

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING MINUTES**

May 15, 2018

7:00 p.m.

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

Chairman: Jeremy Firestone

Commissioners Present: Bob Cronin
Will Hurd
Frank McIntosh
Bob Stozek

Commissioners Absent: Stacy McNatt
Alan Silverman

Staff Present: Mary Ellen Gray, Planning and Development Director
Mike Fortner, Planner
Paul Bilodeau, City Solicitor

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

1. CHAIR'S REMARKS.

Mr. Firestone: Good evening. The Planning Commission meeting for Tuesday, May 15, 2018 is called to order. I'm Jeremy Firestone. I'm the Chair of the Planning Commission and I want to welcome you all here. We're really pleased that you've all come. We often have much smaller numbers of you, and I'm a strong believer in transparency and open government, so it's a real pleasure to have you all with us today. We set aside this sort of special meeting because we knew, or we expected, that there was going to be a lot of community interest. And, so, we wanted to have a meeting that was primarily, if not exclusively, focused on these two rental housing proposals.

We thank you, as well, for all of you who submitted written comment. Several comments came to me and then I distributed those to the Planning Department and then they went out to all the Commissioners. Anyone who submitted something to the Planning Department, as well, all went out to the Commissioners. So, we all had an opportunity to read and digest those written comments. And, so, we thank you for those.

Just a little bit about how we're going to proceed tonight. And, actually, we're trying to figure out whether we should, and we're sort of likely to do this, to combine items 2 and 3. It looks like, at least from the written comment, that a lot of people will be speaking on both items and it makes sense, I think, to probably consider them together. So, I'm going to ask for a show of hands. How many people are here only to speak on the additional exempt streets? Okay. Versus if you're going to speak on both. How many people are here to speak on both? Would likely speak on both? And how many people would speak only on the three versus four unrelated individuals? Okay, so I'm going, before we get going, I'm going to entertain a motion that we combine items 2 and 3, take public comment together, and then we will, after all the comment and discussion, decide whether we're going to vote tonight or table it and vote at another time.

Mr. Will Hurd: Alright, so I'll move that we combine agenda items 2 and 3 in terms of presentation and public comment, and then consider those two items separately in terms of motions and approvals.

Mr. Bob Stozek: Second.

Mr. Firestone: Any discussion? All those in favor, signify by saying Aye. Opposed, say nay. Motion carries.

MOTION BY HURD, SECONDED BY STOZEK THAT AGENDA ITEMS 2 AND 3 BE COMBINED FOR PRESENTATION, PUBLIC COMMENT, AND DISCUSSION, AND BE CONSIDERED SEPARATELY FOR MOTIONS AND APPROVALS.

VOTE: 5-0

AYE: CRONIN, FIRESTONE, HURD, MCINTOSH, STOZEK

NAY: NONE

ABSENT: MCNATT, SILVERMAN

MOTION PASSED

Mr. Firestone: A couple other things about the way we're doing business. I do have a long sign-up sheet. Everyone will get a chance to speak. Normally, we go right through the list but, under our Rules of Procedure, the Chair can modify a particular agenda item to facilitate a more orderly presentation on a case-by-case basis. And, so, what I'd like to do in this case is to take comments by focus area. Obviously, people will . . . and we'll get into this, but there are six focal areas where the exempt streets fall, and I think it will be useful for us as a Commission to get comments related to people who live in those areas, versus one from here, one from there, one from there, because the issues may be very distinct. And, at the end of the day, we may vote yes or no on the whole package or we may split it up in various ways. So, that's the way I would like to proceed on the public comment. It doesn't mean you can't, as well, comment on other portions, and there will be some of you who have general comments, but we'll go in focal area by focal area, and we'll explain what streets are on those focal areas, and take comment from people who have particular concerns, interests, and expertise related to given areas. So, I think that will be helpful for us.

And, lastly, we allow three minutes per comment. I think that's what we're going to stick with. Depending on how many people comment and how much time, we may come back and give people who feel they need some additional time to bring forward additional comments. We'll just see how the evening is going.

2. **REVIEW AND CONSIDERATION OF A RENTAL HOUSING NEEDS ASSESSMENT STUDY RECOMMENDATION TO AMEND THE ZONING CODE TO ADD NINE (9) STREETS TO THE LIST OF EXEMPT STREETS UNDER THE DEFINITION OF STUDENT HOME UNDER SECTION 32-4(a)(123.1).**
3. **REVIEW AND CONSIDERATION OF A RENTAL HOUSING NEEDS ASSESSMENT STUDY RECOMMENDATION TO AMEND THE ZONING CODE TO ALLOW SINGLE-FAMILY RENTAL UNITS ON ALL STREETS OR SUBDIVISIONS LISTED AS EXEMPT UNDER SECTION 32-4(a)(123.1) TO BE OCCUPIED BY UP TO FOUR (4) UNRELATED TENANTS.**

Mr. Firestone: And, with that, I'd ask Michael to give us a brief presentation and sort of set the stage. After . . . we've had discussions on this for a couple of meetings, and so after the presentation, we're going to go right into public comment. Thank you.

[Secretary's note: During his presentation, Mr. Mike Fortner referred to a PowerPoint presentation being displayed for the benefit of the Commission, the Planning Director, and the public. Links to the Planning and Development Department reports and PowerPoint

presentation on the Rental Housing Needs Assessment proposed ordinances to amend the Zoning Code to add nine streets to the list of exempt streets under the definition of Student Home under Section 32-4(a)(123.1) and to allow single-family rental units on all streets or subdivisions listed as exempt under Section 32-4(a)(123.1) to be occupied by up to four unrelated tenants can be found at the end of this document.]

Mr. Mike Fortner: Thank you, Mr. Chairman, Planning Commissioners, and members of the public. Tonight, we're here to consider two amendments to the Zoning Code that were recommended from the Rental Housing Needs Assessment Study (RHNAS) that was completed in early 2017. The two amendments are changing the Zoning Code to allow non-owner occupant single-family residences on exempt streets to have up to four unrelated tenants. And the second one is adding up to nine streets to the list of exempt streets under Section 32-4(a)(123.1). Each of these are, like you said, separate ordinances but I'm going to present them altogether, as the Chairman said.

Before we get started, I want to briefly go over some background on the current Student Home Ordinance and the Rental Housing Needs Assessment. A couple of important dates – September 1978 is when we changed the number of tenants in RH, RT, and RS zoning districts, which RS zoning is 9,000 square foot minimum lot size. That's probably what many of you live in. We changed that from allowing four tenants and decreased it to three for any new rentals. Any existing rentals were allowed to continue as four. That's why we have series throughout of the City of four-person rentals and three-person rentals. And a lot of those four-person rentals still exist, especially in the area where there's a high demand for rentals. The other date is February 1992. That's when we did the same thing to RD zoning. It was four and then we changed it to three in 1992. And then in May 1999, that's when we adopted a series of ordinances and we kind of collectively called it the Student Home Ordinance. It's really just a series of ordinances throughout the Zoning Code.

The Student Home Ordinance was adopted by Council and it was primarily as a way of trying to slow down and stop the encroachment of students renting single-family homes in single-family home neighborhoods. The encroachment was going through a lot of traditionally family neighborhoods. We wanted to slow it down and create regulations to kind of slow down and stop the density in those areas and protect neighborhoods that are around the campus. For example, Kells Avenue and places like Sunset on the west side, these were neighborhoods that had a lot of single-family residences and we wanted to preserve them as best as possible. So, they created these regulations and created a definition of student home. And this went through a lot of legal wrangling. It wasn't necessarily the original definition, but it's a single-family detached dwelling occupied by three post-secondary students that attend or are about to attend the University of Delaware. And the other thing it did is it added, in four zoning districts, a provision called Student Home. Now a rental is in the Zoning Code but then there is a student rental, which is a separate item in the Zoning Code. And, so, it created a new zoning classification called the student home, which are three unrelated college students living in a single-family house, and it creates spacing requirements. And those are listed below. So, for an RS, student homes can't be closer than within 750 square feet of each other. That's basically ten times the lot width for that zoning district. And then for RD it would be 500 feet from each other.

Council also created a series of exemptions. The first thing they did is they grandfathered all existing rentals and they classified them as student homes. And, so, they got to keep their rental permits. Council debated ways of . . . what do you call that . . . amortizing them or basically getting rid of them over time. But then they considered lots of different legal consequences and they ultimately decided to just grandfather them based on the legal counsel they had at the time. And they also created a list of exempt streets. These were streets where there was already a high density of student rentals. It seemed like a natural place for students to live, close to campus, and they created these exemptions because there was already a specific density in those areas.

This is the Student Home Ordinance. Like I said, this is different than the other rental. There are two types of rentals. There's a regular rental and then there's a student home. A student home is when you have, at the bottom on Line e, it can't be occupied by more than three persons. It's three students, unrelated, living in a house is a student home, and it creates a distance requirement under Section d, and then it also creates the grandfathering in the greenish or bluish highlighted areas, where all existing are now considered student homes.

Next, we'll bring you to about 2012. Council, [inaudible] by the Planning Commission, asked for a rental housing needs assessment. It was done because we had a spike in new rentals at the time. I'm sorry, new multi-family housing. We wanted to know how much was too much. We didn't know. This is Newark Shopping Center and what's called The Retreat, and were we going to saturate the market. And, so, we hired a consulting firm and they did an assessment of the student rentals and non-student housing needs in the City, and also recommended for additional housing in the future. What would we need to meet future demand?

This is what our housing market looked like, according to their assessment. You can see the blue is graduate students and the green is undergrads. Together, they make up about 71% of our rental housing stock. From there you have, in the purple, the last line, is about 12% of market rate housing, family market rate. And then you have about 6-7% of our rental housing which is deemed as affordable – below market rate rentals. And that was their assessment.

So, when they looked at it, they anticipated very moderate University growth that was happening at the time, which was about 1%. They estimated to keep pace with that, we needed to create 50 new rental units per year, to keep pace with basically a non-growth policy by the University that was growing because they were taking a few more students than they were anticipating and it was just naturally growing that way. And the second part was that if we wanted housing for other types of people – young professionals, seniors, and other people that are in the market for rental housing – we need to create more. And, so, if we create more than 50, that would increase the supply for other non-students.

Phase II looked at our policies about how we did housing. Specifically, it looked at our approach to . . . there's the Student Home Ordinance that tried to make it more restrictive where students rent single-family homes. And the other side of it, we could increase supply in multi-family housing, which led to the redevelopment of downtown and a lot of the housing that you see going up. And this was considered more attractive for students. Students liked this better, we found, and this would be their first choice of housing. And single-family houses would be a lesser choice for them. And, so, increasing this supply . . . and part of the recommendation was we needed to decide where we want those supplies of housing, and also identify the neighborhoods we want to protect. We knew what neighborhoods we wanted to protect, and Council designated a series of exempt streets already, so the consultants recommended that we look at those as sort of the first place for where would we increase student housing, making it more dense and be able to take in a greater student population. These were attractive areas for students because they would be able to walk to campus, which is good for the City in general, rather than having more commuters living around close to campus. And we would have to decide where those areas are.

So, in their recommendation, they had, among other things, but what we're discussing tonight, two things, one of which was adding to the exempt streets. And they looked at the rentals on these series of nine streets. They determined that it did already have a lot of student rentals and just high rental communities, and we should perhaps consider them as adding them to the Student Home Ordinance. Now, the ordinance we're going to consider, we don't have to add all those streets. We could add none of those streets. We could add one of them. We could add all nine of them. That's up for this recommendation to Council. And the other thing they thought we should consider was allowing, on exempt streets only, four unrelated tenants in a single-family unit. These are only on exempt streets. So, the law changed in 1978 where we went from three to four, so there are a lot of existing fours in the those areas. Any new rental that came in after approximately 1978, they only got three-person rentals. So, on these

exempt streets, you could have a four-person rental house right next to a three-person rental house, or a couple of three-persons, and then have a bunch of fours. And it was kind of a chaotic system of keeping track of all that. It's hard for Code Enforcement Officers. It's hard for the landlords to keep it straight. It's hard for the students to understand why there are three in this house and they can have four, but this house can only have three. So that was one of the proposals – allow four. This would allow the absorption of more students in those areas that we've already targeted for student growth.

So, maximum tenants. So, this is how we would do this, or propose to do it. Again, I showed you the Student Home Ordinance which defined the student home and no more than three unrelated students. This is a regular rental. And a regular rental, we would subtract the line that was unnecessary and we would add, essentially, Section e. We would keep this the same for all places that fall under the Student Home Ordinance, which is city-wide. They would only be allowed two boarders. So, it's confusing when you look at it, but we have the renter-occupant and they're allowed to take in two boarders, so that's three. But on exempt streets, if you're on the list of exempt streets that Council created, you would be allowed four, categorically. And, so, essentially you have the primary renter-occupant and three roomers or boarders under that, on exempt streets.

And here is the list of streets and, again, where they are on the map. So, the blue is existing exempt streets from the Student Home Ordinance. The rest of the City, city-wide, falls under the Student Home Ordinance. Those streets are in blue. Well the streets aren't in blue, but the parcels are in blue that are adjacent to them. Those are exempt from the Student Home Ordinance. So, we essentially don't regulate . . . rental houses are rentals, they're not student rentals or non-student rental. They're just rentals. And, so, they can be rented by students or they can be rented by someone who is not a student, but we don't track it. We don't say if it's a student rental, then there can't be another student rental within another 500 feet. And then the red would be the ones that they propose to add.

Here is where we go map-by-map and I'll go through this quickly because it's where we'll stop on each map as the Chairman would like to talk about each area individually. But you see here, the map that was in the packet, what you have there is the blue parcels are showing in kind of a bluish. Those are existing exempt streets. And when you see a hashtag, or kind of the hashed areas, those are owner-occupied units. And then where you see a blue dot, those are existing rental permits that have four-persons. If a parcel does not have a blue dot on it, that means it is not a four-person, it is a three-person rental permit. It could be a family or could be a student; we don't know that. In the reddish area where there are parcels, that's a proposed street to be exempt. Again, the same thing, the hashed ones are owner-occupied. And then you'll see green dots on there and then you'll see blue dots. So, the blue dots are four-person rentals on those areas already that were pre-existing. And then you'll see a series of green dots on parcels. If a green dot is on a parcel, we know that to be an existing student rental. It means they have three college students in there, unless there's a blue dot and then it has four. At least legally. And then there are a few exceptions in this area, especially off of New London Road. There's a fraternity house and some group homes that are on that. And then you have other types of land use classification. The orange is mixed-use and the bright yellow is multi-family housing.

So, when you look down New London Road, for example, and that's why I included a zoning map on there, people that are RM, they already have four persons. It's already legally four-person. Council never changed the zoning to reduce it for RM, so those already have four. So that's why they're already all four, because they're in RM. So, this ordinance proposal doesn't change any of that. Those on, say, West Park, I'm sorry where West Main is, those are RS. So, if there's nothing on a parcel that means it's a rental but it's a three-person rental. And it's an exempt street, so it could be a student or it could not be a student. It's an exempt street, so it's not regulated. So, on West Main there are some items that I broke out. There are some fraternity homes and some group homes on that street, but there are a few houses on there that have four-person rental permits and the rest are just three-person rentals on that street.

So, changing the ordinance would allow a lot of those parcels that are rentals to take in up to four. Again, I won't go through all the same, but this is just showing the map and we'll go through each one as the Chairman wishes. And, I'll tell you what, since we're going to go through all of these, we'll just do it one-by-one if that's alright with you, Mr. Chairman. And that concludes my presentation on the two ordinances.

Mr. Firestone: Okay. Thank you very much. So, again, we're going to start with Area 1, which is up near New London Road and West Main Street. Yes?

Mr. Edgar Small: Can we ask questions on the report, itself, without commenting on a specific proposal. The proposals seem to be based on . . .

Ms. Mary Ellen Gray: Excuse, me, sir. Can you come up to the microphone, please?

Mr. Small: Sure.

Ms. Gray: Otherwise you won't be recorded. Thank you.

Mr. Small: My name is Edgar Small. I live in this area. I have comments but the comments I have are prefaced on the details that are in these reports and the sequences of the reports. And, it's my understanding that the proposals that you're considering are also based upon those, and I have questions on the report, itself. So, I was kind of wondering if you had a time period where we can ask questions about the details of the reports.

Mr. Firestone: During your comment, you can pose questions, and then when we get through all the comments, we'll start working on some responses to the questions.

Mr. Small: Okay, so the comments will then have to . . . okay, so, we can't question the details of the report during the comment period?

Mr. Firestone: Right. It's not an adjudicatory proceeding where you can sort of cross-examine . . .

Mr. Small: Well I'm not trying to cross-examine but the report, as far as I've seen, has some severe flaws to it in terms of the data.

Mr. Firestone: Well, that would be very useful . . .

Mr. Small: So, I was trying to understand and ask a question about . . . based on his presentation based on what I thought. I can do that during my commentary. But that's three minutes long and I think it might influence or allow clarification of some of the details. It's up to you. Whatever you prefer.

Mr. Firestone: I think we're going to stick with the way I set forth.

Mr. Small: Okay.

Mr. Firestone: But thank you, and we'll try to answer all the questions.

Mr. Bob Cronin: Mr. Chairman? Can I suggest that we start with Focus Area 6 or 5 first, because I think those are the areas most people came to speak about. And their comments might open ideas or thoughts or suggestions that we could draw upon as we consider Focus Area 1, 2, 3, and 4. But to do 1, 2, 3, and 4 first, we don't get the benefit of the citizens' input, which might illuminate all of us in some fashion, idea or thought that we could apply to other focus areas.

Mr. Firestone: Well, we did receive a lot of written comment from the people on Areas 5 and 6. And if any area, that's probably the area where we have the most . . .

Mr. Cronin: Interest.

Mr. Firestone: Understanding. I mean I'm not opposed to going in reverse order. I think there's some merits to both approaches.

Mr. Cronin: Well I'd like to get the benefit of the citizens' thoughts and ideas that might bear on our thoughts for other areas. Let's have those citizens speak first and we can all grow from that, perhaps.

Mr. Firestone: Okay, we'll start with . . . and I think we're going to group 5 and 6 together because Park Place is in both and it doesn't really make sense to sort of bifurcate them. And I'm going to ask Commissioner Hurd . . . we've got the maps but he's also done some calculations on the percentage of homes that are student homes on the proposed streets right now, which also sheds some additional light. Some of us work better with numbers than figures and process things differently.

Mr. Hurd: Sure. So, working up from Area 6 and up, Wollaston has eight student homes out of ten properties, for 80% student, with one owner-occupied. East Park has 52 student homes out of 74 properties, for 70%, with 21 owner-occupied, which makes it 28% owner-occupied. Lovett has four student homes out of seven, for 57%, and two owner-occupants, for 29%. Center and Linden, taken together, have eight student homes out of eleven properties, for 73%, with one owner-occupant, for 9%. Corbit, Kennard, and Terry, taken all together, has 15 student homes out of 32 properties, which is 47%, with seven owner-occupants, which is 22%.

Mr. Firestone: Thank you. So, anyone who would . . .

Mr. Small: I'm sorry, I just need some clarification of what zone you're talking about when you're saying 73%. Is that in the proposed area? Or is that . . .

Mr. Hurd: So, I was doing it by the streets being proposed. So . . .

Mr. Small: So the proposal?

Mr. Hurd: Wollaston, East Park, Lovett, Center and Linden, because they're sort of together, and Corbit, Kennard, and Terry together.

Mr. Small: Okay, so that would include the existing student exempt housing plus the proposed?

Mr. Hurd: No, no. Those are the streets being proposed to be exempt.

Mr. Small: Okay.

Mr. Firestone: Once they become exempt, they could go to 100%.

Mr. Hurd: It could be 100%.

Mr. Firestone: So, right now, for example, Wollaston is 80%. That's because of grandfathering. Again, we can't have you speaking from . . . people have to come up to the microphone to speak. But, again, I'm going . . .

Mr. Small: Okay, I'm just asking for a clarification. Because is it the additional area that you're going to add that is 73% student occupied right now . . .

Mr. Hurd: Yes.

Mr. Small: Or the additional plus the existing?

Mr. Hurd: Just the additional.

Mr. Small: Just the additional. Okay. That's all I was asking. Thank you.

Mr. Firestone: Okay, are there people here who would like to speak about Areas 5 and 6? And everyone will get a chance, so don't worry. And if you can identify your name and your district for the record please.

Mr. Eric Crossan: Sure, Eric Crossan. I believe it's District 2, 208 East Park Place. Good evening, and thank you for letting us all make our comments to the Planning Commission. My wife, Karla, and I have owned our home on East Park Place – 208 East Park Place – for almost 15 years now. My wife and daughter lived there for a couple of years and then my daughter lived there while she was attending the University of Delaware. We've rented the house now for about 9-10 years. We have a four-bedroom, two-bath house and we're allowed to rent out to three students I guess under whatever one of those years that you all changed that. Since renting our home, we since added off-street parking for five cars and taken steps with our leasing program to get the parents more involved with the student leases. We have had just four incidents in 10 years at our house, and three of those involved students that were in frats. We no longer rent to frat students or sorority students, and it's made a big difference. So, I think if you're involved with your rentals, a lot of the problems can be curtailed. Anyway, so on our home, the majority of East Park Place, at least from Manual Street . . . and we're just a couple off of that . . . all the way down to South Chapel, the majority of those homes, I believe 23 are rentals and seven are family owned. So, the majority, I think 70-some percent, are student rentals currently. By allowing the exempt streets and four students, it would take pressure off the current family owned homes to become rentals, and the number of increased rooms that are available but empty would also take pressure off families to sell as rentals. Quite a few of the homes on our street have made off-street parking provisions, which keeps cars off of South Chapel Street, which is one of only two main arteries through the town. And students can easily walk to school from that location. If these proposals pass, please consider make the system fair for all those who do rent. In our case, we have a four-student on one side, across the street a two-student, and we're three. It just doesn't make sense for the majority of the homes that are being rented. Student housing needs are projected to rise dramatically, as your study shows, in the next few years, and these two proposals are one way to immediately not wait for houses to be built, but immediately take more students in, open up other homes for family rentals or whatever it might be, and help alleviate that from the problem. So, once again, I thank you for your time and hope you consider our comments.

Mr. Firestone: Thank you. Yes, the gentleman.

Mr. John Kalmer: My name is John Kalmer and I have lived at the corner of Kells and Academy for 34 years now. I just needed a point of clarification. As you went through the numbers of rentals on each street, are those rental permits that have been issued or actual rentals?

Mr. Hurd: Those are the properties indicated as student homes out of total properties.

Mr. Kalmer: And how is that determined?

Mr. Hurd: By the Department. Everything that's got a green dot on Park Place is a student rental.

Mr. Kalmer: Okay, so I guess to clarify my question, I know people in the past, when restrictions were going to be put on rental permits, went out and got them even though the house wasn't a rental. And that's the question – do we know what's actually being rented versus what just has a rental permit?

Mr. Firestone: I'm going to ask Mike to . . .

Mr. Fortner: I can answer that. No, it was strictly a rental permit on the property. If it has a rental permit, then I designated it as a rental and would designate as four or three based on what it was in the Munis system.

Mr. Kalmer: Okay, I'm curious because some of my neighbors, because I think you indicated that on Wollaston that eight of ten properties were student rentals. Do we know that that's accurate? Are they occupied versus having a rental permit for a property that's not actually a rental? No? Okay. Thank you.

Mr. Firestone: Thank you. Yes, ma'am.

Ms. Georgia Wampler: Georgia Wampler. I live at 39 East Park Place and have lived there for 42 years. We moved there because it was an ideal location for raising a family. We raised three boys there. We can walk to . . . Tom and I sent a letter and explained, there are unbelievable resources there that we can walk to. We can walk to a state park. We can walk to the train station. We can walk to the post office. We can walk to the library, Main Street, three shopping centers, a high school . . . our boys walked to the high school . . . elementary school. It's a place where a family can . . . I mean, we raised our family and it's a good place. Before this ordinance was passed, we really went through a great deal of difficulty with a lot of student rentals before they [inaudible]. We even had a police officer suggest that the best thing we could do would be to move. And that was a good number of years ago. Things have settled down. We've put up with that. And now it's looking to yank the carpet out from under us and take away . . . the whole movement now is to have walkable communities. You can see who walked [inaudible]. And what you're going to do with this if East Park . . . and I think many of the other streets, too . . . is students are going to be there. They'll live there for a year or two. A family could move in and live there 40 years or 20 years, and raise a family where those kids can take advantage of the parks. And that's all walkable. And I think you need to consider giving up that good property . . . and I am biased because I live there . . . but that good property where a family can live and take advantage of all that the City has to offer as opposed to students who, quite frankly, don't walk anywhere. I mean the kids next to us don't walk anywhere. And we would do that. A family would do that. One other point, or actually two other points. One is, the letter that we got about this meeting was very, very vague and I wished that there would be more specific . . . it just said there are nine streets. Well, if you got that letter, is it my street? Is it someone else's street? And, so, I think maybe the letter could have been a little bit more clear. And as far as the four and three and the confusion, I think college students and landlords and the Planning people certainly are smart enough to be able to look at a map or understand this is three and this is four. There are a lot of things that don't seem fair. It is a problem with grandfathering it in. And to pack more students in, I think, damages the neighborhood. Thank you.

Mr. Firestone: Thank you. And thank you for bringing to our attention the issue with the notice. That's a very fair point and we do want to give people notice.

Mr. John Kowalko: Thank you. John Kowalko, I live at 14 Kells. First, let me preface my remarks that the entire dialog being considered here seems to be centered around the University student growth without any consideration for the taxpaying Newark city residents. Traffic and parking problems abound. The University of Delaware still pays virtually no property tax and the quality of life for full-time City residents and their families is suffering. I live right near 5 and 6, and I can tell you right now that my car has been hit twice when I parked it on Kells because of the traffic flow that is inevitable. The parking spots that are allotted across the street from me are usually full and backed up with people, so they park on the streets. They even got caught giving their permit, selling their permit to residents, so we had to go report them and that's finally resolved. I don't know where they park but they might be parking somewhere else under a permit. But that's a noticeable problem with this City and for the quality of life of City residents. I can't get out Kells onto South College now. Add more traffic.

Add more cars. And let's not kid ourselves, when they build an apartment building and they put three parking spots in there and they usually negotiate down to two, and there's four people living there and they have four cars. I mean, we have a serious problem in this City and it is being manifested and it is being exacerbated by the demands of the University. The demands of the University on our resources. The demands of the University on our quality of life. When you start talking expanding from three to four, just take a ride around, anytime of day or night, and look at the cars pulling out of the driveways that they're in or on the street parking, and understand that this contributes dramatically to the problems that we have in this City. It's not just traffic, it's safety issues. I'm looking at this and you want to exempt from student ordinances these streets. You're opening up a Pandora's box of harmful effects for the residents of this City in all regards. It reaches out, and George Read Village, in particular. It's in my district and I represent them, and a lot of those people are affordable housing. And I think on here it shows 4-6% affordable housing in George Read Village. If you want to exempt that and put more students in there, you're really doing a bad turn for the people that are dependent on affordable housing. And I don't mean just the HUD site, but the surrounding area, too, is affordable housing. Affordable housing doesn't mean cram as many students in as you can into a place so they get a cheaper rent. That's not affordable housing. Affordable housing has to be available to the residents, to the property taxpaying residents of the City of Newark before they are provided to the University to ease their logistics problem where they want to pack in students. And I'm going to be honest with you, and this is the only time I'm going to refer to my seat as a state representative, I've had a bill for the last eight years to have access to the University of Delaware's FOIA, requiring them to have FOIA requirements so we can see exactly what is encroaching upon the public here, and I've been denied that [inaudible]. So, when we sit here, let's consider what the inconsideration of the University is toward the consideration of the residents.

Mr. Firestone: Thank you, Representative.

Ms. Amy Roe: My name is Amy Roe and I live on Sunset Road. This is my neighborhood. I have a question and it's a follow-up to the gentleman on Kells, and that is how do you know that these are student homes, and how do you know how many students are really in a home? Because what I'm seeing on my block, which has five houses, three of which are student rental, only one is allowed to be a student rental, is that the City doesn't actually know if the people who live in the homes are students. And Code Enforcement has told me they have no way of knowing. And in addition to that, they don't actually know who lives there. And I see an encroachment of student housing in a way that the City is not tracking in the data that is provided here. So, we don't have a very good look at exactly what the student housing situation is. And what it feels like to live in between two student rentals, which is where I live, is devastating. The back yards are packed with cars. There is no grass anymore; it is just a parking lot. It's parties all day and all night. The neighbors on my one side have set up their front yard like a living room so that they could watch television. The neighbors on the other side, at 3:30 a.m., country music on Friday night woke my neighbor and I up. And the City couldn't even enforce the noise ordinance that night. So, I'd like to know how the City actually knows where the students are and if this Student Housing Ordinance has any meaning at all, or if it's just blind data. Thank you.

Mr. Firestone: Thank you.

Ms. Doortje Shover: I live on the other side of Amy.

Mr. Firestone: Excuse me. Can you speak into the microphone and identify who you are?

Ms. Shover: I'm Doortje Shover. I'm Doortje Shover and that is my husband, Les Breedlove. Amy lives . . . we have the [inaudible] students between us, and Amy has the bad fortune that she has students on the other side. These were the complaints, look at the page, that we have had to call the police – 53 complaints – between, let's see here, November and last Friday. They don't write up anything. They sit in their car. The students live in the back of the house. I am

this far from their television because they sit on their porch. The noise is unbelievable, and I am livid because they are rude. Their trash is always overflowing. They don't shovel the snow. They are rude to me and to you, Amy. They play basketball. They have the whole place lit up so the whole neighborhood is suffering from the lights because they want to play basketball at night. We have no peace anymore. We have no sleep. Amy was woken up at 3:30 a.m. last Friday. I called the police and they sit in their car. They don't write it up. Look at all these times they have been there. And, so, okay, when I came back from my country, from Holland, to visit my family, I thought oh, finally, I'm home. And there they were, playing basketball. Boop, boop, boop, boop. Boop, boop, boop, boop. Usually it winds up in her yard, so I asked them could they please stop playing that ball. I cannot stand the noise of it. And the kid looked at me, 18 years old, and he said my grandparents have been here a long time, my parents have been here a long, and I have been here a long time. You have done nothing for this country. He said that to me. I am 76 years old, right, and this kid is 18. I've lived here for many years. All my children have gone to Ivy League schools. We have gone to Ivy League schools. I have raised my children and my grandchildren in Ivy League schools, and I've done nothing for this country? Anyway, that has nothing to do with it, but it's infuriating. He's such a miserable, spoiled brat. Trust fund baby sitting there doing nothing whatsoever except pestering us, day and night, and nobody does anything. I've had it. Amy has had it. What kind of life is it? They totally infringe upon our lives. We have no peace. And so how did these people get there? They are really from here to there. From where you are. I hear everything they say. I hear everything they are discussing. When there is a goal on the miserable television, they go screaming, oh, goal. It's unbearable.

Mr. Firestone: Thank you very much.

Ms. Shover: My husband . . .

Mr. Firestone: Why don't we let him go?

Mr. Les Breedlove: My name is Les Breedlove and I also live on Sunset Road, and one of the questions I have, I think Amy raised a good point, how are you monitoring how many students are in these houses? And the reason I ask this question, when we did the last census, I took the census on South College, down by the train station. There have to be at least 40 kids living in those big houses down there, and there are only supposed to be four. What is the City doing to monitor that?

Mr. Firestone: Thank you. As I said, we will get to some of the questions when we get everyone. This gentleman here.

Mr. Bill Totten: Hi, my name is Bill Totten, I'm at 110 Kells Avenue. Thank you for the time today to talk. My concern with this plan is that it's based on a pre-supposition. On your slide, the very first thing was modest growth. And that's not what we have. Dr. Assanis wants to add between 2,000 and 3,000 new students. That's not modest growth. So, if we're going to add between 2,000 and 3,000 students, the apartment complex, I think the University Commons it's called, is going to revert back to the University, and we're going to lose a place for off-campus students to move in. The University owns the land and within seven years, the University is supposed to take it over. They're talking about taking it over a little sooner. So, we're going to lose off-campus student housing and that's going to become residence hall space. So, if we're going to deal with 50 houses extra, we're going to have modest growth, maybe this plan might have worked. But that's not the situation where we are. We're in a place where we're going to add thousands of students, and we're taking beds away where those off-campus students could live in order to give them to some of the on-campus students. But that's to replace some of the things that might be going away. So, I really believe this plan didn't take into account Dr. Assanis' plan for the University of Delaware, and so I don't think that it's a valid plan to be going forward with. I think if the Commission did anything, they should commission a new study and come up with a new plan that might be able to handle thousands of new students worth of

growth. Because the small numbers that this might have possibly worked for clearly won't work for the numbers that we're going to see.

My second point is what I think what John was mentioning as far as the traffic goes. We're taking away some of the University of Delaware parking spaces. A new residence hall is going to go up at the corner of Park Place and South College. That's going to take away parking spaces. So, by doing the exemption and allowing four students to live in each of these houses, we're adding cars. They're going to drive into campus in order to park at their houses. The new students, if they're living outside of campus, won't be doing that because there are no places to park. They'll be parking at the Field House and taking the bus up. So, if you'd like to eliminate the number of cars in the center part of campus, don't allow more students in each house. That's actually making the problem worse, not better. And the last point that I wanted to make is with . . . I lost my train of thought. Okay, well thank you for your time.

Mr. Firestone: Okay, thank you. This woman right here.

Mr. Totten: Oh, actually, can I just say it. So, what I've noticed with all of those new housing units that have gone up, all the new rentals . . . and living on Kells, I see what happens on Park Place a lot. Park Place is getting to be a very dangerous place. So, to say we should have more students living that can have more party houses, right across the street are all these new dormitories, all these new residence halls, and they have the freshman girls in there, and the boys want to rent the houses across the street and try to get them into their parties. So, we're seeing people making poor choices, drinking a lot, running across Park Place in front of cars because they're too inebriated to realize what's going on. And, again, by taking that on Park and making it exempt and having it more rental properties that have more students that have more parties, we're just going to bring those kids over across that street, and it's just dangerous.

Mr. Firestone: Thank you.

Ms. Gretchen Walker: Hi, my name is Gretchen Walker and I live at 45 Kells Avenue with my husband, Ron. Ron has lived there for 55 consecutive years. I think he must be the longest Kells Avenue resident so far, and I've been there for 30. I'd just like to make a comment about we live on Kells and Wollaston, so our back yard backs up to a rental house on Wollaston. It's supposed to be for three people. We know there are five permanent residents there because they have five big F150 trucks with dual exhausts. And our neighbors over on the other side of Wollaston moved to the area, and we're so happy to have them, they're parking on Wollaston is about non-existent because those big F150 double-cab trucks are always parking in their spots. And if you're going to allow three students, you can guarantee there's going to be five. If there's going to be four, there's probably going to be six or seven. That seems to be the way it goes. Another incident that Ron and I experienced . . . we've experienced many . . . but in 2016, our neighbor on Kells passed away and a landlord bought the house and put students into it. So, being the friendly elderly neighbor that I am, I went over and introduced myself, and there were four boys sitting on the porch, all young, 18, 19, 20, and I welcomed them to the neighborhood and I said, well what year are you at UD? They said, what? We don't go to UD. I said, you don't? They said no. And I said, well why are you here? We're here for the action. And the action was noise, profanity, front porch parties every night, fistfights in the street that they filmed, drug sales at all hours which my neighbor can tell you about, and this was every day for a year. We tried to get them out. We called the City many times. We had meetings. We had City workers hide in cars in front of the house to try to track how many people were there. They could never get a feel for it, and it took a whole year to get that group of kids out. So, beware of simply tenants. They may shock you when you meet them. We don't need the destruction of the neighborhood anymore. Thank you.

Mr. Firestone: Mr. Walker, you're on the list. Did you want to speak, too?

Mr. Ron Walker: Who, me?

Mr. Firestone: Yes.

Mr. Walker: Yeah, me too.

Mr. Firestone: Why don't you come up now and identify yourself for the record.

Mr. Walker: Yes, my name is Ron Walker. I live at 45 Kells Avenue and my wife told you that I'm over 76. I'm 77. I've lived on Kells Avenue and Wollaston Avenue for the last 55 years. I've seen it all and I've watched things changed. And they certainly have changed for the worse. And, over periods of time, you know, it just continually becomes more and more a rental people's life at the expense of our privacy and quality of life. My lot runs down Wollaston about 200 feet. When I look out my bathroom window and look down the street at this time of year, all I see is cars and trucks. I don't know how you can have more people added to those units. Where are they going to park? It's a nightmare. It's truly a nightmare. Not just the parking, but they're starting their engines, shutting their engines . . . these boys with the trucks come in at all hours of the night and go out at all hours. The point I want to make, the letters that you received prior to this meeting spelled out my thoughts totally and my experiences totally. And I urge you to read those letters and I amen everything said by each and every one of those people. You know, this is a quality of life issue and I don't see any advantage, I see no advantage, to you adding more people to these houses. The bottom line is you can't be assured they're going to be students of the University of Delaware. As the experience we had next door to us, they were just party guys. And there's a lot of them around, as you know. Read the Newark Post about the party guys that come into town. You're really putting everyone, and even the students, at risk and no guarantees that the University is going to net any significant additional number of beds for students. Bear that in mind. I really would encourage you to not move forward with this. Thank you.

Mr. Firestone: Thank you.

Mr. David Athey: Good evening. Dave Athey, Kells Avenue. I appreciate Mr. Fortner's presentation at the beginning and he has noted the Student Home Ordinance, when it was passed, was intended to protect neighborhoods and slow down encroachment, so it's a little worrying that we're actually talking about maybe going in the opposite direction. To me, I think the biggest, well one of the bigger, problems here is we're kind of talking about all of this in a vacuum. We're talking about just, literally, the Student Home Ordinance. We're not talking about, again Mr. Fortner's, you know, the Rental Needs Assessment talked about incentives for landlords to provide access to their units for inspections. It talked about getting the POOH program back in place. I think that was Roy Lopata's best idea – Promote Owner Occupant Housing. I know City Council had good reason, there were some accountability issues with that program, but, you know, I think to just talk about the rentals without overall neighborhood preservation is just not right. There are many, you know, other speakers have talked about the extreme need, which is quite clear. I don't think anybody is going to argue that. But the City has many, many tools in its toolbox. You know, density bonuses, modified height restrictions. There are multiple ways that this need could be met, which is a good segue to the one question I was going to ask and I don't want to put Commissioner Hurd on the spot but I was trying to write real quickly. But I would be curious to know how many bedrooms, just total, how many bedrooms are we actually talking about going from three to four. And is that 25? Is it 50? Is it whatever? And I think one of the other speakers talked about what is the need now? When this study first came out it was estimated to be 50 units a year. I think it's pretty clear now, with the latest announcements of the University expansion, it's much, much more. If this is like a few percent, we're not going to hit the problem, and we're going to do so at a very major change in the quality of life for a lot of residents.

If this had to go through, and clearly I would hope it doesn't, I do have a couple of recommendations. Many, many speakers have spoken about the impact of students on neighborhoods and I know it's a very sore subject on many, but the rental inspection fee, the \$300 a year, was certainly subject of a couple of lawsuits before. But I think the City made a

pretty good argument that rentals of single-family homes cost the City more in services than owner-occupied homes. Maybe we need to look at the rental fee again if you're going to do something like this. If they're going to go from three to four, maybe that fee should go from \$300 to \$400. The other thing I would like to see done is, again, if this was going to go forth, I believe the City has what's commonly called a clean hands policy. I know it's related more to developers. That if a developer was in arrears for certain things, Building Code violations or what-have-you, they don't get rewarded by having some, you know, be benefiting elsewhere. So, at the very least, I would like to suggest, again, that if this went forward, that there was some sort of a clean hands policy that they couldn't go from three to four if they have X number of Building Code violations or some other issue. And then I'll close with, clearly, I have my philosophical reasons on this but I truly believe as a resident of Kells Avenue, Wollaston basically leapfrogs over Kells and, so, I think for that reason it, to me, it's not really contiguous, which a lot of the other streets are. And even East Park, we all consider this, the people in this room, you know, that's the neighborhood. And, you know, as much as I appreciate Kells being carved out, if the other two aren't, I think there's going to be major impacts nonetheless. So, I thank you for your time.

Mr. Firestone: Thank you. This gentleman right here.

Mr. Tom Wampler: Thank you. I'm Tom Wampler. I live at 39 East Park Place, and I have just one point that I want to make but, before that, I'd like clarification on the numbers. Mr. Hurd, did you say that 70% of East Park is now student home rentals?

Mr. Hurd: Yes.

Mr. Wampler: Since East Park is not an exempt street and new student home rental permits cannot be issued within 10 houses of another, how did it get to be 70% without violating the ordinance as its currently written?

Mr. Firestone: I mean I would presume they were probably grandfathered.

Mr. Hurd: I would have to assume they were existing.

Mr. Wampler: I don't think it was 70% twenty years ago. That's my question. How did that happen if the ordinance is being observed? My point is this, when I saw the proposal that East Park was going to be turned into student housing, we've lived at 39 East Park for over 40 years for all the reasons that my wife has already enumerated and I thought, well, what will we do. We're certainly not going to be the only old couple living in high density student housing. So, I thought, well, we'll move. We live there because we want to live in Old Newark for all the reasons that are now becoming popular, for the convenience of that. I thought, well, we could move to some other street in Old Newark. But what guarantee do I have that if I move to Kells or if I move to Sunset or if I move to West Park or if I move to Beverly, that two years from now, those streets will not be vacated and turned into student housing? I think the pendulum has swung way too far in one direction and it's time for us to consider the rights and the needs of the rest of the community of Newark.

Mr. Firestone: Thank you.

Ms. Marguerite Ashley: Hi, my name is Marguerite Ashley. I've lived on Kells Avenue since 1986. I raised my boys on Kells Avenue and was happy to give them the experience of walking to school, walking to Main Street, and living downtown. I was struck by the homeowner statistics or the rental statistics. Our neighborhood is, you know, like Dave said, Wollaston, East Park, and Kells, in general. If you combine them all together, we still are pretty healthy. Just like the Corbit Street area. Forty-seven percent of Corbit Street is either student housing or owner-occupied housing, I can't remember which one it was, but that's a lot. That's still a mixed neighborhood that's very healthy, and I wouldn't like to see the ordinance lifted for either one of our neighborhoods. And it's kind of silly. East Park and Wollaston without

considering Kells as the whole neighborhood and what it is, you know, the percentages of those, you know, non-students and students. The house that Gretchen was talking about now is still a rental and we have a family there, and they're very nice. You know, this whole theme that the most important thing is to accommodate the rise in student housing, I don't think that's the positive goal that the City should have. You know, this logical, just go out. Increasing housing for students is just one goal of the City. And it seems to me it's not the most important one. Newark's Comprehensive Development Plan, pages 27-30, contains a lot of language around the goal of encouraging diverse housing choices that contribute to attractive and unique places to live. And like a couple of people here said, you know, I've been a planner, I retired from New Castle County, I was a Main Street Manager, and the biggest planning idea in my lifetime was this smart growth and preserving the livable, walkable communities. And we've got two – Corbit Street area, our area around Kells – they're healthy. Why . . . you know, the University pushes for its own stuff. Why don't we push for our own stuff? Our mixed communities, you know? You can't replicate what we have in these central streets. So, that's all I have to say. Thanks.

Mr. Firestone: Thank you.

Ms. Connie Merlet: Hi, I'm Connie Merlet. I live on 14 Kells. And I really do feel as though we're kind of a pocket in between these huge areas of growth. When we talk about modest growth, I don't think of student growth as our growth. When you talk about growth in the City, you're talking about people that live there and work there and are going to stay there, not a revolving population of students that are coming in for four years and then mostly leaving. I've lived on Kells for only like 7 years, so I'm not like many of the people that have lived there their whole lives. I moved there because I really wanted to live there. I like living inside the City. I like being close to campus. And while people say, oh, the students make so much noise, you know, if it's not really . . . I really feel as though I did it to myself and I should tolerate that a little bit. However, there are certain things that should not be tolerated. And for those of you that live on East Park, I have so much sympathy for you guys because it is filthy. East Park is filthy and I don't think that we should have to tolerate trash. And that's what we live beside. And that's what the people, the residents on East Park, live beside. Everybody, the students, they keep their trash cans out in front, right beside their front door so I guess it's easy. They have four and five trash cans. We have one bag of trash a week. If there are only three people living in those houses, why are they having three and four trash cans? We have one a week and then maybe one-third of our recycling thing. And their trash cans are all in front of their house. Two of the houses on East Park have not been mowed yet this year. I assume they're probably rentals. They have not been mowed yet this year. There is trash . . . there are multiple cans and things in the front yard. There are rental signs permanently affixed to the building and, to me, that immediately lowers the value of the homes around it. When they have those rental signs affixed. Last week, there were four huge things stuck, so there are obviously rentals available on East Park and around the corner on Chapel because they have those huge, big [signs] that I'm sure weren't legal because they were taken down three days later. But the fact that a landlord even felt he could put them up is pretty remarkable to me. On Kells Avenue, I think you can really tell as you're driving down Kells, which houses are owned and which houses are rented. The houses that are rented have cars parked in front of them. The residents keep their cars in the driveway, and our driveways are pretty darn narrow, but we do that. My house, in particular, when I bought my house, it was a student rental. It's built in 1930. We completely rehabbed it. Completely rehabbed it from top to bottom. But I want to talk a little bit about my basement because the first time we had a bad rain, I got a little water in my basement on the west side. So, we went down and were clearing it out and I thought, well, you know they put the wallboard . . . it was a bedroom before we moved in. That was a bedroom in my basement. It's a three-bedroom house, but they made a fourth bedroom. I don't know what my house was supposed to be rented at. The wallboard was all the way down to the floor and everybody knows if you live in an old house, you don't put wallboard down to the floor. So, what I did was I took a box-cutter and I cut about one foot up to take off wallboard. Mold. Absolute mold. The inside of the wallboard and all over the wall. So, then I took it again and I went about a foot up. Mold. That mold went over my head, five feet high. A

student lived in that room. We're not doing our students any favors by letting them live in those conditions either. And we need to be pretty darn careful because their parents don't know. And students don't know. They just live there. They don't know and they're going to. So, when we're doing things, if there's a student housing population, it is not our duty to house those students. It is the University's duty. They do not have to increase the size of their population until they figure out how they're going to house their own students.

Mr. Firestone: Thank you.

Mr. James Miller: Good evening. My name is James Miller. I just moved to Kells Avenue with my wife one year ago in May. We're actually the last people to take part in the POOH program. We walked down Kells one time and she asked me if I'd like to live here, and I absolutely wanted to live there. But we also butt up to Wollaston, and Wollaston is insane. One of the houses down there, I think on the left-hand side, is a split-level that somehow has managed to have two permits, I think, one on the lower half and one on the upper half. So, I'm guessing maybe 8-12 people live in that house and it backs up to the fraternity, so we're guessing that's a fraternity overflow house. They probably just rent it out and then underclassmen or whoever hasn't rushed for the house yet stay there. They party there so the fraternity doesn't really get in trouble. So, just kind of think of that. Think of the residents. Also, the paper that came regarding this meeting was very confusing. I thought at first that you guys were going to restrict students, so I was kind of happy until my wife said re-read it. And I think a lot of people . . . I'm like, oh. And your slide, I appreciate the time you put in it. I work for a bank and I sit through meetings like this all the time and I can appreciate that, but a lot of that is like jargon for maybe people who work it every day and see it every day – the acronyms, the dots, the blue dots, the hashtags. It's very overwhelming. I looked at that map and my brain shut off. So, I hope you keep the residents in mind because this is becoming the City of the University of Delaware and not the City of Newark. So just keep us residents in mind. Thank you.

Mr. Firestone: Thank you.

Ms. Jenny McDermott: I live at 88 Kells Avenue. My name is Jenny McDermott. My concern is that the study done does not have vision at all. What it's doing, really, is allowing perpetuation of creeping. We have . . . I don't feel that it has considered the balance of life in our City and where student housing would best be fit versus where it should creep into and where families need to go. The [University of Delaware] wants to grow its students, which means it's also going to grow its staff and it's going to grow its researchers. So, we're going to have a need for a whole lot of families. Maybe we want the families in these areas as opposed to more creeping of student housing. The students are in a place in their life where they don't have the need to be good neighbors because they have other priorities. And we want to perpetuate our neighborhood. On Kells Avenue, if you change Park Place into unrestricted or the exempt area, then it's not like the noise stops at our backyard. It's going to keep coming. I just sat on my back deck yesterday and watched the students sitting on their roof getting stoned. It's just a different way of life. And when they have parties, it looks like an airport because of the Ubers. You cannot get through the streets because the Ubers are picking up these kids. These kids don't even walk from party to part anymore. So, the other concern I have is that if you take Park Place and you convert every house to four students, they're not all four bedrooms. There are a lot of little house in there that are not four bedrooms. And are we prepared for the increase in the number of cars that would go along with four students and four cars, minimum? And we all know that it's not going to stop at four because the regulations are not being . . . we haven't figured out how to carry those regulations out. So, there are just are . . . and I could keep going and I don't think I need to, but I just feel that it's not fair to residents that, as people purchase rental properties, we are continuing to open up and give variances and to increase their opportunity to make a profit when, in fact, that profit is at the expense of our quality of life.

Mr. Firestone: Is there anyone else for . . .

Unidentified Speaker: I have one more question.

Mr. Firestone: Excuse me, is there anyone else for Areas 5 or 6, versus general comments? Yes, ma'am.

Ms. Carol Post: I feel compelled because I, also, am from Kells Avenue. I think our entire street is here. So, my name is Carol Post and I've on Kells Avenue for 32 years. When my husband, Steve Dentel, and I were looking for a house in Newark back in 1986, we toured 69 Kells, which is our house. It had been most recently a student rental and was in pretty rough shape, as they say, but it had good bones. As we were leaving that day, a woman came out of the house next door and asked us in for coffee. She saw that we had a toddler in the car and was anxious to make a pitch for us to buy the house since we were a family. Her pitch about the community of Newark worked and helped persuade us to buy our house. She emphasized how wonderful it is to live in a friendly, walkable community even before it was a thing. The delicate balance that we have been able to maintain in our neighborhood of student and owner-occupied housing has worked, I believe, in part . . . and I do believe this because I've lived there a long time and we've had a lot of ups and downs . . . because we have limits in our neighborhood in terms of how many unrelated people can live in a house. My husband and I raised two kids on Kells Avenue. He was a professor, I a grad student and then sometimes a teacher at UD, and our younger son attended the University. We are part of this community. We are part of a diverse University community that includes students, faculties, and employees. The City also benefits from the engagement of all these folks in our community. My husband was a longtime chair of the Conservation Advisory Committee and we were dedicated to the idea that community involvement is really critically important, as many of our friends and neighbors, as you can see tonight, also believe. This is because Newark has become our hometown. Please consider the quality of life issues that are so essential to why many of us continue to live here and why so many of us come out tonight, to talk about about why we love this town. As others have said, there are better solutions to the housing problems facing Newark and they're much more complex than whether we just find additional rooms for students. So, really, taking these little houses and cramming more students in them isn't going to solve the big picture problem. It totally lacks vision and we've got to find a different solution. And, by the way, my neighbors sold their house last year, a longtime single-family house, and I now have students next door. But we're doing okay, so far.

Mr. Firestone: Thank you. Is there anyone else who wants to speak about 5 and 6? Yes.

Mr. Glenn Schmalhofer: Glenn Schmalhofer, District 2. I'm a real estate investor and I graduated from the University of Delaware. At the height of my rentals, I owned 83 single-family houses and apartments in the City of Newark. I've been doing this for about 25 years. I learned a lot as a landlord. I think that I have a lot of solutions to these problems. Let me tell you one story. I used to own Main Street Court Apartments on East Delaware Avenue. That's where Little Ceasar's Pizza is. They were one of my tenants. We tried mixing it up a little bit and we had a slow rental year and we brought in some Section 8, some families, and we almost immediately got a lot of complaints and a lot of dissatisfaction from the students living in the building. How dare you have families in here. How dare you have small children. There's black people in the building. I mean, I couldn't believe it. Now, as a landlord, I have to follow Delaware Housing Authority. I have to follow Landlord-Tenant Code. So, basically, anybody that comes to me, if they're qualified financially to do it, and of course we interview them because, despite what a lot of people think, the last thing that I want, and most landlords, I think, would agree with this, is somebody that's going to be ripping that house apart. This real estate in Newark is very expensive because of, you know, what it is . . . it's like owning a beach property . . . and we try to be very careful. I think you guys, I'm convinced you guys are going about this the wrong way and you always have. You're not going to control behavior through zoning. The law enforcement and the Police Department has done a pretty good job for me. I wish I could say the same about Code Enforcement. Because if we have a problem with something going on on a property, I mean, we do everything that we can to try to remedy it. But you've got to understand our hands are kind of tied because the Landlord-Tenant Code is

very pro-tenant. It's very liberal and it's difficult to put teeth into these tenants through the court system. You have to have a major malfunction to get them out. So, we rely on Code Enforcement, to work with them and say, okay, we have a very non-compliant tenant at such-and-such an address, help us out with this. This is becoming a problem for the house and for the neighborhood, take care of it. And the only thing that Code Enforcement seems to want to do is hold the landlord totally responsible for the behavior of the tenant, fine us and come after us. It doesn't make any sense. And I know that's why a lot of landlords are reluctant to even contact the City, because they're not going to go after the problem, they're going to go after the landlord. And that's not solving anything for anybody – landlord, community, anybody. It's just a bad system. I spent hours and hours and hours over the years meeting with higher level officials in the City of Newark. I was patted on the back at the end of these meetings. Hey, you told us a lot; we had no idea because of the experience you have as a landlord. Nothing gets done. Nothing changes. Nothing gets better, I think, for anybody. And here we are today. And I know a lot of these people that live here. I'm in District 2 and I agree with what they're saying. And the way it's set up right now in the City for the enforcement, you have the right, you know what I mean? But the thing that I'm looking at also, I mean, you know, the City of Newark voted to be a welcoming city last December, so illegal aliens are allowed to be here, and I'm wondering how many illegal aliens can live in a house, but that's okay? But American citizen college students, just like you're all American citizens, we're going to find a way to restrict them from living and we're going to come up with lists – Jim Crow laws – on the streets they can live on or they can't live on. That's not the problem. The problem is with the behavior and we've got to have the teeth to enforce it. And I totally agree with what these people are saying, but we've got to have the teeth to enforce it and these bad apples, we've got to be able to get rid of them and get them out of these houses quickly. Thank you for your time.

Mr. Firestone: Is there anyone else that has any specific comments related to Areas 5 and 6? We'll take general comment later if you have a general comment. But if your comments are directed towards 5 and 6, you can come up and present now.

Ms. Jean White: Okay, Jean White, District 1. I do not live in any of the areas that are impacted but I have followed this issue and I just read two things in the Planning Department reports. The first one, the staff report said the Newark Police Department does not support the proposal. Specifically, they indicate that any additional students to rentals in residential neighborhoods will add to foot traffic and potential order maintenance issues. And the other part which is also in the Planning Department report under staff comments, it says the Newark Police Department does not support the proposal. Specifically, they express concern about adding East Park Place to the list of exempt streets. They state that they regularly field complaints from Council and residents of Kells Avenue regarding noise and disorderly behavior in this area. So that is what the Newark Police Department said in the staff report. Thank you.

Mr. Firestone: Thank you.

Ms. White: And under general comments, may I make a general comment later?

Mr. Firestone: You can use the rest of your three minutes now.

Ms. White: Okay, now this is not specifically about Kells or that area.

Mr. Firestone: That's okay.

Ms. White: Okay. I like to look at things like what are the pros or what are the cons. What are the benefits? I see three possible . . . I'm not going to argue whether I agree with this . . . but when I look at it, when putting more students here, I don't know how many extra bedrooms and, therefore, possibly reducing pressure someplace else. The second is that the landlords can now put an extra fourth college student there and can get more money for their property. So that's a benefit to landlords. And by adding more exempt streets, some of those houses which now might not be able to be sold to a landlord can now become more, or all, rental properties.

The negatives are those who live on non-exempt streets which will now becoming exempt streets, those families or people who are not student rentals are going to find that there is more behavior that they might not necessarily like in terms of, not all students, but some students. We do have students that act okay. And, also, going from three to four in a rental house that would be in the now-exempt streets and also, elsewhere possibly . . . I guess maybe it's not elsewhere . . . there will be possibly more cars, possibly more behavior of the type that is not liked. And, also, we have to think of people visiting the four students, so there are more visitors. Thank you very much.

Mr. Firestone: Thank you. Okay, anyone else for 5 or 6? Okay. Then we're going to move to I guess it would be Area 4 counting down backwards, and that's George Read Village. Is there anyone here . . . yes, ma'am?

Ms. Kristina Jackson: Kristina Jackson. I live on Tyre Avenue. And just like Kells is in the middle of the proposed streets for 5 and 6, Tyre Avenue backs up to George Read Village. And, again, with the letter that came to me, I didn't realize how much this impacted me until I sat here tonight and saw George Read Village up there and realized that the back of my house borders on two townhouses. All those houses were built for World War II workers, so they're old and they don't have four bedrooms. But what I do see happen is they'll take a living room and section it off, so now it's four bedrooms. There's also no place for the students to congregate, so that pushes them outside more often and makes them want to use their front lawn as a living room. And then you have to call and say there is living room furniture outside. I have to say that the police have always come and taken care of our noise and our furniture and the beer cans. I've even taken a picture and sent it in to Code Enforcement. I'm not sure why other areas aren't getting any responses. I have to say that we do get responses. Going back to the fact that I back up to two and there have been lots of problems over the years, it's far enough back that I try to ignore it, especially since I've raised, I'm still raising, two children there. But there was, before my days of children, I tolerated profanity being blasted out of windows and BB guns being shot off and what-not. I won't tolerate it anymore because I have children in the house. And now, under this proposal, I could have eight students legally behind me instead of . . . I've probably had eight over the years. But I don't see, first of all, I don't see why we are making housing for the University. I do agree that that is their responsibility and not ours. And I don't understand why we would do anything to jeopardize the neighborhoods any more than they already are in jeopardy of dissolving and just becoming student housing. In George Read Village, if you look at it, there are very few families hanging on. When they leave, they don't usually get replaced in the Village. Even Tyre Avenue, every time a house goes up for sale, it's a 50/50 chance that it will stay a family. More often, it goes rental, and because you can't have student housing per se, I believe, on our street, it goes to families, supposedly. But what happens when my street becomes more rentals than families? Does that come up? Do the people, the landlords, come and then say well this street should now be exempt, so that would turn all of the family rentals into student rentals. And then I'm going to be oldest person on that block at some point, left by myself. Is that my future? I think . . . I don't know what the solution is right now. I don't think this is it. I think a lot more investigation needs to go into how we want to preserve some of the neighborhoods around the center of town. Thank you.

Mr. Firestone: Thank you. Anyone else for George Read Village? Yes, sir?

Mr. Schmalhofer: It seems like I was just here.

Mr. Firestone: Okay, we're not having people have a second crack until everyone . . .

Mr. Schmalhofer: You said George Read Village.

Mr. Firestone: Right, but you spoke already and we want to make sure everyone gets an opportunity to speak.

Mr. Schmalhofer: Okay. I have specific comments for George Read Village.

Mr. Firestone: If we have time for a second go-through, then . . .

Mr. Schmalhofer: Okay, I appreciate it.

Mr. Firestone: We'll hear from you. Yes, ma'am.

Ms. Melora Davis: My name is Melora Davis and I own some property in George Read Village. There are two things. First, nobody defined exempt in their conversation. What does exempt mean?

Mr. Firestone: There is otherwise a prohibition as to . . . there's a limitation as to how close one student home can be to another student home. But if it's on an exempt street, then that limitation doesn't apply. That's exempt.

Ms. Davis: Okay, so the exempt streets are the ones that have rental properties on them?

Mr. Firestone: You could put rentals on every single property, versus a non-exempt street, you can't be closer than so many feet from another.

Ms. Davis: Okay, thank you.

Mr. Fortner: That's for student rentals.

Mr. Firestone: Student rentals.

Ms. Davis: On this map up here, I see a couple of mistakes. What does SFD stand for? Single family something?

Mr. Fortner: Where do you see that? Oh, SFD, that's single-family dwellings on exempt streets.

Ms. Davis: SFD, what does that stand for?

Mr. Fortner: Single-family dwelling.

Ms. Davis: Dwelling. Okay.

Mr. Fortner: As opposed to multi-family, which are . . .

Ms. David: Well, on Delaware Avenue, which is one of the little cul-de-sacs there, you have two SFD on an exempt street. Both of those places are rented, but there's no dot on them. The one on Delaware Circle has two units, both of which are rented. And the one behind that, which abuts the library, is the one I own, and it is a two-up, two-down . . . two units, two-up and two-down. Crazy, I have a permit for four students in one of the two-up and two down, but I have two students in it, and the other one a member of my family lives in it. So, that map is not accurate.

Mr. Firestone: Thank you. Anyone else for George Read Village who hasn't spoken yet? Okay, we're then going to go to Focus Area 3, New Center Village in East Cleveland Avenue. Is there anyone here who would like to speak about this area who hasn't yet spoken? Okay. We will then go to Focus Area 2, which is East Cleveland Avenue and North College Avenue. Is there anyone here who hasn't yet spoken that would like to speak about Focus Area 2? Yes, ma'am.

Ms. Opal Palmer: What if someone has several properties in different areas? Are they allowed to speak?

Mr. Firestone: Yes, if you have a more general, then we're going to get to that at the very end. So, everyone will have an opportunity to speak.

Ms. Palmer: Thank you.

Mr. Firestone: But if you have specific concerns that are primarily focused on Focus Area 2 or 3, then you might want to speak now.

Ms. Palmer: My question was . . .

Mr. Firestone: Please come up to the microphone and identify yourself.

Ms. Palmer: My name is Opal Palmer and I'm a landlord in this area of White Chapel, and I'm also a property manager in the City of Newark. My question was, there are people in this room with more than one area of concern. Are they allowed to speak when you call these specific areas, even if they have spoken before? So, you have a house in . . .

Mr. Firestone: Yes . . .

Ms. Palmer: Area 1, 2, 3, or 4. Can you speak more than once?

Mr. Firestone: If we have time. Everyone will get a chance to speak and we'll see how long it takes us to get through everyone. And, if so, we'll come back and might allow people a second time to comment. So, when you speak, you can either wait until the end when we have general comments or, for example, if you have a particular concern with Focus Area 2, you can comment now. But, at the same time, as part of your three minutes, you can talk about something in Focus Area 1, for example.

Ms. Palmer: Okay. Thank you.

Mr. Firestone: Okay. Is there anyone that would like to speak on Focus Area 2? That then gets us to Focus Area 1, which is up at New London Road and West Main Street. Is there anyone here . . . thank you. Please identify yourself for the record.

Mr. Edgar Small: Sure, my name is Edgar Small. I live on West Main Street, and I think, in general, you're going to hear a lot of echoes in terms of my experiences that everybody else is having in terms of too many people in the houses, problems with debris, problems with . . . these are all things that you've heard . . . problems with crime, problems with noise, problems with traffic, and so on. We have the same problem there. I mean, if you put more people up in this area that are students and then you exacerbate the problem by allowing 33% more students in the housing by going from three to four, you're going to have a lot more of these problems in areas where families live and where people really care about the neighborhood. You know, so I look at the basis of these entire two proposals and it's based on this study. And the purpose of the study was, as far as I understand it, you can correct me if I am wrong, but the purpose was to control density issues and to make sure that you weren't overbuilding, initially. And, you know, I don't see any discussion of where these density issues are . . . where you have a problem if the codes were being properly enforced. Now I hear over and over again that the codes are not being properly enforced. And I've heard it from the people here. I've experienced it with my neighbors, who have a very easy case to see that the property has more than three people in it. But the Code Enforcement just says, well, we can't prove it so therefore we can do nothing about it after being encouraged four or five times. So, it's not too hard when you have the same eight cars parked in the driveway every day for ten months. It seems pretty easy. But, theoretically, there's only three people living there. In the places where you're trying to control the density, theoretically you should only have two people living in these properties. So where is the issue that is trying to be solved on the basis of this report. I don't see it. You're moving density, an increased density, to areas where people aren't asking for it. Where people are actually very vocal about being against it. In the areas where you could be incentivizing redevelopment and growth from developers, where they would take things and develop multi-family housing, such as in zone 2 and zone 3, where you see it happening already on Cleveland Avenue, you're taking away the incentivization for them to

actually invest in the properties to make them more attractive to rent to three people. You can take a single-family dwelling from 1976, you updated the Code in 1978, you're talking about something 40 years old. You can reinvest in that and put some money into it and make that into two units very easily on Cleveland Avenue. You see this happening. They're investing in the City of Newark. They're beautifying the properties. They're giving you a better tax rate . . . tax base. None of this is addressed in this report. So, the things that are intended to protect neighborhoods, as far as I can see, and this is a stated objective, is really seeming to sacrifice some neighborhoods at the expense of other neighborhoods without any justification that there is a quantitative justification of a problem existing. So, the data that is in this report that is the basis of making some of the things is just wrong. Wrong data. And I looked at where it's coming from. You're saying, well, the rental rates for a three-person property are \$1,500 a month, the average rental rates are \$500-650 a month. Where do you get that data? By surveying the landlords. Well, I can tell you the person next to me in the house next to me is \$3,100 a month. I can tell you that I've talked to four people who have had their children go to UD, that had them living in houses paying \$500 a month and living with seven other people in the house. That's certainly not a \$1,500 a month house with three people. So, you have a code enforcement problem and you're basing this recommendation upon it. There's no discussion of traffic problems. No discussion of crime.

Mr. Firestone: Excuse me. I've given you considerable latitude. I want you to sum up.

Mr. Small: Okay. Well, I want to sum up that I don't see how you can possibly be making this decision for this thing without having the basic homework done. Can you answer how much this benefits the City of Newark in any way, shape, or form? Does it benefit the tax base? Does it benefit in crime? Does it benefit in traffic? These are the thing that are not answered. So, how can you go forward? And, you know, quality of life issues . . .

Mr. Firestone: Okay. Thank you very much.

Mr. Small: Well, alright.

Mr. Firestone: Does anyone else want to talk about Focus Area 1? Yes? Again, Ms. Roe, anyone who has already spoken, we're going to give everyone first a single opportunity to make a comment.

Mr. Kevin Mayhew: Kevin Mayhew, 103 Elma Drive in Newark. I served on the Rental Housing Needs Assessment Study's Phase II committee. I've been in front of this Board multiple times speaking on this topic. You've all heard the numbers from the University of Delaware regarding their increased enrollment. But what you haven't been discussing this night are what their plans going forward are. It's been discussed that they plan on taking the Christiana Towers offline in the summer of 2020. They plan on buying the University Courtyards and taking that over, actually, next summer, 2019. They plan on building a new 650-bed dorm on the South Mall. At the end of the day, that means 600 less beds in inventory in the City of Newark when that all happens. Plus, that means University Courtyards comes off your tax roll. I've heard numbers like \$70,000 worth of taxes coming off the tax roll, and I've heard the electricity might come off your side of the equation, so that's another big hit. So, when developers and landlords provide this need, it helps and benefits the City in tax roll, electric charges, and such. The student demand is not diminishing. The addition of a fourth tenant on exempt streets will help alleviate the pressure of more rental creep into non-exempt streets and neighborhoods. What the Rental Housing Needs Assessment Study highlights is the randomness of occupancy limits. Take Church Street, for example. Church Street borders the University's parking lot off Cleveland Avenue and New London Road. It's comprised of 11 houses. Two have five-person limits, four have four-person limits, and three have three-person limits. On Church Street, that yellow big block is the new Cleveland Station that's being built and there's actually two duplexes on that parcel that backs up to Church Street, and all four units have five-person limits. So, the randomness of these limits is unfair and confusing to prospective tenants. They see their neighbors having four or five tenants and think nothing of adding a fourth tenant in sometimes.

Now the discussion is, are all houses going to have four? No. It has to meet the off-street parking requirement of three cars for four tenants, and it has to meet the Building Code. So, if you have a house that's three bedrooms and under 120 square feet of each bedroom, you're not going to be allowed to put another tenant in that bedroom. So, a lot of those houses in George Read Village wouldn't meet the requirements because they don't have the square footage. The concentration of rentals close to campus is alleviating the pressure on other neighborhoods. One good example is my rental at 718 Swarthmore Drive in The Binns. I'm selling it to an owner-occupant and giving up the three-person permit that has been with that house for over 20 years. It's gotten harder to rent a house in this area to students because they want to live close to campus and around other students. My calculations two years ago showed that there was the potential for 137 bedrooms to be legally used on existing exempt streets. City Council identified these streets as exempt from the Student Home Ordinance because they recognized this was where they wanted the students to live – close to campus. They could walk without having to use their cars to get around campus. After talking with a couple of the Newark City Councilmembers, they were not aware that there were empty bedrooms going unused on these exempt streets. If this is where Council wants the students to live, why aren't we using these bedrooms? In conclusion, I believe the two ordinances should be approved and passed along to City Council for their consideration. If you believe some streets are not ready to be designated as student exempt streets, then pull them from your recommendation, but don't let that discussion hamper the recommendation of allowing four tenants on the existing exempt streets. Thank you.

Mr. Firestone: Thank you. Anyone else who wants to speak about Focus Area 1 that has not yet spoken? Okay, now we'll go to general comments and start with the woman there who earlier indicated she had a general comment or wanted to talk about more than one area.

Ms. Palmer: Again, my name is Opal Palmer and I'm a landlord in the City of Newark and also a property manager. My general comment is that I do object to the Student Home Ordinance. I see it as segregating the students and it is a form of discrimination. I've owned houses in other, College Park, Maryland, where my daughter attended the university. We had no such problems. I've not seen any research in any other area that is supporting this kind of ordinance. How is it that we are going forward with this without any substantive research to see what are the real values of the Student Home Ordinance. I really object to this ordinance. It is not really a valuable ordinance. Now, this City of Newark has now become a sanctuary city and this means that the student population are less welcomed than illegal immigrants who are in this country illegally, to begin with. We have no idea who they are. Are they allowed to live anywhere in the City of Newark as opposed to students who will be segregated in whatever blocks or whatever you're doing, as opposed to the illegal immigrants, aliens, or whatever? I came in properly documented. I had to wait my time and go through the process. So, what I'm saying is I do not agree to this Student Home Ordinance. It's not solving any problems that we have identified. I just can't get a feel for this ordinance having a value at all. And that's my general comment.

Mr. Firestone: Thank you very much. Yes, sir.

Mr. Sherdonald Gude: Sherdonald Gude, here to speak on behalf of my wife, Debra, and my son, Trey. We owner-occupy 34/36 Corbit Street. Just in short, as a kid growing up visiting Newark where my grandparents lived on Grays Avenue, I can remember cows, bulls, chickens, watching my grandmom do her thing as an older lady, walking up Cleveland Avenue in the mid-80s and hearing car doors lock. But the bottom line is change is inevitable. But, at the same time, I have a unique situation where my family is because 34 is already grandfathered in for a four-person rental permit; 34 as well as 36. And I hear some of the concerns of the long-term residents as far as the disorderliness of some students, which I lived through. And, fortunately I'm a little more tolerable, I guess, a little more energy than some of the elderly residents, which is respectfully understandable. I mean, there's times that I've picked up beer cans and stuff after a Friday or Saturday night or had to call the Newark Police for an overwhelmingly loud party, and they seem to respond in an according manner and fashion. So, I can appreciate

the assistance of the Newark Police Department, as well as other things that happened there. So, it's like a coin toss for us, per se. We're not against it. We're not for it. I mean, fortunately, we're right there in the middle with grandfathered four-person rental permits on a corner property. But, with that said, we've basically outgrown that area, so we're going to quietly move out when the right time comes because it's just over-populated in the sense of it's no longer fun there. I have a 3-year-old daughter and at times I'm afraid for her to be out on the front lawn because there's cars that come through that little side street. They use it as a thoroughfare as far as getting either from 896 to 273, or vice versa, to come through that main intersection. So, once again, change is inevitable. The University is not going anywhere. I mean, it's structured and it's building hundreds of millions of dollars of projects going on right now right down where the old Chrysler plant was. So, it's not only the student population that some landlords could target. There's families that are going to be in need of housing and there's businesses [inaudible] as far as Aberdeen Proving Ground. So, it's not only the student population that some landlords can target. But my true concern was because I stated earlier as far as having that unique property right there on the corner of Corbit and Wilson is the general concern, just as a resident, a taxpaying resident of the City of Newark, is along Cleveland Avenue. Anywhere from where the Elks Lodge used to be down as far as where Enterprise Rent-A-Car is. That is a very busy thoroughfare for student activity on Friday and Saturday nights. And, rightfully so, they should have their fun, but if the City is going to, I guess, cater to the University of Delaware, let's just try to make that particular area a lot safer with well-lit streets, because you see students, at times, dash back and forth across there and if you're not paying attention as a driver, I mean that's a chance on causing a scenario that you don't want to face. But, all in all, I do hear the concerns of a lot of residents and, rightfully so, they have voiced their opposition. That's about it.

Mr. Firestone: Thank you.

Mr. Gude: Thank you.

Mr. Firestone: Is there anyone else that has not yet spoken that would like to make a comment? Yes, sir.

Mr. Ryan German: Hello, my name is Ryan German and I own some rental properties in town. I came to speak in favor of the proposed changes to the ordinance. I actually think we should add some other streets in, as well, and I was hoping in the future we might be able to. I think that, in general, what we're looking for is really good landlords and really good respectable tenants. And I think to do that, you have to have good systems in place and good income streams. When I went to the University of Delaware, I graduated in 2000, I lived on Madison, 34 Madison. I lived there for two years with four great roommates. They're all professionals and have great jobs and great families, and we lived there with many college students on Madison Drive. It was called College Park. I haven't heard it called College Park in some time. Maybe it still is. But not many college students live there. I've also had a problem with the non-student or student. It bothered me. I thought it was wrong. In my interpretation of the Delaware Landlord-Tenant Code, I don't even know how I would ask someone if they're a student or not. It bothered me a little bit. And I think that we have to make a change to that. You know, of all the things I've heard here tonight and in looking at the maps earlier, if it's four-person or three-person, or student or non-student, I think we need to, internally, look into what we're talking about and get rid of the word student. I mean, I think we determined, hey, Kells Avenue, there's no more rental permits allowed. If folks on certain streets say they don't want any more rental permits allowed on the street next to them, perhaps we should entertain that, as well. But if there are rental permits, they should be for whoever the person is. Three people, four people. I suppose if you want to have a family that's renting and you want to say that's a big family, but they can have one family. So, a one-family group. But it's tough to say students. I spend, on average, \$7,500 on renovations, repairs, and maintenance on each house each year. I think most people who take care of their home know that 2% of their home's value is a good amount to spend on maintenance. I think that if homes are under-rented and under-utilized, you run into landlords who are not properly maintaining the property, and they get

worse tenants. And if you have worse tenants, they're less respectful of their neighbors and the properties go with the grass uncut and don't look as good. And I think that's a problem for our communities. I think we do have to do . . . I think we should take out the word student. But the best landlords play by the books and play by the rules, and it's hard when you have a four-person house and it has a three-person permit, especially when a house next door might have five people or four people, or down the street let's say ten people. You know, we have a house that actually has not a number of person permit, but it's based on the square footage. So, my best understanding it's actually zoned currently for like ten people. Now we've only rented it, ever, to seven or eight people because how many people can fit in a house? But that somehow is grandfathered in and I can't understand that. And, so, I do respectfully say how does a college student or landlord not understand. They understand but I think it would be better if we could level the playing field and exempt certain streets and give them four-person permits, but without the word student anymore.

Mr. Firestone: Okay, thank you very much. Is there anyone else who hasn't spoken that would like to speak? We, by rule, end at 9:00 p.m. unless we extend and I'm going to, first, do the Chair's extension, which makes the meeting go to 9:30, and if we want to go longer, it will require a majority of the Commission. So, just to let everyone know.

What I'd like to do next is to go back and deal with some of the questions that people have since everyone has now gotten a chance to speak once and then we'll figure out as a Commission how we're going to proceed thereafter. So, what I got in the beginning, there were some questions about how do we know whether these are student homes or not, and who is renting and, obviously, there were some questions about the efficacy of code enforcement, more general. If you could speak to those issues, Mike.

Mr. Fortner: How . . .

Mr. Hurd: Your mike's not on.

Mr. Firestone: Do we know whether a student home is, in fact, occupied by students?

Mr. Fortner: No, not necessarily. Mr. Chair, can I clarify that? My data on my maps was based on the actual permits and that's what I collected. At any given time, a student home could be rented to someone that's not a student and I wouldn't necessarily know that. I relied a lot on our Code Enforcement people and the Property Maintenance Inspectors, and they helped me track down which were the student homes. But that's just a snapshot in time. At any given time, especially on the exempt streets, those weren't tracked as student homes or non-student homes, so you don't know if a student family is living there or a non-student family is living there.

Mr. Firestone: Now I noticed the plans were made earlier but, in your thinking, did you take into account the University's expansion plans when you put forward these proposals of going from three to four and the exempt streets?

Ms. Gray: Do you want me to take that?

Mr. Fortner: Okay. I can answer the planning question if you want.

Ms. Gray: Okay, go ahead.

Mr. Fortner: So, the Rental Housing Needs Assessment was based at the time when the University had a no-growth policy and it was growing at approximately 1% by not trying to grow. The University has changed that plan. What the Rental Housing Needs Assessment did was give us an equation of how to calculate with the growth. And, so, actually with the new numbers coming in, we can use the plan to anticipate higher numbers going forward. So, the

Rental Housing Needs Assessment did take into consideration, it gave us a tool of how to anticipate growth in the future. And, so, it implements in that way.

Mr. Firestone: And, Mary Ellen, did you have anything you wanted to add?

Ms. Gray: No, Mike covered it. Thank you.

Mr. Firestone: Do we know how many units would go from three to four?

Mr. Fortner: I didn't actually do a count. Kevin Mayhew gave his estimation there, but you can just look at the dots. And, so, where you see a rental permit, a property on a blue street that does not have a dot, that means there are three tenants in that house legally. And then they would be eligible for a fourth tenant. Where there's already a blue dot, that means there's no increase at all on a house like that.

Mr. Firestone: Right, but I'm just wondering if you have a . . . someone asked if we have a summary figure . . .

Mr. Hurd: Mr. Chair, my calculation, just counting the ones that got a blue dot, was 122. It would be an increase of 122 occupants on the exempt streets.

Mr. Firestone: Thank you.

Mr. Fortner: On the current exempt streets?

Mr. Hurd: Yeah.

Mr. Fortner: Okay.

Mr. Firestone: Commissioners, what's your . . . I guess, first of all, if we have a second round of comments, how many people would want to make a second comment? Raise your hand. Eight or nine. Do we want to have a second round of comments and, if so, we can limit it to a shorter period of time? Yes?

Mr. McIntosh: With all due respect to your second comments, I'm not sure what they would add. We've heard an overwhelming amount of information this evening and my take from that is for us to pass this along to City Council, at this stage, would be a mistake and shouldn't be done. I don't know quite how we got to this ordinance but clearly the people in this room who are most affected by it had very little to say about it. Or, if they did, they weren't heard. And as, I'm just venturing a guess here, that maybe when this was put together, it wasn't put together with the stakeholders in mind that are living this, whether it be on one side or the other. And, as you know, when we did our Parking Subcommittee, we made a very strong effort to include stakeholders across the board and we got, I thought, a pretty good result from that. I don't know that that happened in the creation of this ordinance or this thinking, and I think that that's something we need to do. That we need to have a look at this again, but a look at it with all the stakeholders sitting at the table trying to figure out what's the best way to do this. I'm not convinced that we're here to, you know, take . . . if the University wants growth, then the University has to think about how it's going to provide that. If we want the downtown, if we decide we want downtown to be students, well, if that's the community's wish, then fine. But, it's not necessarily the University's wish that we should go in that direction. I'm simply saying that, you know, as far as I'm concerned, I couldn't even think of voting to send this to Council.

Mr. Firestone: And I don't want to get into the merits yet. First, we're just trying to decide . . .

Mr. McIntosh: Well, I just . . .

Mr. Firestone: But I understand, so . . .

Mr. McIntosh: There really is . . . if we were to pass this along to Council, excuse me, Commissioner, I think it would be a mistake. A very big mistake.

Mr. Firestone: Again, that's another issue as to whether we want to hear additional comment and get additional insight or not from the public. So . . .

Mr. Cronin: Mr. Chairman, I think if there are people who want to speak a second time, as long as they have a new thought or something to add that we might not have heard before, or they were encouraged to hold general comments until after all six were considered, I would like to hear what they have to say to kind of benefit from their thoughts.

Mr. Stozek: I agree.

Mr. McIntosh: If it were something different than we've already heard.

Mr. Hurd: Yeah.

Mr. Stozek: Yeah.

Mr. Firestone: Okay. What we will do is allow a second round of comments strictly limited to two minutes and strictly limited to things that are not duplicative of something that has been said by anyone in the room, not just yourself. If you have something new that would be useful for us in our consideration, then I would invite you to make up to a two-minute comment. Yes, the lady in the back.

Ms. Ashley: This will be less than two minutes.

Mr. Firestone: What?

Ms. Ashley: Less than two minutes. I just want to give background on the Student Home Ordinance from back in 1999. We got the ordinance from Bryn Mawr, Pennsylvania, the town of Bryn Mawr. And they told us in Bryn Mawr, at the time, they said look at this. And, you know, I'm real sensitive to the discrimination comments. They told us this is not a Fair Housing issue, it's a zoning issue. And I've always thought of this use, this student home, in that we have identified it's kind of like a group home, and that we're regulating a group home. And we are allowed to regulate, it's reasonable for us to regulate this group home because this particular use, as they told us in Bryn Mawr, has been shown to have negative issues such as additional police, additional trash, noise, and stuff like that. And they cautioned us. We looked at another case out west where a town tried to regulate a group home for people in recovery. And it was struck down because they couldn't demonstrate that this use, this, in quotes, group home . . . that's how I think of it . . . is a different use. You have three unrelated people. They don't share finances. They don't share a common life. But the one out west was struck down for the people in recovery because they couldn't demonstrate that that use had a negative impact on the neighborhood. So, I just want to make that point because, you know, the issue of discrimination is a serious one. And that's not what was going on. Regulating it, the concept that students do not live in any of the neighborhoods in Newark is, certainly in central Newark, you know, they certainly live there. Thank you.

Mr. Firestone: Thank you very much.

Ms. Vispi: I'm sorry, can I get your name again for the transcript?

Ms. Ashley: Yeah, Marguerite Ashley, Kells Avenue.

Ms. Vispi: Thank you.

Mr. Firestone: And, yes, everybody is going to have to reidentify themselves for the record.

Mr. Kowalko: Thank you, Mr. Chair. John Kowalko, 14 Kells. I'm not going to reiterate all the reasons I think this is a poor move, but I will say, suggest, an unsolicited suggestion, that the Planning Commission demand Dennis Assanis, or a representative who speaks for him, come to this meeting, come to the meeting with you people . . . it can be a public meeting, however you conduct those . . . and tell you what his plans are specifically for growth, and tell you what his suggestions are to accommodate that growth. Because right now we're having two separate dialogs. The University is wielding a cudgel of growing over the heads of the Planning Commission [inaudible] interest of the residents. So, I would suggest that this be tabled and that no further discussion be held without the University of Delaware being here. And I mean a representative of Assanis' office or himself. They're not above the fray here, and I think that's the only way you're going to get a legitimate solution that's going to appease the needs of the quality of life of the people of the City.

Mr. Firestone: Thank you. Yes, sir.

Mr. Totten: Bill Totten, 110 Kells, again. Two very quick things. I believe I misspoke in my original comments when I said University Commons when I meant University Courtyard. And I know some people wrote that down and I just wanted to make sure I didn't misinform someone. And then the second thing is I don't believe that we've been provided with a tool. What is the tool going to do as we add 2-3 thousand more students? Is the tool to go then absorb all of Kells Avenue and destroy my street? I'm not sure where that comes from. So, I'm not convinced it's an effective tool to solve the problem with the growth numbers we're talking about. If it was a 1 ½ over 1% maybe, but this is not a 1 ½ over 1% growth. This is substantially beyond, I believe, what this tool is capable of. Thank you.

Mr. Firestone: Thank you.

Ms. Roe: Amy Roe, Sunset Road. I wanted to point out for your information in case you were not aware that this district here, District 1, is the location of the historic black community in the City of Newark. And because of decisions made by the University of Delaware, the Planning Commission, and the City, they are very few members of that community left. And I would really like you to consider the impact of taking Corbit Street completely off the books for the long-term residents, and Terry and Kennard completely off the books. I would really hate to see Newark intentionally decide to completely eradicate the historic black community. Thank you.

Mr. Firestone: Thank you. Yes, ma'am.

Ms. Shover: Yes, Doortje Shover, also Sunset Road. I have two remedies. The first one is put all the students on the STAR Campus. And then all cars for students, why the hell do they need all these cars? Jaguars, expensive, I have never seen such expensive rotten, spoiled kids with very expensive cars. Why do they have to have a car? They can walk or bicycle. Okay, that's all.

Mr. Firestone: Thank you. Yes, ma'am.

Ms. Sally Cornell: I'm going to make a little emotional . . .

Mr. Firestone: Excuse me, if you could identify yourself . . .

Ms. Cornell: I'm Sally Cornell, and Ryan German . . . I was a teacher at Newark High School, and he was one of our star pupils there, and now he's one of our star members of the community with his restaurant and with the fundraising that he does. And I know Ryan has rentals on Park that he keeps very nice. But the rest of Park is, as you've heard tonight, is a real mess. And this is where the emotion is. I mean it's wonderful that we have people investing in these communities and bringing in funds, but more and more this happens. What's happening to the value of my house, which wasn't a pretty fancy house to begin with. Each year it is going to go

down and down and down. When I'm ready to go into a home, I'm going to get nothing for it. I'm going to have to live under a bridge. And I just think that it's not right that just normal middle-class, lower middle-class, people can't live here and that we have to give all the power and rights to all, you know, sell our neighborhoods for investment benefits of the expense. And students . . . and there are a lot of students here that need to be taken care of . . . I don't think having more rentals in these neighborhoods is going to solve the problem. And I live behind animals, and I wrote a letter. I mean, it's a struggle. And the Police Department has been really fantastic, coming out every time they're starting these parties.

Mr. Firestone: Thank you. Yes, sir.

Mr. Small: I just wanted to follow-up . . .

Mr. Firestone: Excuse me, identify your name for the record.

Mr. Small: Okay, my name is Edgar Small. I live on West Main Street. I wanted to follow-up. You had mentioned, Mr. Hurd, that you counted something like 112 . . .

Mr. Hurd: One hundred twenty-two.

Mr. Small: One hundred and twenty?

Mr. Hurd: Twenty-two.

Mr. Small: Twenty-two?

Mr. Firestone: One hundred twenty-two.

Mr. Stozek: One twenty-two.

Mr. Small: One hundred and twenty-two. On this map?

Mr. Hurd: On all of them.

Mr. Small: All the maps? Okay. Well, there's 30-something properties up that that you're talking about adding into this criterion where you're going to allow four students per house or three students per house. Going from two to four if both of these things pass. That's an increase of roughly about 100 cars for that. So, you have the traffic issues. The traffic issues that a gentleman earlier said he and his family are moving out of this district because of the cars and the problems that he is having on that street with the traffic. You have a lot of maintenance issues in there. These things, I think, should be part of what you're considering and how you're looking into whether or not this is actually a wise move. And that, as I mentioned before, is considered in this study that you've looked at. So, I would encourage you to actually think about that.

Mr. Firestone: Thank you. Yes, ma'am.

Ms. Jackson: Kristina Jackson, Tyre Avenue. I don't think any beds are empty. We're talking about these empty beds. I think there's a student in every one of them. So, I'm not really sure what the point is. Why do we . . . we're trying to do something on paper. It's not like we're going to all of a sudden have 130-some beds and we can go find 137 students to put there. They're already there. I don't want to see this become just an exercise on paper, because I know what the ramifications are when you make those numbers on paper. More beds will be found and they will be shoved around. There is nobody that can go in there and police this situation. And this, tonight, hearing how this ordinance came about, that we're regulating it's like a group home, I would like to see more work be done on that. There's some basic rules. If you're regulating a group home, no students need to be on a roof. Ever. There's just . . .

Ms. Ashley: It's not really defined as a group home. That's just how I think of it.

Mr. Firestone: Excuse me.

Ms. Ashley: I'm sorry.

Mr. Firestone: One person at a time.

Ms. Jackson: But if we are trying to regulate for the safety, the mold, putting bedrooms in basements, and allowing students . . . like I said, we have called for students that are on roofs. There is, you know, we don't regulate . . . I don't see that we provide them a nice area. If you have apartments, the newer apartments, you make sure that there's common areas for the students, but the students don't . . . everybody who decided to take a family home and turn it into a rental doesn't provide a back patio, so they hang out on the front yard with their beer. I mean there's just things that . . . I think there's a bigger issue and we need to look at it from so many angles, so I hope that this will be an ongoing discussion and not a decision made tonight. Thank you.

Mr. Firestone: Thank you. Yes, ma'am.

Ms. McDermott: One final point. Jenny McDermott, 88 Kells. I'm walking into this thing, I'm a little tired. The reason that these ordinances were put into place to begin with, there was a reason for that, to preserve neighborhoods. And the reason that there's so much confusion is because of the grandfathering that was required in order to keep the peace. If we relax all of these regulations today, again, without greater thought into vision, keep in mind that if we realize that this is a problem in the future, we have yet again grandfathered everything to a more relaxed state and we will have an even bigger problem that we cannot clean up. Thank you.

Mr. Firestone: Thank you. Is there anyone else who hasn't yet had a second chance to discuss something new to add? Okay.

Mr. Schmalhofer: Okay. Again, Glenn Schmalhofer, District 2. Yeah, let me get back to George Read Village for a second. I live at 57 Thompson Circle. I have a Newark Housing Authority duplex right next to me. And not the tenant now, but the tenant before was a complete nightmare. Unbelievable. Just a single mom who didn't have control of her son. He was out of control. The police were out there, dispatched many, many times. There were just a lot of problems. And you know what? I never looked at that as, you know what, it's a single mom. Or the son is a homosexual. Or it's Section 8. Or these people are black. I never looked at it like that. That never even entered my mind. It entered my mind that these people are a problem. It's a behavioral problem and they need to be dealt with. It's the same thing with the students. I've got many student tenants. Like I said, at the high point, hundreds over many years. Most of them do a good job. They do what they're asked to do. They're good students. They're good tenants. They take care of the properties. But, yeah, I'm going to be honest with you. We have a small percentage that, yeah, they can cause a lot of problems in the neighborhood. Again, I agree with what people are saying here, and we need the teeth to enforce it and take care of it. That Student Home Ordinance, I was around, I was a landlord when that came out, and I want everybody to think about this tonight. Lie in bed and think about this tonight. If you take the word student out and you replace that with black, think how obscene that would be, and illegal. Now, you might find a way to maneuver through. And it's okay, find a way, it's not a protected class and this, that and the other thing. And so, yeah, it's legal. But just because it's legal, it doesn't mean it's right. Again, American citizens, they're going to school, most of them are doing the right thing, it's our future, you know, for tomorrow, you know, I just can't support the discrimination. The people, the bad apples, have to be dealt with. I don't care what color they are or what they're doing or their occupation or if they're a student or not a student or whatever. They're the ones that need to be dealt with. You've got to hold the people accountable that are causing the problem. Thank you.

Mr. Firestone: Anyone else? Okay, public comment period is closed and we'll now have . . . I think we should have a little discussion before we entertain a motion and people should, I think, express their views and views on what they've heard, etc.

Mr. Hurd: Sure . . . do you want to go first? Go ahead.

Mr. Stozek: Okay. I am not prepared to vote for this tonight. I'm not even sure . . . this is a very complex problem. There is no simple solution but having a plan that is a one-size-fits-all across these six areas of the City makes no sense to me. We don't even know the magnitude of the problem. When this study was started, it was 4-5 years ago and tremendous things have changed. The University outlook has changed. The number of students coming in here is totally different from what we knew before. You know, I've heard that the towers are coming down. I've heard that the University is going to take over the Courtyard apartments, but I have not heard, specifically, what the plans are . . . oh, and they're going to put another dorm on the southwest corner of The Green, or South Green. I have not heard, specifically, what the number of beds are going to be. I know as they've built beds now, they've usually ended up with fewer beds than when they started renovations. So, what is the University's master plan here? And I agree with Representative Kowalko. I think the City needs to have a commission and the University needs to be a part of that commission to, if nothing else, inform us of what's going on. What are their 5-year, 10-year plans, and how is that going to affect the City. You know, we're trying to deal with an instantaneous problem that we know is going to change over the next 6-12 months because we don't have all the information. So, for that and many other reasons, I am not prepared to vote for this.

Mr. Hurd: I would concur with my colleague. And I sat on the Rental Housing thing and I would say when this was proposed, it was seen as a way to deal with that sort of 1% growth in an easy way that maybe wouldn't sort of fit in with the existing structures. And I think the consultants, for the most part, did a good job. I think they didn't understand . . . I think they're looking at numbers and weren't looking at people and neighborhoods as much. So, I think, you know, they looked at streets and said well that's over 70% student homes already, maybe that should go over, and just looking at it as a data point. At the risk of creating more work for us, I think that this is exactly what Frank was talking about. This is where we need to bring a wide variety of stakeholders together and really look at the overall problem, just like we did with parking. Look at the overall problem of students, where they live, the growth, where density should be, and master planning, and some of those larger issues that came up at our co-meeting with Council. And I think Council needs to be engaged in this process. I think we need to bring them down to the table with the University, with landlords, with all that, to look at this in a holistic sense, because I think Bob's right, we can't sort of say here, here, here and here, you're going to get a few more people. I don't think that's going to solve the bigger problem that we're seeing out here.

Mr. McIntosh: Was that an olive branch to me or . . .

Mr. Cronin: No, I think that was to me.

Mr. Firestone: No, it was all the way done. We'll get to you next.

Mr. McIntosh: I'm just wondering, that's all.

Mr. Cronin: Thank you, Mr. Chairman. Like my other colleagues, I'm not prepared to support either of these measures tonight. I think that what we have in place, while it may have had good intentions to begin with, it really wouldn't serve the community overall that well. And I think it's time to get a commission or work group together with the stakeholders and try to come up with something that's going to serve the community better.

Mr. Firestone: Chair would entertain a motion at this time to extend us by maybe 15 minutes.

Mr. Hurd: Sure, I'll move to extend the meeting 15 minutes.

Mr. Stozek: Second.

Mr. Firestone: Any discussion? All those in favor, signify by saying Aye. Opposed, say Nay. Motion carries.

MOTION BY HURD, SECONDED BY STOZEK THAT THE PLANNING COMMISSION MEETING BE EXTENDED BY 15 MINUTES.

VOTE: 4-1

AYE: CRONIN, FIRESTONE, HURD, STOZEK

NAY: MCINTOSH

ABSENT: MCNATT, SILVERMAN

MOTION PASSED

Mr. Firestone: I'll now recognize Frank, who just voted to not talk.

Mr. McIntosh: To be spiteful [inaudible]. That's not true. I agree with Will. We need to look at this all over again. And we need to look at it all over again with the right people in the room. What we're doing with this is putting a band-aid on it. We put a band-aid on parking for a long time. All those band-aids fell off and they didn't do anything. And this is not going to do anything either. So, I just don't . . . I mean, I think it was put together with the best of intentions. I don't mean to suggest that anybody involved in this didn't have the best intentions, but I do think it needs to be looked at again in a deeper and more open way. That's it. And I can't support it, again.

Mr. Firestone: I would agree with the general sentiment that we're not ready to move forward today. I've got a few sort of comments. I don't look at our homes or our rental units for American citizens. I look at it for people who want to reside in our community, whether they're citizens or have green cards or what-have-you. Whoever wants to come and reside in our City, as far as I'm concerned, is welcome, provided, obviously, we want them to be law-abiding. I am, personally, troubled by the notion of, and I know we did this a long time ago, the notion of student homes. And I'm, personally, somewhat troubled by the whole limits on unrelated people. People have . . . you know, society is changing. People aren't necessarily getting married. You might have four students who want to live in a three-student limited building where two are effectively a couple and want to share a bedroom. I just think some of this is sort of not really thinking about how society . . . you know, I think we need to also think about how society is changing.

I don't see this . . . I would agree that the University would be useful as part of the solution. I don't think it's the University's problem and we wouldn't suggest that any other employer in this area have to provide housing for people who live in our community as a guarantee. And I don't think that we should hold the University . . . the University, obviously, as I said, can be quite useful. I don't think it's their obligation to provide four years of on-campus housing. We do have a big problem of trying to figure out how to fit everyone in as the University grows. As the University grows, it does bring economic development and vibrancy to our community. Many of us live here and live close because we like the vibrancy of being near town and being near the University. I live at Winslow and Beverly, so I'm also very close in, just like all of you. I am very happy that I'm here so that I can walk to town. I can walk to the University. I can bike. I can run from my house and run right into White Clay Creek State Park. So, I get it, and I get the problems with encroachment, too. We feel that from a lot of the development on South Main Street. And some people have more issues with that than others. So, these are tough issues. There are some advantages to, you know, we can be more sustainable as a community if we're more tightly packed. So that's something that's good. Getting the kids, you know, I've

heard a lot about the kids having lots of automobiles, but if we can get them walking to town and get them out of their cars when they're drinking, that's a good thing, rather than having them be located further away and driving through our communities. So, there are some positives to having the students close in, but I would agree that we need more stakeholder engagement, and tonight was very useful, and with more master planning. Anyway, I thank all of you for your written comments and for your oral comments and your passion, and for educating us all.

At this point, the Chair would entertain a motion. It could be a motion to, for example, table. It could be, as well, an addition of a motion to something along the lines of what we did with the Parking Subcommittee, as well as table.

Mr. Stozek: Do we have another meeting scheduled with City Council at this time?

Mr. Firestone: We do not, at this point. So, it could be to suggest another meeting with the City Council and perhaps invite the University, as well.

Mr. Hurd: I'll start . . . I move that we take the two ordinances that have been proposed to us by the Planning Department and, I don't want to say table, because that implies the 30-day thing and I'm not sure I want to table it. But I think we need to send it back and then request to meet with Council to discuss forming an ad-hoc group to examine this issue in a larger context.

Mr. Firestone: We could remand it to the Department.

Mr. Hurd: Yeah, that sounds so forceful.

Mr. Paul Bilodeau: Is there a second?

Mr. Stozek: I'll second.

Mr. Hurd: Any discussion? Oh, sorry, that's your call.

Mr. Firestone: Any discussion? All those in favor, signify by saying Aye. Opposed say Nay. Motion carries.

MOTION BY HURD, SECONDED BY STOZEK THAT THE PROPOSED ORDINANCES TO AMEND THE ZONING CODE SECTION 32-4(a)(123.1), DEFINITION OF STUDENT HOME, TO ADD NINE STREETS TO THE LIST OF EXEMPT STREETS AND TO ALLOW SINGLE-FAMILY RENTAL UNITS ON ALL STREETS OR SUBDIVISIONS LISTED AS EXEMPT TO BE OCCUPIED BY UP TO FOUR UNRELATED TENANTS BE SENT BACK TO THE PLANNING AND DEVELOPMENT DEPARTMENT WITH THE RECOMMENDATION TO WORK WITH CITY COUNCIL ON THE FORMATION OF A SUBCOMMITTEE TO EXAMINE THE TOPIC OF STUDENT HOUSING IN A LARGER CONTEXT.

VOTE: 5-0

AYE: CRONIN, FIRESTONE, HURD, MCINTOSH, STOZEK

NAY: NONE

ABSENT: MCNATT, SILVERMAN

MOTION PASSED

Mr. Firestone: The Chair would welcome a motion to adjourn.

Mr. McIntosh: So moved.

Mr. Hurd: Second.

Mr. Firestone: All those in favor, signify by saying Aye. Opposed, say Nay. We're adjourned. Thank you very much.

MOTION BY MCINTOSH, SECONDED BY HURD THAT THE PLANNING COMMISSION MEETING BE ADJOURNED.

VOTE: 5-0

AYE: CRONIN, FIRESTONE, HURD, MCINTOSH, STOZEK

NAY: NONE

ABSENT: MCNATT, SILVERMAN

MOTION PASSED

[Secretary's note: The Planning Commission meeting adjourned prior to discussion of agenda items 4, 5, and 6, listed below.]

4. **NEW BUSINESS.**

5. **INITIAL DISCUSSION OF LEED CERTIFICATION STANDARDS (IF TIME ALLOWS).**

6. **INFORMATIONAL ITEMS.**

The Planning Commission meeting adjourned at 9:44 p.m.

Respectfully submitted,



Willard F. Hurd

Planning Commission Secretary

As transcribed by Michelle Vispi

Planning and Development Department Secretary

Attachments

Exhibit A: [Planning and Development Department report \(RHNAS Proposed Ordinance - Add Nine Streets\)](#)

Exhibit B: [Planning and Development Department report \(RHNAS Proposed Ordinance - Three to Four Unrelated Tenants\)](#)

Exhibit C: [Planning and Development Department presentation \(RHNAS Proposed Ordinances\)](#)

Exhibit D: [Written Public Comment \(RHNAS Proposed Ordinances\)](#)

Exhibit E: [Planning Commission handout \(LEED Certification Standards\)](#)