under-performing, and very rundown and shabby. And so the city wanted to reinvigorate their downtown and so the city approved millions in funding and they built at least a couple of municipal garages in the heart of their downtown that remain there today. They did that, but that alone didn't help spur development in their downtown. So in 1986, the city approved what they call a business assessment district to fund improvements. And this included flexible parking requirements. And the deal was they gave developers the ability to opt out of on-site parking and pay an annual fee of \$1.50 per square foot of floor area added for which no parking was provided. And this was an annual fee, a little different than ours. This allowed change of uses without triggering parking requirements. So if there was a nail salon that converted into a restaurant, that was fine.

And so what was the impact? They did an impact on this a few years ago and they studied a street. They created a district that included kind of an important street called Wilshire Boulevard, which was a significant boulevard. But the parking district on the south side had flexible parking requirements but the downtown on the north side of the street did not have it. They had the standard parking requirements. And so . . . FPR stands for Flexible Parking Requirements . . . on the flexible parking required side, you have a case study here of the same street, same zoning and years of this flexible parking requirement and standard. Down the flexible parking side you had eight times more sales tax revenue per parcel square foot than on the standard parking side. You also had a fraction of the north side's site parking. So on the side with the flexible parking, you had an average of 4.4 spaces per parcel, whereas on the other side of the street you had 100 spaces per parcel, on the north side. So there was over 340,000 square feet of prime real estate, and a total of 75% of the square footage of the actual leasable space for those buildings was dedicated to parking. And then on the flexible parking

side you had 80% of the linear street frontage was taken up by retail or restaurants and shops. Whereas on the standard parking side, you had 30% linear street frontage. So 30% versus 80%. They also had six restaurants on the flexible side, and on the other side they only had one restaurant, and it was wanting to relocate. And they considered that quite a big deal because restaurants generally create a lot of parking demand and are very sensitive to parking. And the restaurants were very successful on the south side.

This is another alternative. This is a university. This is Champaign-Urbana. This is a concept called unbundling parking requirements from multi-family housing. Champaign-Urbana is where the University of Illinois is. And this is just a trivia question, it's not important at all to know this, but that's the town where I was born. So multi-family housing, the City of Champaign has been amending its zoning code incrementally since 1986. So they haven't been doing like, let's just take and say no minimum requirements, but they've been kind of lowering it several times since 1986. And in 2015 they eliminated parking requirements for all multi-family dwellings in the university district. The rationale was that those areas had excellent transit services and they were made for cycling and they had a good sidewalk infrastructure. And they were also noticing high vacancy rates in apartment buildings with parking lots with parking building. Parking lots with parking buildings. I didn't mean to say it that way but it's kind of appropriate sometimes. So the impact . . . a study by Donald Shoup indicates parking requirements increase housing costs by 18%, decreases the density by 30%, and decreases land value by 32%.

Another approach is called parking analysis, which is in Buffalo, New York. Just recently . . . it's kind of confusing because on record they've eliminated minimum parking requirements. So they don't have minimum parking requirements, but it's not quite that simple. They basically have something called a parking analysis. When they have a project, they work with the developer and they do a parking analysis. They look at access to transit and considering other factors and then they develop a parking requirement for it, or some sort of parking number for it. And they also exempt buildings under 5,000 square feet. So it only includes the analysis if it's over 5,000 square feet. If it's under 5,000 square feet, there's no parking requirement for it. And this parking requirement is city-wide, so they got a lot of press for that. And they're one of the first cities to do that.

Another example of a parking analysis is in the Borough of Phoenixville, Pennsylvania. It's the same kind of thing. So this is just some excerpts from their ordinance. They don't assign little numbers to each of their uses, but off-street parking shall be provided to meet the demand for the purposes of the land use and the applicant shall calculate this based on accepted standards, which they use the Urban Land Institute's Shared Parking Study. So they basically, the same kind of thing, they come and they negotiate an agreement with parking. So they consider all the things with the mixed use, the types of retail, access to transit, walkability, and they come up with a number. The parking demand projections and methodologies shall be subject to approval by the borough. So then the town approves it. And then the town center zoning district's parking is not required for buildings fronting Main Street, Gay Street or Bridge Street, east of Church Street, so I assume that's their core downtown area. They've exempted parking requirements for that area.

And on to the next one. Now we're going to parking waiver or in lieu of parking fee, and we're using the City of Newark's example here. This is how we have accommodated our off-street parking requirements without ruining our downtown. And it's gotten a lot of credit for reinvigorating our downtown and leading to the redevelopment that has happened. But we basically, in a BB or downtown zoning district, allow developers to request from the Planning Commission to do a parking waiver. And in return for that, they pay a fee and we have an equation that creates the fee. We calculate the price of construction of a land parking space and then we have a percentage where they pay 5% for the first five spaces, up to 50% for six to 25 spaces, and up to 100% for each space over 25.

Other different approaches for downtown and I'm just kind of using Newark and the shopping center minimum parking requirements for downtown. Downtowns are often . . . we think of managing parking as a utility and so there's sort of a shared component with managing the parking. So we came up with this definition in our Zoning Code for a shopping center. It's a group of three or more retail, office, personal services, restaurants or other commercial uses that are planned, constructed or managed as a total entity with customer and employee parking provided on the site. For a shopping center we require four spaces per 1,000 square feet of gross floor area. If we adopted something like that for downtown, just like a uniform approach to downtown, apartments would be calculated differently but it would take out a lot of kind of the issues we find downtown, with a business trying to expand or a restaurant trying to add more seats but they can't because they can't pay the parking waiver fee. So this is something we'd be taking up front with the developers. It would be another thing where the developer sends it to the Planning Commission and Council as a retail shop and then they get a restaurant they want to put in there, but that changes the whole parking requirement, so it would eliminate that kind of use. We also have things like an incentive for people who want to open carry-out types of restaurants. And that's why sometimes we see a lot of carry-out restaurants in downtowns, because they don't have to meet the parking requirements if they have less than 25 seats. You don't because a restaurant until you have 25 seats. So it kind of helps us alleviate these kinds of issues.

When I did a parking demand study in 2000, I looked at downtown from a point of view of how many parking spaces are we short if we use suburban style parking requirements for our downtown? And it shows that we were down 1,509 parking spaces using our current Zoning Code, which are suburban style. When you use a shopping center, it was about 124 spaces short of off-street parking spaces, which we easily make up for with our on-street parking spaces, our paid meters. And so when we looked at it that way, it seemed appropriate because it created more of a balance between the land uses and the parking demand and supply. And a lot of that is because downtowns have this separate zoning category for shopping centers because there's a shared use component. You park once and you can walk around. Downtown is that way, too. It's just sort of, we kind of manage it all as one kind of entity and so it sort of made sense. So it's something we can consider.

These are some other approaches. Alternative 7 is cut existing standards by half. The encouragement that you get from these are you get to no minimum parking standards, but these seem to be very politically difficult for some municipalities to reach and so taking baby steps is what some literature states. Little by little. So one of them is cutting our existing standards in half. Just going through and cutting them in half, or using some other measure and reducing it, moving towards the direction of lowering our parking standards.

And then, finally, eliminate minimum parking requirements for small or historic buildings, like Buffalo, New York recommended for buildings 5,000 square feet or less.

And that concludes my presentation. Again, those alternatives were just out there. They were more presented when Kirsten Jones talked about minimum and maximum requirements, as well, in her report, and some other things about dynamic parking. Certainly it doesn't encompass all ideas out there but it's just to introduce this, and to open it up for discussion, I'll turn it back to the Chairperson.

Mr. Firestone: Thank you, Mike. We're now in a phase where we're going to have questions and answers from members of the Commission. If anyone has a question, please direct it to Mike. When we're finished with this portion, then we'll move on to public comment.

Mr. Hurd: Hi, Will Hurd. The one question I had, because it came up when you were talking about places where they've sort of said below a certain square footage, you don't need to have parking. What's our average size building on Main Street? Is there an average size, or a low end and a high end for anything that's existing?

Mr. Fortner: Well there is an average size, I just don't know it.

Mr. Hurd: Okay.

Mr. Fortner: But, you know, it would be too hard to figure out. We'd have to do some digging on that to come up with that. But if you're saying from the building . . .

Mr. Hurd: Yes, if you're saying I'm going to convert an existing building, I'm going to re-use it, those are the kind of things that if we're looking at removing parking requirements, those are the ones we want to target. So I'm just trying to sort of figure out if there were a number . . . because 5,000 seems pretty big for what . . .

Mr. Fortner: I was thinking it was kind of small, but you think it seems big. Well it wouldn't be too hard to come up with the ones that are under, say, 5,000. Or 5,000 or less. Then you could see those.

Mr. Hurd: Yes.

Mr. Fortner: That'd be the easiest thing. Coming up with an average . . . because there's quite a big area . . .

Mr. Hurd: Just looking at it, it's like if you say it's 5,000 if we say use the shopping center across the whole district, as an example, that's 20 spaces that we have to absorb into the public pool if we say you don't need parking spaces. And, at the moment, our capacity maybe doesn't allow the absorption of 20. And so maybe it's a combination of saying what could we absorb and what should we encourage to get redeveloped and reused. And what do we want to sort of look at and say they need to have some sort of parking plan.

Mr. Fortner: Well in this presentation . . . it's not necessarily that if a building required, in our Code, 20 spaces, there's a public perception that there's 20 spaces that need to be absorbed. That's the public perception. But what I'm trying to say through the alternatives is that really isn't the case.

Mr. Hurd: True.

Mr. Fortner: There are alternatives. We have a walkable community. A lot of these businesses lean on that.

Mr. Hurd: Right. Let's say we're using the shopping center number but we may end up lower than that. I'm just sort of . . . if that were the standard, then there would be 20 spaces floating around that we'd have to sort of talk about.

Mr. Firestone: You presented eight alternatives. I guess one or two were from Newark, as well. Do you have sort of a top two or three that might be best and a couple that you think are problematic and, given our City and your knowledge of parking in the City, do you have any thoughts on that?

Mr. Fortner: Well I don't want to rush too far because I do think all these things should be thought out and discussed, and have a lot of public vetting. You know, I think doing away with minimum parking requirements even just in downtown would be a harder sell. There might be easier sells in terms of doing a shopping center type of blanket kind of approach. It would create a uniformity at least. I still think we need a parking waiver program because I still think in situations that would be too high and not all buildings would be able to provide that type of parking, and we ought to consider that. You can also . . . I think decoupling makes a lot of sense, too. If a builder, especially in downtown, says hey are you going to live here and there's no parking, you're welcome to get a parking pass at the University of Delaware and park in one of their lots. And if you only use the car to go home every few weeks, that might be ideal for

you. Otherwise you might want to find an apartment that has parking. It's their market decision. And the expense of providing that parking, especially in downtown, would be very extensive and make it impractical. As you saw, like from underground parking . . . you know one of the things we talked about, we're getting these big buildings. Well a lot of times they need to build the big buildings to provide the parking that we're trying to get them to provide. And they could build a smaller building if they didn't need to provide the parking. And they could tell the tenants no parking. I mean you can try to get a parking pass in a City lot but those are limited. There are only so many of those in Newark and the University. Or don't bring your car. And that's becoming very common with millennials, particularly. Car sharing and rent-a-car companies, the bus companies. They're fine with that, I think.

Ms. Stacy McNatt: Hi, Stacy McNatt.

Mr. Fortner: Ms. McNatt.

Ms. McNatt: Quick question. Oh, is it on? You there now? Hi, Stacy McNatt. On a couple of the first slides, I think it was your fourth slide, you showed a picture of yellow private lots with blue municipal lots. And I think in one of the alternatives, I don't know which one, they talked about potential shared use parking. And I think you mentioned on that slide that some of those lots are underutilized during different times of the day. Would that be something that could be investigated as part of these alternative options?

Mr. Fortner: Yes, and that's something the City, especially Maureen Feeney Roser, it was almost her life-long project, was to . . . I mean you see on that slide, and I could go back to it, but there are a lot of lots. Simon Eye's lot for example. So they have normal business hours and so during the night you have a large lot that's empty, right? And so that would be ideal for Friday nights and Saturday nights to have it there. But the church, the Methodist church, for example, right behind the Academy building, is an empty lot oftentimes. In an ideal world, we could regulate and manage all those lots. They could be free for during the times those businesses are in use and when they leave, or when they close down and are done with their business hours, it could become shared parking. There's been resistance to that, with regard to the insurance or just it's their property and they control it and we can't make them. But it is a very worthwhile thing if the City could create memorandums of understanding and make that use. There were plans of how to interconnect all that parking, as well, which there are barriers to that too. But it would be all interconnected. So you would pull into Lot 1, the Galleria, let's say, and you can't find a spot, then you'd be into the church lot and then what we call Lot 6 now, which wasn't there at the time. And then you'd pull over across the street and you'd go into the fire station lot and it would all be interconnected. That was kind of the broad thinking at one time but there are lots of barriers to that. But it would be a very good idea because we have a lot of spaces that are underutilized. People always say about downtowns that there's not enough parking, but most downtowns have plenty of parking, it's just that we can't utilize it all effectively.

Mr. Alan Silverman: Alan Silverman. I'd like to both comment on the discussion and add some additional information. Some observations. We have an existing public transportation network in the City. We talked about parking being done in conjunction with a transportation network. Whether it functions the way it possibly could, that's another question. But we have three different systems operating. We have the University system which, according to their last annual report, handled over 1 million passengers in a calendar year. We have the City Unicity system that, based on extrapolating several months of information, handles about 800 trips a day. And we have the DART system which handles about 1,800 rider trips total a day, round-trip, based on their recommendations about 900, I'm going to call it a substitution for an automobile. So we have a resource that can lower the demand for parking if we can ever get it working together. One of the things that happens in Newark that's unique is that the University system caters to residential areas and clusters of University activity that are populated by students so that we don't need to necessarily have, in those complexes that are dedicated to students, parking for individual automobiles. So it takes some of that pressure off.

One of the significant things that you mentioned in your slide show was there is no such thing as free parking. The cost of parking is included somewhere in the price we pay for a meal, in our monthly rent, the shoes we buy in the store. And some of the developers in town can tell us the significant cost that's involved. Ironically, in a typical new development using the suburban standards, with what we've seen come through the Planning Commission, there's almost as much square footage devoted to meeting parking requirements as there is to providing square footage for residential and, in many cases, exceeds commercial requirements. With respect to land coverage and land use, we could see by your illustration that a significant portion of our downtown, and even the perimeter area, has been taken up with surface parking. It's my understanding that in the county land assessment tax system, there is no way of calculating that parking and giving it a value. So we're giving up a significant amount of surface area and bringing in no tax revenue. There's no benefit. You mentioned the one example where they measured sales tax on one side of the street versus the other side of the street. So by reducing parking standards, there's the opportunity to increase rate-ables for the City. Since they aren't making land in the City of Newark anymore and we're dealing with lots that were laid out in the 17th, 18th and 19th century, it's very hard to justify economically getting the highest and best use when you have to devote a significant portion of your property to parking.

You mention the parking benefit district, which is another very interesting concept. Right now, for example, the City snow removal, City sidewalk maintenance, City trash pick-up, and City lighting are all borne by the taxpayers. They generally benefit those uses that are in our CBD. One of the things that an assessment for the parking benefit district does, it allows an independent board to be set up to use that, in your example, \$1.50 square foot assessment to be used for street amenities and continuous updates. So there is a way of removing an expense from the public tax roll and moving it back onto the people who directly benefit from it. I saw this in effect in Willingboro, Pennsylvania and it was interesting. It was quite dramatic. There's been a community effort, for example, to put utilities underground on Main Street. The cost can't be justified from the public side. Don't know whether a parking benefit district downtown could generate that kind of money but in Willingboro they actually had enough of a cash stream that they were able to go out and get private financing to do that kind of thing in their community. So that possibility is out there.

Mr. Firestone: Alan, we're somewhat restricted on time.

Mr. Silverman: Okay.

Mr. Firestone: We may have time to come back but I want to give everyone the opportunity to speak.

Mr. Bob Stozek: Bob Stozek. Two quick things. A lot of things we're talking about here, transit in the town, bicycle paths and such, the University has the buses running in various parts of town. I thought there was some sort of initiative where the City was going to approach the University about allowing the public to use their buses. Has anything been done on that?

Mr. Fortner: Well there is, in fact, a transit study being done. It's a partnership with the University, the City and DART. The purpose of the study is to look at the transit systems and how can they better coordinate together and how can these routes be perhaps adjusted to be of better service to the City. And part of that could include some way of City residents riding on the buses, and that's on the table.

Mr. Stozek: Okay. I mean increasing public use of transit is a good goal but I think, especially in Newark, Delaware Avenue and Main Street have to be two thoroughfares where public transit goes. And as crowded as it is now, at least at certain times of the year, I'm not sure how you do that as long as you have on-street parking. So we all know this is not a simple solution. And I think it's a . . . and I hate to use the term . . . holistic approach to solving this problem. We have to look at a lot of different things.

You had one other thing on your presentation where you talked about pricing on-street parking rates to achieve a targeted occupancy of 85%. Any idea what our occupancy rate is?

Mr. Fortner: I don't know. It varies significantly. It certainly gets full at many times of day and then fairly empty at other times. If I could hand it off to you, is there anything . . . can you give us an estimate?

Mr. Courtney Mulvanity: So most of the time, between the hours of 10:00 a.m. and 6:00 p.m., we're going to see, both on-street and in lots, we will see our occupancy at or above 90%. So that's when we're going to have our most major strain on our parking. And it also affects our traffic situation, as well.

Mr. Stozek: Okay. And, of course, the time of the year is going to affect that.

Mr. Mulvanity: Yes, correct. So within the fall and spring semesters, we have a lot more vehicles in our lots and along the street.

Mr. Stozek: But with the meters we have now, we have the capability of changing the rates?

Mr. Mulvanity: Yes. We can change the rates and we can do variable rates, as well.

Mr. Stozek: Okay, thanks.

Mr. Bob Cronin: Nothing new to add at this time.

Mr. Frank McIntosh: Frank McIntosh. I really think that a big part of the answer here is to get the people that own lots that are under-used together and have serious discussions with them relative to using that space for the public good, you know, at times when they're not using them. I don't think that we're in any position to say you can't use your own lots but when they're not used and they're empty, why aren't they shared? Why wouldn't somebody want to do that? Well, there's a lot of reasons. We know that. But at some point there's got to be some consideration that this is going to help all of us in the end. There's limited resources and large demand, and at some point somebody's going to have to say maybe I should help with that. And I think that that's an agenda I'm sure we've explored. But you can explore an agenda and then you can really explore an agenda. It seems to me that that's an area that we should be focusing some of our attention.

Mr. Firestone: Okay. Thank you very much. We're now going to open it up to public comment. Given that we've got a large number of people here, I'm going to strictly enforce a three-minute limit until everyone has had an opportunity, who wants to talk, to speak. So, we have one person who signed up, so I'll ask John Morgan to come up first and then we'll take any comment from other individuals from the public. Thank you.

Dr. John Morgan: Thank you very much. I have several comments. I've attended one of the earlier parking workshops and I think something that's really important to keep in mind when you're looking at these various alternatives is that some of them don't really seem to apply to our own local situation here in Newark. For example, Shoup's book is heavily based on his experience in Los Angeles, a city of several million with a surface area comparable to northern New Castle County. And just for one example, it's true that in L.A. most of the people who live in residential apartments are probably not using their parking spaces during the day because they're away at work. They're commuting to work. But that's different here in Newark because, at least in the downtown area, most of the people who live in the residences are students who are probably walking to the University during the day and then using their cars at other times to go shopping or travel home on weekends to visit their parents, or whatever. So it's really sort of the inverse of that situation. And you really have to compare apples with apples, instead of apples to oranges.

It seems to me that the likely effect of any reduction in minimum parking requirements in the downtown area would be more buildings with more people and fewer parking spaces. And if you believe that that's possible or a good thing to have happen, then it raises the question about why the City is trying to build a parking garage to add more spaces. It just doesn't make sense. You can have one or the other. I would direct attention to the requirement for the parking waiver program in which the applicants are supposed to demonstrate that their businesses are not primarily dependent on automobile traffic. And I find it striking that some of the most vocal advocates of building a parking garage are people who have requested parking waivers in the recent or distant past.

And I would also say that what I think is missing from this whole discussion is the University, which controls not just hundreds but thousands of parking spaces within a five minute walk of the downtown area. And I think any solution has to involve cooperation with the University opening up its unused spaces and its parking garages and its parking lots outside of the hours from 9:00 a.m. until 6:00 p.m. Thank you.

Mr. Firestone: Thank you. Would anyone else like to speak? If you could identify yourself for the record, too, please.

Ms. Helga Huntley: Good evening, Helga Huntley. I have a bunch of questions but I'll start off with a couple of comments based on the discussion from the Planning Commission. One was about a comment that the students who live downtown probably don't need cars because the University has a fairly good busing system and things are sort of within walking or at least biking distance. And I have found that Newark is, however, very poorly connected by public transit to anything outside of Newark. So even if you just want to get to Philadelphia, it's really hard to do that on the weekend on public transit because SEPTA doesn't come down here on the weekend. And so I think a lot of students choose to have cars even if they don't need it on a day-to-day basis. It's a little bit related to what John Morgan was saying, that they feel the need to have cars not for going to class, not necessarily for going grocery shopping, although that's also hard to do without a car, but definitely to get out of town for any other activity. And I think if you want to think about making Newark a walking/biking town where we don't want people to arrive on our Main Street with cars, then we have to make it accessible in other ways. And I think that public transit is really the key and from . . . I didn't read all of the documents, but from what I did see, is that most of these studies where they were able to reduce or eliminate the minimum parking requirements, it was really done in cities that have substantial public transit options. And that is something that I find is severely lacking in Newark.

There was a question about what the parking occupancy rate is and, according to the Haahs study, it was significantly less than 90% for most of the day. And I don't have the study with me, but that seems to contradict what you were saying, that it's mostly all taken up.

And then my last comment before I get to my question is that I'm concerned that if we eliminate the minimum parking requirements and if we let developers build as much parking as they want to, which sounds good on the surface, I'm worried about the tragedy of the commons. That everybody will just say well there's public parking available and my needs will be met by the public parking, and everybody will rely on those few spots and then there will be more demand than there is actually supply.

Okay, so since my time is running out, I wanted to throw out there that part of the argument was that private parking or these parking requirements are making free parking available and that that's subsidized by people who don't have cars. And I'm wondering whether we can't just have parking fees. So if somebody lives in an apartment building, they pay for a parking space, so that people without a car don't have to subsidize that. And also on slide #8 there were a bunch of assumptions listed, including the free parking, and I'm wondering whether you can't . . . and you know that peak demand is what needs to be met . . . and I'm wondering whether you can't adjust the calculations in order to soften those assumptions a little bit. Okay, thank you.

Mr. Firestone: Thank you. Is there anyone else who would like to comment? There is someone, a woman in the back.

Ms. Joy Scott: I just have two quick comments.

Mr. Firestone: Excuse me, could you just identify who you are for the record, please?

Ms. Scott: Is this on? Oh yeah, there we go. My name is Joy Scott. We used to have a trolley that went down Main Street. I don't remember seeing it for a while. Is the trolley gone?

Unidentified Speaker: It's gone.

Ms. Scott: It's gone. Okay. Perhaps something like that might be an alternative. I think about when I lived in the suburbs and if I came downtown to have dinner, you've got to come downtown with a car. We're talking a lot tonight about what people do once they're downtown, but how do we encourage people to come and eat at our restaurants, because that's all we have now pretty much is restaurants and GrassRoots. They're not going to come downtown to eat at the restaurants if they can't come by car. There are no buses from Pike Creek to Newark. So you're assuming that it's just the people living in the apartments that need parking. We need to deal with people who come here to eat in restaurants.

Any my second comment is that I would hope that one of the things we're dealing with is the fact that there isn't . . . you know, you're going to encourage people to walk on Main Street but that goes back to the comment that there's nothing on Main Street anymore. So if you have someone who does come downtown, let's say it's a beautiful summer day and the kids are gone, they come downtown for a nice evening out, they park at one end of the City . . . maybe they find a parking space . . . and they have to walk several blocks. That would be lovely if there were beautiful shops and antique stores, or whatever. There's nothing. There's burger places and things like that. So I think that the development of the town can't just be parking for students that we're building more apartments for. That's my comment.

Mr. Firestone: Thank you. Would anyone else like to make a public comment?

Ms. Jean White: Hi, this is Jean White. I just have a question about the different towns and cities that were presented early on by Mike which were to reduce the kind of parking. And I was wondering in those places does it turn out that there were actually less cars, or the cars are just used less often? Particularly the ones that might be university towns and others. In other words, are we just . . . because it seems like, just taking students, for example, I don't know which percentage of them have cars but it's quite a few, quite a high percentage. And the same way with residences. We're not building houses without a driveway or a lot. So is this reducing the desire for people to have cars altogether or just the usage of them? That's a question that I might have.

And then to add onto this, is there any way to estimate the number of cars not coming into Newark but are what we might say residential cars, either with students or those of us who are long-term residents, what we're looking at, even though some of those cars are used and some aren't. I think that would be an interesting thing. One even could have a registration, a free . . . probably people would fight this though . . . but you could have a free registration if you had a car and you lived here, just to get an idea of what we're talking about. Cars either that are used or they aren't used, or they're used at night or during the day. I don't know.

Mr. Fortner: In terms of the University of Illinois, I don't know of any data that says there are any less or difference in terms of cars. Parking spaces can create what they call an induced demand. So if you're renting an apartment, and you're paying, and the apartment comes with two or three parking spaces, and you've already paid for it, then you're more likely to bring your car because you've already paid for that parking space and you might as well have a car if it's convenient. But if it was . . . and someone, I think it was Helga, brought up the idea of what

we call decoupling, where there's only so many parking spaces for cars. If you want it, you have to pay a market rate fee. Maybe it's another \$50 or \$100 a month. That changes the calculation, or could change the calculation, for a lot of students. A lot of students would be like I don't need a car that bad, or I'll buy the University parking sticker and park off-site somewhere. Or not bring a car at all. If you park downtown and there's a parking space available for you, then you're, like you said, you've already paid for it, then I might as well bring a car if I have a car. But if I have to pay a lot of money for it, if a student does, it might change their calculation. That's what they're designed to do. Parking spaces are designed to be market rate that meet the demand. So they would sell those. And that's what they're doing in the shopping center at One Easton, it's my understanding. They decoupled it. So you don't automatically get a parking space. You pay rent. So if you don't own a car, you pay less rent. And so it's good for you. And if you own a car and you want to have two or three car there, you would have to pay for all that, but obviously it's important to you to have those cars. And so that's what they're going with. So if you own an apartment building and there's no parking spaces, you can just say well that's not for me because I want to have a car. Or you could say that's great because it's cheap and I don't need a car anyway because I'm walking and bicycling most of the time, so I'll take that and pay less in rent.

The thing about the car counting, I don't know. I can talk to you later about that.

Mr. Firestone: Would anyone else like to comment?

Mr. Chris Locke: Chris Locke, 13 Spring Water Way. A couple of comments. In regards to Mr. Morgan's point, students will want to bring cars in no matter what. We have many buildings here in Newark that have residential apartments that cater to those students and did not have any requirement for parking. From pretty much 1995 to 2008, the parking waiver did work. And then there was an approach that was pretty much told that anything from 2008 on, we need to put parking for these resident students. Well, yeah, they'll use it but it was really not required or needed before that. If you don't require parking and a resident wants to bring a car down, then that becomes a customer for a potential downtown parking garage later on. So that makes a parking garage that much more economically viable.

In regards to the comment the UD should just allow us to use their parking garage. Why? They spent millions upon millions of dollars to build their infrastructure, why should they just allow us to use it.

Public transit, there is public transit here. I think Mr. Silverman made a very good point about Unicity, UD buses and DelDOT transit. I think there needs to be a holistic approach to those three entities to try to see where they can piggyback on each other's services so they don't overlap. So that would hopefully minimize some of the traffic we see on Main Street and Delaware Avenue, etc. with multiple bus services.

And then just the last comment. Being a retailer for almost 30 years also on Main Street, there are many retail shops on Main Street. This is not just a restaurant. Just to name a few: Alex and Ani, National 5&10, Heart & Home, GrassRoots, Sunglass Hut, Bloom, Delaware Running, Newark Camera, Formal Affairs, Minster's Jewelers, Days of Knights and an antique shop at the old police station. So could we have more retailers? Absolutely. But there are plenty of retailers here. Thank you.

Mr. Firestone: Thank you very much. Would anyone else like to comment?

Mr. Jeff Lang: Hi, Jeff Lang, 29 West Park. One of the other things when we build buildings . . . Chris and I work together, many of you probably know . . . we are very frustrated that the majority of this first floor space is taken up for parking. Because when we build a building, historically that space was dedicated for commercial uses. We continue to talk to the staff and administration here at the City about its valuable space which allows for the proliferation of additional commercial uses and small businesses, and it's not available now. It's tied up with

parking which, in many instances, those cars do not move the entire day which, in my opinion, an unrealistic expectation for growth of our downtown area. We need to continue to spur commercial development downtown for many reasons. And really it's for quality of life for all the residents that walk up and down Main Street. All the people who live in Newark, we want to go down, just like you said. We want to eat, walk around and look at shops. But the main stores on Main Street are much more expensive. You cannot afford to open a dress shop in a \$35 restaurant space. But you need these other spaces and many of them are parking spaces now. Side streets, you know, behind other buildings, those would be all opportunities for small businesses to open, but now it's tied up with parking. I think there are some potential opportunities for either a parking garage or even remote parking. Consolidation of remote parking would be a benefit. If we had a lot like the University does. They basically . . . students come in . . . many of our residents, we could say look, you know, there's parking available but it's down at the shopping center. It's three blocks away. You only use your car once a week. But the City, under the present Code, does not allow us to provide parking anything other than 500 feet away from our building. So there's no flexibility in that. So it doesn't encourage developers to work outside the box because the box isn't wide enough. So we really need to think about making changes to this to allow for other opportunities for these businesses.

Mr. Firestone: Thank you. Would anyone else like to make public comment? Would any of our elected officials like to make any public comment?

Mr. Mark Morehead: I'll bite. Thanks, Mark Morehead. I think the point that struck me in all of this is that, starting with the video, it said first you build the light rail and the bike lines and then you do this. And I think I come down on the side of, sure, there's lots of transit here but the people that say that are driving cars. And try to get from where you are to where you want to be, on a daily basis, and see how that goes on transit. When I was a young kid . . . and this is a funny story . . . my dad decided that we were going to go on a trip and he was going to take us on public transit from our house to the airport to go to New Orleans. And it took a couple of hours and we got there, but it worked. I'm not sure you could do that here from your own home on public transit. So I just ask us to be very, very careful that we do this in stages and put the transit in place, effective transit, to cover what people need before we go and start talking about ourselves as if we were a big city and have that stuff already in place. Thanks.

Mr. Firestone: Thank you. We have someone else over here. If you could please identify yourself.

Ms. Ruth Mayer: My name is Ruth Mayer and I'm on the Parking Authority . . . it's so loud . . . I'm on the Parking Authority with Mr. Grimes here, and have been for a number of years. But I'm also speaking as one of the owners of one of those properties that backs up to Parking Lot #3. My father and Dr. Cox and Mr. Handloff all went together some years ago, before Maureen was first here, and they were approached about how to improve shopping on Main Street. They donated the land for a lease Lot #3 for a nominal fee and some slots over the years. They were grateful to have the City pave it, pay for the insurance, the lighting and the snow removal. And for that they thought they would get more customers downtown. And it makes me very upset to think that we're worried about parking because of residents coming in, student residents. I know that Lot #3, since the ELI [English Language Institute] has been there, has been jammed, mainly because of the UD students attending the ELI, which goes against what the parking lots were set up for to begin with. Not for the University students, but for patrons to downtown. I'm so old that I'm the subject of that painting up there. I'm the oldest little girl. That was painted by Leo Laskaris back in the '50s, so I was here when Main Street was two-way. I remember when, to improve traffic flow with the growing University, they had it become one-way. So I've seen the traffic change over time and it's a serious problem now just with the entrances and exits for the parking lots. That's something we've been dealing with over quite a few years. So the losing of lots is a big concern and working with the University is the only way to be able to get it straightened out.

Also, I wanted to say that the people who originally started this, it was not for a money-making proposition. It wasn't until years went by that the City of Newark found it as a source of revenue. So I think all those things need to be taken into consideration before we change that off-street parking thing. We want to encourage more residents from outside to come in to what has become a restaurant hub. Sorry.

Mr. Firestone: Okay. Well thank you for that bit of history. Is there anyone else who would like to make a comment?

Dr. Morgan: May I make a quick follow-up?

Mr. Firestone: In a minute. Is there anyone from any of our transportation, people who engage in transportation and have their expertise, do they have any insights that they'd like to share with us?

Mr. Evan Horgan: Hello, my name is Evan Horgan and I'm a planner with DART. There's been a lot of talk about transit here. Mike mentioned the study we're coordinating with UD, the City, Cecil Transit, DART, and we also contract rail through SEPTA, so you've got five agencies involved in the City here. There is a lot of service weekday. We're exploring more options for weekends. Starting in May, we're adding the 33 service on Sundays. We just added a new route 302 that goes from Newark Transit Center down to Amazon in Middletown and Dover. So we're trying to expand in the area and be more of the regional provider. But, you know, if anyone has any questions afterwards or comments related to transit, I can try and help answer anything, possibly.

Mr. Firestone: Okay, thank you. Is there anyone who hasn't yet spoken that would like to be heard? Okay, Dr. Morgan, you can take up to two minutes additional time.

Dr. Morgan: So I'll just be as quick as I can in response to a point that Chris Locke made. I was not suggesting that the University should allow others to use its parking lots and parking garages for free. Rather I think that there should be an opportunity, for example one could put meters in gated lots, what are currently gates lots, and after a certain hour, when they're almost empty from the usual University employees, then others could park there at a meter. It seems to me that would be an ideal solution, for example, with the North College Avenue project where you have that huge University parking lot right across from it, which is probably empty during most of the evening.

Also, on the issue about students parking in City lots, it should be remembered that if the students are not also patronizing Main Street establishments that participate in the parking waiver program, the students are paying full price of \$1.00 an hour, whereas the merchants are getting the parking tickets for 50 cents on the dollar. And if there's a feeling that you don't want to have the students who are not patronizing Main Street establishments parking in those lots, the simple thing to do is to raise the price of parking in those lots to match the University's rate, which is \$2.00 an hour with no discounts. And I think that if there is a serious problem, and I know that there's such an issue in Lot #1, we've now heard that there's also an issue in Lot #3, it seems to me that would be the most straightforward thing for the City to do in the next couple of months. Thank you.

Mr. Firestone: Thank you, Dr. Morgan. Did anyone else who spoke earlier want to expand on his or her remarks? Okay, well I thank everyone for your comment and we're actually even now a few minutes ahead of schedule. So we're doing well. We're now in the discussion phase and thinking about next steps and the path forward. So does any of our Commissioners have any insights or suggestions on what we do next?

Mr. McIntosh: Yes, I do. Frank McIntosh. I think at our first meeting I made a suggestion which I want to reiterate and that is that there are people that are in this room or in this community that should be part of this discussion that are not part of this discussion. With all due respect

to ourselves as Commissioners here, we have some base knowledge and we're pretty good people but there are other folks here who have a vested interest in what goes on. Developers, the University . . . there are many that are not part of the discussion. And if we bring them into the discussion, we bring them in and we listen to what they have to say, and we use that knowledge that we don't possess right now . . . we think we do, but we don't really possess it right now . . . if they're part of the discussion, the chances of us making a better decision increases dramatically. You know, somebody mentioned something about the suburbia people coming in. Well I live in Newark but I don't live downtown, and I don't have a bus that stops by my house except a school bus, and I'm not getting on that, so we're not going to put it in. The reason why SEPTA doesn't have transportation on weekends is that no one uses it. So we're not a community that's used to that. Students are used to it because they ride buses a lot, right, and have. But adults don't, typically. So if we want to help ruin the businesses downtown, we can start charging \$2.00 or \$4.00 an hour for parking and don't give any discounts or things like that. And you know what, you'll go to someplace else to eat. Or you'll go to someplace else to get unique things, and not GrassRoots or whatever, maybe. So it's a complex thing. But the problem that I see is that we're up here making decisions or coming to conclusions without the benefit of key stakeholders that are not part of the discussion and I really think we should have them.

Mr. Silverman: With respect to where do we move on from here, I support alternative 1, that in the central business district, to be reviewed and possibly expanded, that we have no parking requirements. Now that sounds radical, but I doubt if a bank is going to lend anyone any money to develop a project that doesn't meet somebody's standards with respect to marketability. I think by having no parking standards per se, some of the smaller, obsolete properties . . . and when I say expand Main Street, Delaware Avenue and even possibly Cleveland Avenue, particularly Chapel Street, may develop as improved uses. I look at these areas as income producing property, whether it's residential, commercial, office. And that's the way I see the CBD. Let the market sort out the mix.

With respect to the parking waiver, it has an interesting definition depending on who wants to read it. When people hear the word waiver, they think that the developer of a property, or somebody who wants to bring a use into an existing property, can magically have any kind of parking requirement go away under our existing standard. This was pointed out by one of our speakers. A parking waiver allows you to vary the number of parking opportunities on your property by making arrangements off-site. And it was suggested that 500 feet may be one of those suburban standards that doesn't quite work in an urban environment with sidewalks and streets and cut-throughs and proper lighting at night. So maybe in the idea of a parking waiver, we further define a parking waiver as the property owner is responsible for producing an agreement whereby if there is a parking standard . . . I'm going to get away from the no-parking standards . . . that if there is a parking standard, say that four per 200 square feet shopping center style standard, that that requirement can be met on- or off-site. Now there are several developers who have contracted with City Council as part of their subdivision agreement to provide documentation that they have arranged for parking spaces to be located remote from their property. City Council seems to be looking in this direction, specifically with respect to the hotel that was just approved, and I'm going to show my age, out by the traffic circle. The person who developed that property will enter into a contract for off-site spaces and that has to be registered with the City Secretary. So in order to allow the market to work, allow our obsolete size properties and older properties to redevelop into something viable, maybe we need to further look at that whole notion of a parking waiver and what it means and how we can take advantage of some of those unused parking spaces that are out there.

Mr. Hurd: Hi, Will Hurd again. The more time we spend on this, the more I realize that it's a complicated problem. And I think, and I don't want to say that Newark is completely unique and no one has the same problems we do, but we have some unique situations. If you look at the parking studies, you'll see that there's a mid-day peak, which is typically local residents trying to come in for lunch time and such. Then there's an evening peak, which is probably typically out-of-town people coming in for the evening restaurants. And so, you know, already

there's two populations that you need to sort of provide two different solutions for. One could be served with a better transit looping system, but one is not going to, you know, Pike Creek is not going to get here on a bus. And then we have the student residents and the University, which is a different overlay. So I think to Mr. Morehead's point, and some others, there are some things that have to happen before we can start to do some of the things that we can do on the Planning Commission. I definitely think that getting the transit systems interconnected and shared so that we're not duplicating services or we're not running buses empty helps the local population and the student population. I think looking at changing the rates in the lots to push some of the students that are using our lots as opposed to the University lots, push them out, and make spaces for the local residents and the out-of-town . . . because mostly it's the lunch time peak that's the issue there . . . you know, start getting some capacity that way. Looking at the fee in lieu of process to fund the public parking that is needed because I think we need to get more parking centralized and under the City control and less of it sort of on private lots. And then to that point, really looking at expanding the usage of private lots and the sharing and off-peak usage because if we have a peak demand between 7:00 p.m. and 9:00 p.m., there's a number of lots that can serve that if we can manage them and we can figure out a solution for them. And that would help reduce the need for building maybe as big a garage and support businesses that want to come in but can't provide parking. You know, we've got a place to put people. So I see it as sort of a swirling mess that at some point is going to coalesce as we poke it. But I don't see that there's a linear path through this, to my mind, just yet.

Mr. Firestone: A few thoughts. One, I would echo the comment earlier of my recollection of the most recent parking study showed that it was really only during the day the hours of noon to two that were crowded in the parking lots. And even those related to some specific days and times of year. It can be a crunch. I mean one of the things . . . and I guess I am green, you know I'm someone who rides my bike a fair bit, but we are not as urban-oriented as we could be, in large part because of the transit. And I think some of this urban structure that some of us might like to see will follow transit. And until we solve some of the transit issues, I guess I would agree that we can't necessarily simply eliminate parking requirements. I do like the notion that we might consider opt-outs for small buildings and historic buildings to bring in some shops. I think the shopping center approach is probably better than what we have. I mean our downtown is more like a sort of large strip mall, but not in a negative sense. It's still very automobile-oriented but there can be a lot of shared parking. I don't know if I would say doing something about parking and a new garage are necessarily inconsistent. I'm not necessarily a big fan of a new garage because I think it's perhaps too expensive, but there may be a way to free up some of these small, little lots that we have that people sort of drive around to see if there's a free spot, where people who own those could pay a fee to the City to free them up and be able to develop them. That money could then be used to solve more centralized parking. And so I think that there may be some ways to both have more concentrated development and more concentrated parking. And I think we should think about those kinds of solutions, as well.

One other thing that I'm thinking is . . . and I agree with my fellow Commissioner that we need the right people around the table and talking to one another, and so one of the things that I'm thinking would be that perhaps . . . and I have to get clarity from our City Solicitor . . . but perhaps having a committee that would involve two or three Commissioners so that we don't have a quorum and then also bringing onto that body someone from DART and someone from the University, etc. And that we would have a sort of ongoing working committee that would be trying to look at both parking and transit issues together. And then they could sit around and try to work through some of these issues. Because we are somewhat constrained, as we should be, by open meeting whenever we have a fuller contingent of four or more.

Mr. McIntosh: Well as long as I have it, it's too good of an opportunity to pass up. I really do think that when you have various interests and you have a volatile, controversial subject matter, unless you have them all together, talking and working in unison, they will never see somebody else's side. They will only see their own side. So I don't for a moment think that we don't have an opportunity to get the University to think differently; to get developers to think

differently; to get Commissioners and City Council people and so on. Because at the end of the day . . . I used to say I would never say that again, but I did . . . but when we're all said and done . . . that's even better . . . it is the responsibility of everyone to come together and compromise, a word that we don't use very well any more, but compromise some things for the benefit of all. And that's where the solution will come from. It will not be in any other way. We have to make everybody play in the same sand lot and be happy there.

Mr. Stozek: I just want to add my agreement to this. I think we need to bring together a group of people, stakeholders, but I think the University has to be in this group and it has to be somebody of some level of authority at the University. Not necessarily to make a decision at our meeting but to understand what we're talking about. Because if you talk to somebody at the University today, they don't have a parking problem. They don't even understand, probably, what we're talking about. They haven't even heard what we're talking about. I think they need to come in and they need to be educated, and hopefully be brought around to say we can help contribute to solving this problem. Because, not to make it too simplistic, I keep saying that we don't have a parking problem, we have a student parking problem. We only have a parking problem when the students are in session. Now as a matter of fact they're here. They're 50+% of the land mass. And we've got to deal with it. But I think the University needs to understand that, you know, they have a role in this, whether it's providing buses or whatever it may be. And, like I say, they need to be educated first on what the problems are that the City has. I'm not sure they know right now.

Mr. Firestone: Any other Commissioner?

Ms. McNatt: I agree with most of your sentiments that you just mentioned. I'm not a fan of 100% reduction, of removing the parking standard completely. I am in favor of a modified requirement with supporting of the transit study, with the support of the UD at the table, with the support of additional information before we just say nix the whole parking requirements altogether. I do believe that the shared use discussion needs to happen with those partners downtown. I think redevelopment of those properties with Mr. Locke's comments that when those developers come in, they should have some type of shared use agreement between each other, not necessarily with the City. But they all could share commonly, as well. I mean, that could include people, residents and other people, but I just think that there needs to be a larger discussion with more people at the table that are invested in this conversation, as well.

Mr. Firestone: Just one further thing about no standards, I'm a little concerned about free riders. By free riders we mean that there are some people who are going to then rely on other businesses to shoulder the burden of parking. Whenever you have a commons, and that's effectively what you have, then you run into what we would refer to as market failures. And so I am concerned about that. I think it would work, again, quite well if we were much more urbanized. But given that we're not and we don't have those great public transit options, I have some concerns.

Mr. Fortner: Mr. Chairman, may I give a few thoughts?

Mr. Firestone: Yes.

Mr. Fortner: I've been trying to listen and writing things down so there are a lot of things I'd like to say but I can't keep track of it all. Let's talk about, first, transit and density. What makes transit work is density. As the video and Councilman Morehead pointed to, it was a little misleading in the video. It's like we don't have density but we're going to put light rail in there. We usually get the density and then the transit follows. They don't run transit and then the density will happen. In order to have good transit, we need to have density. Transit is never going to work in suburbia but it can work in a place like downtown. And that's part of the argument of lowering the parking requirements is that you can create a better density downtown that makes it more transit-oriented. More people living there and more places to go downtown that are being taken up by parking currently.

When we talk about the parking studies and how we have the peaks and utilization during certain times of the day, there is an issue with college students parking there and taking up some of the supply. It does go to show you though, because we have a foreign element, someone who is not part of the downtown business culture parking there, the students, that having these types of parking requirements and the parking waivers that we've done, this historic district where it was built before we even implemented these kinds of parking standards, it hasn't ruined our downtown. You basically can go downtown and park at most times of day and evening. There are times where it's difficult, especially in certain lots. But most people know how to navigate that. Even with on-street parking, I've been very successful. So by not holding downtown to the same parking requirements that we hold suburban areas to, we haven't ruined downtown. It is possible to park downtown.

And also, a little bit about the free rider system, there was a concern. Being a free rider and the tragedy of the commons is mostly true when an amenity is free. Parking in our downtown, in most cases, it's where it's not free. If we manage it by the City, it won't be free. It can be priced as a market good and then your choice is to use that market good or not. And so if a builder doesn't want to provide parking, then they're saying okay they can use it, but there are only so many monthly permits you can get. That's capped. There are only so many parking spaces and they're not going to pay the \$1.00 an hour because they're going to live there. If the market is like, hey it's hard to park downtown and there are people who want to bring their cars, then they can provide that parking and those people will pay for that parking as part of their rent. Otherwise they can pay less rent and not have that parking. But anyway it's not exactly a tragedy of the commons if we're charging them market rate. We are probably charging below market rate at this point and we're also requiring developers to basically supply, essentially it feels like the drivers are getting free parking even though that cost is borne by somebody. Initially by the developer and then by the tenants. So anyway that's just the tragedy of the commons. It's not free.

Mr. Firestone: We have a lot of free parking in this City.

Mr. Fortner: Yes.

Mr. Firestone: So we do have our lots but if I don't provide parking because there's a bunch of free parking around . . . and there is a bunch of free parking around . . . I'm benefiting from the people who are creating free parking.

Mr. Fortner: So the ideal way, I think, would be if we were to get private property owners to coordinate and allow this sort of shared use, it would most definitely have to be paid parking. So, for example, say you take a private lot today, either behind Iron Hill or Simon Eye. So Simon Eye has free parking for their customers during the day. When they're closed, then the meters kick into effect and you can pay the parking meter, and that profit could be shared with Simon Eye. And you could cut that deal in any lot. Have some sort of pay per foot system and they could do that. They share the profits with the property owner and the City, and it would not be free. When you start having free parking and the expectation of free parking, like we said, there's no such thing as free parking. And that's where the tragedy of commons comes in. If people are not providing parking because there's free parking. There's no incentive to provide parking. But if parking is not free, it's sold at a market rate, then there's an incentive to create the parking as well.

Mr. McIntosh: Question, Mike?

Mr. Fortner: Yes?

Mr. McIntosh: A question which you might be able to answer, or somebody might be able to answer. The trolley that we used to have downtown, it doesn't run anymore?

Mr. Fortner: That's correct.

Mr. McIntosh: Okay. How come?

Mr. Fortner: Lack of use.

Mr. McIntosh: Oh, lack of use. Okay, thank you.

Mr. Fortner: Heather Dunigan may be able to . . .

Ms. Heather Dunigan: Heather Dunigan, WILMAPCO. The original concept of the trolley was to run frequently. It was supposed to run every 15 minutes. It never operated as intended. So without that frequency of trips, you really can't use it for those quick, you know, hop into town for lunch type uses. The other reason it doesn't run anymore is that it used to be subsidized by the City of Newark and that subsidy has gone away, and so DART is no longer able to provide that service.

Mr. Fortner: Just a little bit on the dynamic parking or the parking benefits district. I did want to keep this as much as possible talking about zoning and I know we got into transit and things like that, which are related things, but we're talking about zoning. But in terms of a parking benefits district, what I'd like to say about that is what they do is those revenues . . . right now all the parking revenues, and Marvin, correct me if I'm wrong, but they go into the general fund. Now some of that general fund, maybe a lot of it, goes back into Main Street to buy the trash cans, snow plowing, sidewalks, bicycle racks and many other things. Maybe someday burying the power lines. Now under an empowerment district, you know, parking fines and all the fees would go back into this sort of account and so it would be a restructuring of the City finances. But through that you could organize it where all parking fees are going back into Main Street which it serves. And it sort of gives the businesses an ownership of that parking, which could make them look at parking a different way and maybe the customers who are paying. And this is going to improve parking. I've heard of funding bus passes for employees or maybe even funding a shuttle. Funding bike racks. Approving bicycle amenities downtown. These types of things with this kind of district. So basically it would just be a reorganization of City funds. Lots of stuff the City funds already but through this sort of empowerment district which funds itself.

Mr. McIntosh: I promise, one last one. Okay, so back to the trolley. If you had the trolley and it ran every 15 minutes, which I'm not sure why it wouldn't, but if it did, and you had places for people to park where the trolley might stroll through every 15 minutes, then they would get on the trolley probably, if you advertised it and committed to it over a period of time so people got used to it. So all I'm saying is there are answers to just about any problem. What is always in question is the will to do something about it.

Mr. Fortner: And there would have to be a parking supply problem that would incentivize people to . . . I mean why would I park off-site and catch a trolley to go downtown when, generally, I can get a parking space downtown and pay \$1.50 and do anything.

Mr. McIntosh: Well then there's no parking problem, is there? What are we talking about?

Mr. Fortner: Well we're forcing developers to keep providing more and more free parking. And if we want a transit system that's dynamic, we can't continue to incentivize free parking or an abundance of parking in downtown.

Mr. McIntosh: Well you just might get people used to using the trolley or some other such conveyance, right, to the point where, at some point down the road, your incentive, you can change it. You've said we have to probably do something, whether it's the tail wagging the dog, or whatever that is, right?

Mr. Fortner: It's the tail wagging the dog.

Mr. McIntosh: Good. I don't have a dog but, you know, let's think a little bit more openly and be more committed and have a will to get it done.

Mr. Firestone: Okay, well it's five to midnight. No, it's actually five to our midnight, which is five to nine. To the extent that it seems that we have . . . this session is about a path forward, to the extent that it seems we may have some consensus to try to widen the discussion to bring in some of the other important players to help us puzzle through this. Anyway, I want to thank everyone for coming out tonight and lending your collective wisdom, and good night.

There being no further business, the Planning Commission workshop adjourned at 8:01 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Alan Silverman". The signature is written in a cursive, flowing style.

Alan Silverman
Planning Commission Secretary

As transcribed by Michelle Vispi
Planning and Development Department Secretary