CITY OF DOVER PLANNING COMMISSION
QUARTERLY WORKSHOP
February 22, 2017

The Regular Quarterly Workshop Meeting of the City of Dover Planning Commission was held on Wednesday, February 22, 2017 at 12:00 noon with Chairman Mr. Tolbert presiding. Members present were Mr. Roach (arrived at 12:11 PM), Mr. Holt, Mr. Baldwin, Ms. Maucher and Mr. Tolbert. Mr. Holden, Dr. Jones and Mrs. Welsh were absent.

Staff members present were Mrs. Townshend, Mrs. Melson-Williams, Mrs. Harvey, Mr. Diaz and Mrs. Mullaney.

Also present were Mr. Will Grimes from NCALL Restoring Central Dover, Mr. Rich Vetter from Dover/Kent County MPO and Mr. David Edgell from the State Planning Office.

Mrs. Townshend stated that she would like to shift the agenda around a little bit so that Mr. Vetter can do a presentation on the Division Street/Forest Street Capital Gateway Study first.

PRESENTATION ON DIVISION STREET/FOREST STREET DESIGN CHARRETTE & FINAL PLAN

Mr. Vetter stated that this study was actually completed about this time last year. The purpose of the study is that they were trying to develop a Land Use Plan and a Master Transportation Plan for this corridor. This was a joint study by the MPO and the City. There was a consultant that assisted us in this particular study. When they started, they were looking at from their perspective, beautification, enhanced streetscape, and enhanced aesthetics on the corridor. They wanted to develop a land use vision for developers coming in at some point in the future. What is this corridor going to look like from a sidewalk perspective and from a building façade perspective? It's not the prettiest scenery as you come in from the west so they want some kind of definition that you are actually entering the City of Dover. They also wanted this to be community driven and he will get into that in a little bit. They wanted a grassroots study and grassroots recommendations.

Everyone is familiar with the corridor but there is a lot of underutilization. There are vacant buildings and vacant lots that still remain so there is a lot of potential. There are commercial and industrial properties available as well in that area. They feel that there is a lot of potential in this area in the future. There is residential land use mixed with small businesses and just a variety of uses on the north side in particular. There is no theme. As you are driving you don't know that you are entering the City of Dover. It is aesthetically challenged to say the least. For example, on Loockerman Street you know that you are entering the Downtown area just based on the landscaping and the beautification that exists. At the Gateway Corridor, you don't have that.

Mr. Roach arrived at the meeting.

This was actually one of the first studies that they have used a technique called the "charrette." Essentially, if you have a typical planning study it could drag on for months or even years. You have a meeting and then a consultant draws up some alternatives and then you have another meeting two months later. This process actually condenses all of that into about a week. They did this in November of last year before Thanksgiving. It's a very collaborative and very hands-on process. They had three night meetings. He thinks that it's a really good community process and

they will definitely use that method again. It's a glorified magic marker session but by the end of the week you have a product that looks like people had a hand in it. The key is the community vision. He thinks that they developed that community vision certainly through the charrette process.

During charrette week, they were actually the first gig in the Inner City Cultural League Center. It was a very nice building and he thinks that is what actually brought the people out. The people who lived there wanted to see the facility. There were three meetings held on Monday, Tuesday and Thursday. On Monday night they had the vision from the community. Tuesday night they were showing alternatives and then Thursday night they were actually showing the final concepts based on what they heard on Monday. The vision that they heard from the residents was to reduce the blight and to promote the mixture of uses to include some small scale commercial uses if possible. This was unanimous between the 30 to 35 people who attended. They wanted to show some type of definition or landmark from the west in particular. They wanted to increase businesses, recreational opportunities and open space if possible. He thinks that the community felt that the main thing from their perspective was to improve public safety. If you just have more activity, then the public safety component will increase.

As far as transportation on Division Street, parking really wasn't a major issue. It was brought up that some areas have more parking than others or more activities than others but it's not anything that needs to be addressed. They wanted an enhanced streetscape and walkability; particularly crosswalks going across Route 8. They also want to improve the walkability to the school. At bus stops is there a need for benches or just bus shelters; not necessarily more bus stops but just enhance what already exists.

The main thing that came out of Forest Street was aesthetics. If there is a way to enhance what is on Loockerman Street and extend that to the west in terms of landscaping, flags and poles to just kind of clean the streetscape up. This is a DelDOT street and they have a project and design funding sat aside as part of the roundabout. There is a roundabout that is proposed on Loockerman Street right in front of the Duncan Center. It has been in their program for a number of years. They have money set aside for three years from now. He thinks that the design is getting ready to start so essentially that would be a streetscape along Forest Street.

Mr. Vetter shared pictures of future plans for the area.

Mr. Vetter stated that for Division Street there are four options. Do nothing, a median option, a bike lane option and then a green space option. A weaving option that was mentioned by the people at the charrette is not really causing delay or crashes but they heard consent feedback on that issue about not liking it. They have talked to DelDOT about it but they did not get a favorable opinion at this point. What we have today is a parking lane, a pretty wide travel lane and no median. One option would shrink the parking and travel lane and add an eight to ten foot median strip with some potential landscaping or grass. For beautification it would eliminate the weave.

Ms. Maucher questioned if it would eliminate the turning lane? Responding to Ms. Maucher, Mr. Vetter stated that at State Street and Governors Avenue you couldn't just because the volumes are too high. They would have to look at New Street and Queen Street volumes to see if that made sense or if it led to more backups. They have not gotten that far yet.

Mr. Vetter stated that option three is the bike lane option. What would be proposed is that the parking be eliminated and replaced with a bike lane. As part of the Senator Bike Lane Project, on the north side they are going to take out the parking near the Funeral Home and replace it with a bike lane and a buffer. On the south side, the parking is going to remain. This should be under construction in the late summer or early fall. The last option is a greenery option. This option would replace parking with planting strip with trees and landscaping.

This plan was finished last March but it has not been presented to City Council yet. A piece of this plan is going to be in place by the end of the year; the bike lane west of the tracks.

Mr. Tolbert questioned if there were a lot of dilapidated buildings in that area? Responding to Mr. Tolbert, Mr. Vetter stated that there are certainly some. They did get into some landuse options a little bit.

Mrs. Townshend stated that one of things that they did hear from the public is that they wanted the blighted buildings to be eliminated. That's one of the challenges that they have. The City has been very active in their demolition but it takes time. Ideally, they would like for the building owners to address the issues but in some cases the City just hasn't had a lot of luck with that.

Mr. Tolbert further questioned if you have to take a building down, doesn't the City hold the building owner responsible for that cost? Responding to Mr. Tolbert, Mrs. Townshend stated that when the City demolishes a building they bill it to the property owner and if it's not paid then they place a lien against the property. So before the property can transfer, the lien needs to be satisfied.

Mr. Holt questioned if the property owner still owns the property? Responding to Mr. Holt, Mrs. Townshend stated yes. If the property owner owes the City money for the demolition, then we are not going to bring forward a Site Plan or issue any Building Permits are paid.

Mr. Tolbert questioned if the taxes are usually behind on dilapidated buildings? Responding to Mr. Tolbert, Mrs. Townshend stated that in some cases yes but in some cases, they pay their taxes.

Ms. Maucher questioned if they can still owe for demolition and be current on their taxes? Responding to Ms. Maucher, Mrs. Townshend stated yes.

Ms. Maucher furthered questioned if there was no way to force them to pay the demolition fees through the taxes? Responding to Ms. Maucher, Mrs. Townshend stated that there are a couple of things. One, if they don't pay it then we add it to the tax bill so then it does become a tax lien. Someone must be two years delinquent on your taxes before the City can force you to Sheriff Sale. We have in the case of at least one property that they can think of; they did enough research to know that the only liens were the liens held by the City. So they filed a judgement in Court and were able to force it to Sheriff Sale that way. That lot was purchased by Habitat for Humanity. If there are other liens in place, then the City can't do that. If there is a mortgage, the banks will get paid before the City will.

Mrs. Townshend stated that it's a challenge. When they do the demolitions, the intent is to recover as much of that as we can but they certainly can't recover 100% of what they spend on

the demolitions. In some cases, they have forgiven liens in order for a property to be transferred to Habitat for Humanity or to NCALL because certainly the long-term benefit is to make sure that we get those properties built upon and occupied rather than just getting the money back.

Mr. Roach questioned if the residents on Division Street were complaining about the weaving or was it just the general residents in Dover? Responding to Mr. Roach, Mrs. Townshend stated that it was in general but the people who participated seemed to be from the study area. NCALL helped us with getting the word out so they were able to get the word out to people who owned property or who lived in this area specifically. She is not sure that they got many residents from Division Street though.

Mr. Roach stated that his only concern would be if they were more concerned about the weaving than eliminating the side street parking. If you add a bike path and eliminate the turn lanes, it's going to be messy. Sometimes you can't even get to the turn lane because the street lane is backed up so much. Responding to Mr. Roach, Mrs. Townshend stated that any modification is going to have to be reviewed with the DelDOT Traffic staff. There are some things that are potential options that quite honestly might not be feasible. As we go into implantation mode, there's going to have to be approval from DelDOT since it's a DelDOT road. If you go down Division Street, one of the things that jumps out at her is that you have blighted buildings but also the sidewalks really need to be upgraded and the curbing is crumbling. There are a lot of things that lend themselves to poor aesthetics. She thinks that in looking at this, any implementation on Division Street is going to be a capital project in DelDOT. We are not talking next year or the year after; we are talking years away. This gives us that kind of starting point for the discussion with DelDOT about how we move forward with making Division Street better.

Mr. Roach stated that that was going to be his only other question. If we did eliminate that whole parking, there are already issues as far as parking down the other side streets.

Mr. Vetter stated that when they talked to DelDOT's Traffic Division, they didn't see the weaving as a problem.

Mr. Roach stated that he didn't see a problem with the weaving either. That's why he was wondering who was complaining about it. Responding to Mr. Roach, Mrs. Townshend stated that she thinks people would rather go straight then weave.

Mr. Roach stated that it is just accommodating for everyone. People living on Division Street can park there. The people who are turning have a turn lane. If you remove any aspect of it, somebody will be inconvenienced even more because you will have residents complaining that they can't park in front of their house.

Mr. Edgell questioned if they were proposing to eliminate the parking on this? Responding to Mr. Edgell, Mrs. Townshend stated that that was one of the options.

Ms. Maucher stated if there was any discussion of undergrounding of utilities? Responding to Ms. Maucher, Mrs. Townshend stated that it was something that people want to see. It's something that she thinks is probably not financially feasible because you've got pretty much all of the utilities in that area on poles. You would be looking at undergrounding electric, cable and phone. The cost of that would be a show stopper but it is something that people would like to

see.

Mr. Holt questioned if the railroads would ever have passenger trains returning? He is thinking about eliminating traffic by people taking the train like they used to in the past. Responding to Mr. Holt, Mr. Vetter stated that he can't speak for DelDOT. They did a study 3 or 4 years ago to look at passenger rail all the way down to Sussex County and over to Ocean City, Maryland. The cost of it was just unbelievable.

Mrs. Townshend stated that the lines are there but they are there for transportation cargo. When you look at transportation for passengers, it significantly changes for what you need in terms of the lines. The other thing is that we don't have the population densities to support the cost. That is the challenge that we have. As things redevelop, it may be something that changes over time but based on the current population densities and costs of improvements it's been determined at this point not to be feasible.

Mrs. Townshend stated that she wanted to thank Mr. Vetter because with the support of the Dover/Kent County MPO they are able to do a lot of things that we would not be able to do if we would have to simply rely on our own staff and our own resources. They've been the lead on this and they are also funding. They are the lead on the parking study too. The Dover/Kent County MPO has been just an incredible support because they are involved in Restoring Central Dover as well. She wanted to make sure that it was clear that they wouldn't be able to do half of the things that they are able to do in terms of planning for infrastructure and what things look like in the future without their support.

Mr. Vetter stated that the roundabout should be one of the first things.

Mrs. Townshend that again this is in the Capitol Transportation Fund.

Mr. Roach questioned when we would be getting a nice big parking garage Downtown? Responding to Mr. Roach, Mrs. Townshend stated that parking studies should be done this summer.

2018 COMPREHENSIVE PLAN UPDATE

Mrs. Townshend stated that they have asked Mr. David Edgell to come talk about the State requirements for Comprehensive Plans. She thinks Ms. Maucher is well versed on at this point because she attended the training. She believes that Dr. Jones was at that training as well. We are coming up to a period of time where we are going to be updating the *Comprehensive Plan* and we have a number of new Planning Commission members so they thought that a good place to start is at the ground level.

State Requirements

Mr. Edgell stated that he is from Dover and lives in Dover. His first job out of graduate school was with the City of Dover Department of Planning. He was involved in writing the *1995 Comprehensive Plan* for Dover. At that time, the previous plan was a 1986 plan which the problem with the 1986 plan was not that it was a bad plan but the City didn't follow through with that plan in terms of changing zoning. There were all kinds of things happening in the City. Mr. Holt was there at the time so he probably remembers where people would think that they lived in a nice single family neighborhood and then all of a sudden a shopping center would pop up right

on the corner. It wasn't in the plan but the zoning was there for a shopping center or an apartment complex or a bowling alley. People were upset about this so they went in a wrote this plan. The most important thing that they did at that point in time was that they changed the zoning along with that plan. Everybody thought that they getting in the neighborhoods; there were no surprises going on. When he left the City of Dover, he worked for the University of Delaware for a couple of years doing planning mostly in Sussex County and then he went to work for the State Planning Office about 14 years ago. Dover has been through plan updates in 2003 and in 2008. Now the Comprehensive Plans in Delaware are required by the State Code. All of the towns, cities and counties have to do plans. The plans are 10 year documents meaning that they get adopted, certified by the State and then they have to be reviewed every 5 years and completely updated every 10 years. He thinks that the City's was adopted last in February 2009. So, February 2019 is when the new plan must be done, adopted and certified. This 2017 so why are we even talking about it? With the way the process works this about the right time to start thinking about what goes on with the plan.

Basically, these plans are supposed to be kept up to date by the cities and towns. Dover does a really good job of doing that. Your work every day and Planning Commission meetings every month is one thing and the Planning Staff keeps you up to date with everything else. There have been most years, an amendment to the Plan. There are tweaks that need to be made on different areas; there can be changes. Because you are doing that on a rolling basis that counts for the 5-year review. Now we are into that period of time where the whole plan must be updated. The State Code does have a whole section of criteria and there are different levels: one for towns under 2,000 population and then a more strict level for towns over 2,000. Dover certainly matches the over 2,000 and the Plan that you have now obviously had all of those components in it. What the update process should be is to use the community, lead by the Planning Commission and Staff, to kind look through the plan to see what in the document is currently up to date, what needs to change, what kind of trends have been occurring in the past ten years. Ten years is a long enough time where what you thought might have happened 10 or 12 years ago may not have come to fruition or new opportunities could have presented themselves. Ten years ago, you didn't have the Downtown Development District, you didn't have Restoring Central Dover, you didn't have the work done on the Route 13 Corridor with the TID's and you didn't have the Division Street Study that we just looked at. There are a lot of things that happened and this is an opportunity to look at the whole picture as a community and build that into all of the different plan chapters. He would also say that this is an opportunity to really engage the community and the residents. This was done eight years ago now and everybody was invited to participate back then. Here is a good chance to really get back up with the people in the neighborhoods, the community and the public and talk about what's going on in Dover and what direction you are taking.

Tentative Timeline

Mr. Edgell stated that we are going to talk about the timeframe in a minute. If you work back from February 2019 there is probably four to five months of meetings and hearings that will be needed once you finalize the plan. It has to be reviewed through a State process called a Preliminary Land Use Service (PLUS) which is a State review. They look at the Code and make sure everything is in there that needs to be in there. It would go through the Planning Commission with any recommendations or changes that are needed and then to City Council for review and then to the State Planning Office which sends it to the Governor for his certification. Conservatively saying five to six months would not be too long for that process.

Mrs. Townshend stated that her recollection is that the last time they were gearing towards final adoption in January and then there were some things that came up at the public hearing before City Council and it ended up getting delayed. Somewhere along the process it got delayed because things came out at a public hearing that Council wanted us to address before they would adopt the plan. We can come up with the most beautiful schedule ever and it can be pushed back and then after that it goes through the certification process with the State. It goes through the PLUS review before adoption.

Mr. Edgell stated that what they have been trying to do with all of the towns and counties, and they have found it very helpful is to send the plan that you've got now through PLUS early as what they call a Pre-PLUS. Meaning that they send what you've got now through the State agencies through this PLUS process and get their comments at the beginning of this process. That's helpful because some of the State agencies have different rules, regulations, programs and policies that they are going to ask you to incorporate into the plan. This is a way to get all of that on paper before the Planning Staff even starts drafting things. You will at least know that DelDOT's policy on xyz has changed. That could happen at any time; now is not too soon to do that. He has found it very helpful for the towns who have had it. It gives them a checklist to make sure they've addressed all of these things so when they get to that PLUS review at the very end it doesn't delay anything because you have everything covered.

Mrs. Townshend stated that sometimes it's not necessarily a regulatory change or a programmatic change; it could be a priority change. As she was recently reading their *Comprehensive Plan*, one of the things that became apparent to her is that back when we were developing this *Comprehensive Plan*, the Source Water Protection Overlay Zone was a relatively new State law. We made sure that we dotted the I's and crossed the T's on that. She is going to say that she thinks the section on floodplain is pretty weak because she doesn't think that we fully understood our obligation until 2013 when FEMA came in and told us everything that we were doing wrong. We have since the time of the last *Comprehensive Plan*, become better trained on our obligations under the NFIP program but also we have made changes on our level on how we do things because we've become better trained. She was reading the *Comprehensive Plan* thinking that we need a much better and stronger section on floodplains. It's that type of thing that she thinks the agency review would also help with.

Mr. Edgell stated that the only other thing that he would add is that himself and Mrs. Townshend have been working with a larger group of people on something called Plan4Health. They have had a charrette last summer Downtown in the Bayard Building. The whole purpose of this planning exercise was trying to focus on how to link Public Health and Planning in terms of active living, getting people to the parks, getting people walking and riding their bikes and also access to health foods. Making sure that people in the neighborhoods can access health things to eat as opposed to just going to the convenient store or corner store and getting cheesesteaks. We are wrapping that up which is probably why Mrs. Townshend was reading the Plan cover to cover. There is going to be some information available to the City. Basically, what they have done is read through Dover's Plan and Kent County's Plan and will come up with ideas and guidelines for how that can be improved in Dover's Plan. There's a lot in the Plan and a lot of what Dover has been doing over the years in terms of planning, zoning and development that is very positive. It's a great small city. It's got a lot of the amenities, a lot of sidewalks and parks, and schools and everything for the most part is connected at least Downtown. How do you make it better? How do you change your focus? For an example, when we were in the Downtown area

he was looking at it with some different eyes. He has lived here all of his life and he has been Downtown a lot. He wasn't thinking about if he lived in this neighborhood, where would he go to get groceries if he didn't have a car? Of course, the answer is not walking because it's too far to get to the highway. Transit is certainly an option but that takes a while. Where would he be most likely to get his food? There is Family Dollar, The Grocery Basket, The Fulton Market, etc. Near Lincoln Park people can walk across the street to Food Lion. This opened his eyes to see that people living in this area really wouldn't have anywhere to go except for those stores. Could we make it better for the people to get to the food markets?

Mrs. Townshend stated that in talking to people, there are a lot of people who do their grocery shopping at Family Dollar if they don't have a vehicle. You are not going to get fruits and vegetables there.

Mr. Edgell stated that when you look at the health aspect, that source is okay if you are just getting a snack but if that's your main meal everyday it leads to other problems.

Mr. Tolbert stated that we make provisions for bicycle lanes and other things but people like him and Mr. Holt, they are not going to ride their bicycles anywhere. What he is getting at is, take a look at the bus routes in this town. They need to be looked at because they are not adequate in his opinion. A lot of people have to walk a distance to get to the bus stops and then they have to walk a good distance to where ever they are going once they get off of the bus. Responding to Mr. Tolbert, Mr. Edgell stated that they heard that loud and clear. DelDOT was a part of the group that was involved in this. They heard a lot about the condition of sidewalks. There are sidewalks everywhere especially in the Downtown but they are not always in the greatest shape. They had one woman in a wheel chair saying that she couldn't get to the bus stop because the sidewalk is cracked and there is no ramp where she lived. These are barriers and he knows that the City has had many years of programs with the ADA and working on the sidewalks and DelDOT does that whenever they come in. But this highlights that point; is the transit accessible? Can you get from your home or business to the transit? They have challenges in Dover because we don't have that density or concentration of people to have a well-integrated transit system. Wilmington, DE probably has the best or the densest transit system. There is a system in Newark, DE, in Dover, DE and there is one that sort of works at the beach during the summer. We have nothing but work to do to make it more convenient for people.

Mr. Tolbert stated that an adequate transportation system might reduce the need for automobiles.

Mr. Holt stated that he takes DART a lot and he sees a lot of people grocery shopping. Normally, the driver will get out and help the person with the groceries and put the cart on the bus and then also help get them back in the cart when they get off. Responding to Mr. Holt, Mr. Edgell stated that Mr. Holt is mostly talking about ParaTransit. That's definitely an option for people.

Mr. Holt stated that it's $4 each way now. Responding to Mr. Holt, Mr. Edgell stated that he doesn't have the numbers in his head exactly but the cost of the ParaTransit system is far more expensive than the actual bus service that we've got throughout the State. Ideally, we would have a bus service that's better than it is now so that people don't need to take a ParaTransit van to get to their destination.

Mr. Holt stated that the ParaTransit is going through a survey right now to make sure that

everyone is still qualified or can they take the bus. Responding to Mr. Holt, Mr. Edgell stated that the Transit Corporation is constantly re-evaluating their routes. He knows that it's not perfect but they just did a service change not too long ago. They are working on one for the summer and taking input. To the extent that they can, they will try to improve with the resources that they have.

Mrs. Harvey questioned is there has been discussion about possibly getting jitneys? They have them in Atlantic City and they run up and down. If they cost less then it would be more feasible. Responding to Mrs. Harvey, Mr. Edgell stated not that he was aware of. But he will say that the University of Delaware is doing a study of the ParaTransit issue but it's kind of morphed into a mobility issue. How do we all get around? That's the kind of discussion that has come up. It's also come up from an economic development standpoint and a tourism standpoint in terms of if you're in an area, wouldn't it be great if we had a circulator running through Downtown? He could jump on at his office which is located by Legislative Hall and he could be dropped off on Loockerman Street. He would know that every ten or fifteen minutes that it's going to come around again to pick him up. He doesn't know if it would be something that the State would fund but it's certainly something that local governments could be involved in. He has spent a lot of time in Maryland in a little town called Rock Hall. It's a little tiny place but they have a lot of restaurants and tourists. They bought two Jeeps and they tow these trams that hold eight to ten people and they constantly drive around the town in the summer. You pay $1.00 and you get to ride around town getting pulled by the Jeep. It's not that expensive and the place is spread out so it's the only way to get the tourists from the restaurant to the hotel to the beach or wherever. He thinks it's a good idea.

Ms. Maucher questioned if the City regulated taxi services? Responding to Ms. Maucher, Mr. Edgell stated that he believes that it is a State level thing. For Ubers, DelDOT is overseeing that but he thinks that they do have some legislation that allows the Ubers and Lyfts. In the transportation world, everything is kind of changing very rapidly. We were just talking about jitneys and the ride sharing services but of course you've got to have a cell phone and a credit card. The question is how is that going to change the taxi industry and make that more realistic. You've got private transportation providers which are not well coordinated now. This mobility project has kind of shown that. Are there places that have vans that could be used to get other people who need to get places here and there? He would say that in the next five to ten years, his prediction would be that there would be driverless cars. Maybe in ten years time, could Dover afford to buy two or three electric vans that drive around town and pick people up when they call them? To him that is science fiction but everything that he reads says that it's coming soon than they would probably think.

Ms. Maucher stated that the challenge would be how willing are people to give up their cars.

Mr. Edgell stated that he thinks that these things, at least in the short term, are not going to replace people owning a car if you can afford to own a car. But he thinks that it's going to be in towns and cities where there is enough population where these things are going to be on-demand. You don't own it; you just pay for a ride.

Mr. Holt stated that he has heard that same thing. Even garages are going to be extra rooms for people because you won't own a car anymore. Responding to Mr. Holt, Mr. Edgell stated that it could be the long range where you don't own a car; you would just call one when you needed

one.

Ms. Maucher stated that it would reduce traffic death injury, decrease health care costs and increase road capacity.

Mr. Edgell stated that you were talking about a parking garage. What if all of sudden not as many people drove and had to park their cars in the Downton because they are calling for a ride from an electric cab that comes to pick them up and drop them off?

Mr. Baldwin stated that they have heard a lot about long-range planning. Are there any plans for short term fixes? Like for instances, if you go from the railroad tracks to State Street and you walk the sidewalks there are several places in that span where the electric poles are sitting in the middle of the sidewalks. People with their electric scooters can't get past. To him, those would be short term fixes that would help a lot. Responding to Mr. Baldwin, Mr. Edgell stated that that is called the low-hanging fruit; the things that we can take care of now.

Mrs. Townshend stated that unfortunately she doesn't know that it's a short term fix because the question is do you move the pole or do you move the sidewalk. She thinks that it would come with a larger project.

Mr. Edgell questioned if the Division Street Project would address some of those things? Responding to Mr. Edgell, Mrs. Townshend stated yes.

Mr. Edgell stated that the answer would be that you need a study like Mr. Vetter showed and then it goes through DelDOT and then it would be wrapped into a larger project to fix the stretch.

Mrs. Townshend stated that she thinks the Capital Gateway is the start and then maybe the next thing that we discuss that when the MPO does its Transportation Improvement Plan it could be a matter of putting Division Street improvements into that and then trying to get it into DelDOT's Capital Transportation Plan. With the State's financial challenges, it's really hard to get anything into the Capital Transportation Plan but that's where it needs to start. She doesn't think that there is an opportunity to do something on a short-term basis because one it's a DelDOT road so it's out of the City's control. Part of the problem is that it's not accessible now; once they touch it, they are required to bring it to current standards. They can't just make it better.

Mr. Edgell stated that let's just say it's a City street. Could the City go in under its ADA program and just take care of that problem? Is there a budget to fix some of those things? Responding to Mr. Edgell, Mrs. Townshend stated that there is not. It would be done under the Street Program. So it would have to be something that would be looked at through that program with other sidewalk projects.

Mr. Edgell stated that that's good information. It sounds very long range but he thinks between the City and DelDOT process we can work to address it.

Mr. Holt stated that it seems like there is a big increase in the homeless population. He has seen them outside places when it's been really cold. He believes that homeless people are coming in from other places. He doesn't know if there is any answer to it but can we get them into a special shelter of some kind. He knows that some of them don't want to be in a shelter and they like that

kind of life. He thinks that a lot of them have mental problems and need some guidance. They shouldn't be right on the street because he thinks that it just detracts from the City. Responding to Mr. Holt, Mr. Edgell stated that he didn't know the answer to that and he was probably not the right person to address that. He doesn't know if Mrs. Harvey has seen it through CDBG.

Mrs. Townshend stated that the Mayor has a blue ribbon panel that is reviewing the issue of homelessness and what we can do. NCALL is involved as well so that panel is supposed to be coming forward with recommendations.

Mr. Holt wondered if you can get them in some kind of centralized location that's safe and if they are willing to do it and not just have them spread out all over the City. A lot of the homeless people have signs that say they are looking for work.

Mr. Edgell stated that he was encouraged about this blue ribbon panel, that the City was trying to address it in a holistic way. As a City resident he is glad that's happening. From a *Comprehensive Plan* standpoint, he is not sure how to address it from that but he thinks that in the housing and the overall scheme of making sure there are affordable places to live throughout the City for everybody is one way.

Mr. Holt stated that a lot of the churches have stepped up. They do a lot with Code Purple. But that is only part of the problem.

Mr. Tolbert stated that there are some laws that have to be dealt with in regards to moving homeless people off the street. One of the things is that if they are not a danger to themselves or to anyone else, can anyone force them to move? Responding to Mr. Tolbert, Mrs. Townshend stated that they can't.

Ms. Maucher questioned if there is a formal process that has to go to public comment? Responding to Ms. Maucher, Mrs. Townshend stated that the State requirement is that is goes to PLUS and has a public hearing before the Planning Commission.

Ms. Maucher questioned if that was an APA type procedure? Responding to Ms. Maucher, Mrs. Townshend stated no.

Mr. Edgell stated that any kind of comment would be as per Dover's ordinances. It's not in the State statute. With that being said, it's always a very good idea to develop the draft plan, then Planning Commission will vote to release to the public for review and comment and then send it to PLUS at the same time. The public has a 30-45 day window to look at it, read it, come into to talk to the Planning Staff to ask questions and then when the next hearing is held you will have the comments from the State but also the people coming to the hearing have read the plan. If there are questions, they can be addressed at this time. They may have been able to follow up with Planning Staff to get the answers. That's always a really good process.

Ms. Maucher questioned if the Planning Commission needs to approve? Responding to Ms. Maucher, Mrs. Townshend stated that the Planning Commission will need to make a recommendation to City Council on the adoption of the *Comprehensive Plan*. The Planning Commission will review a draft and like Mr. Edgell said, that will be out for public review and then there will be a public hearing and then a recommendation to City Council. The Commission

will be involved throughout.

Mr. Edgell stated that the key part of it is that the Planning Commission is the key main body that supposedly develops the plan. Everything comes through the Commission, to the public and then to City Council. The role is definitely written in that the Planning Commission is involved.

PLANNING COMMISSIONER COMMENTS AND CONCERNS

Mrs. Townshend stated that Mr. Tolbert wanted to talk about quorums at meetings. We have been a little close a few times.

Mr. Tolbert stated that there was one time during a Planning Commission hearing when we didn't have a quorum. That bothers him. As a Commission of professionals, when we have a professional come in to make their presentation and at that time they find out that there is not a quorum so they can't conduct a hearing that looks bad on our part. Is there something that we can do to assure that when a hearing is scheduled, there will be at least a quorum present to conduct a hearing? It is professionals that are coming before the Commission most of the time and we should present ourselves as professionals.

Mr. Holt stated that when this happens everything is delayed a month.

Mrs. Townshend stated that this did happen last year. At that point, we had one of the Commissioners regularly not attending the meeting. That Commissioner is no longer on the Commission. We talked as we brought new members on the Commission about the importance of attendance and the importance of communication. If you know that you are not going to make it to a meeting, let Planning Staff know as soon as you know. If it begins to look concerning, then they will make calls to make sure that they have a quorum. She will say that she was also concerned because until last week we had eight members on a nine member Commission. Now we have nine appointed members so that will help us as well. She thinks that with some of the new people coming on the Commission and now having a full Commission and as long as the Commissioners let staff know as soon as they are aware that they can't make it then she thinks that we should be in good shape. There was a time where we didn't have five members present and then there have been a few times when we only had five members present.

Ms. Maucher questioned if the Ordinance allows for remote participation? Responding to Ms. Maucher, Mrs. Townshend stated no.

Mr. Holt stated that he has mentioned to Mrs. Townshend before to see if they could have former Planning Commission members on standby that could sit in on the meetings. Responding to Mr. Holt, Mrs. Townshend stated that she thinks that becomes a challenge in that there's a very clear process and if you only participate every six months when there's an issue then it becomes a challenge. With the new appointees, she thinks that we are in good shape. She thinks that they should just continue to monitor it. If something happens and a Commissioner can't make it, Staff just needs to know as soon as possible.

Mr. Holt stated that they get plenty of notice so everyone should be able to get their calendars in line and at least call. Responding to Mr. Holt, Mrs. Townshend stated at least do it before the meeting. At this point, people are paying their engineers to be there so we are driving up the cost that way.

Ms. Maucher questioned if there was an alternate date? Responding to Ms. Maucher, Mrs. Townshend stated that the problem is that the public notice requires a fifteen day notification. When we didn't have a quorum, they looked to see if there was a way to do it. But by the time you got the public notice, they were only a week ahead of the next scheduled meeting. She thinks that we just need to continue to stress the importance of attendance and keep an eye on it.

DEPARTMENT OF PLANNING AND INSPECTIONS UPDATE

Summary of 2016 Applications

Mrs. Melson-Williams stated that in the packet was a Summary Table of the 2016 Applications. They have the last two years broken out by quarter and by type of application. For 2016, we have a total of eighty-three applications that appeared either before one of the boards or commissions or may have been an administrative or information type item. That is a higher trend then the past couple of years. Certainly not the volume that we were seeing in 2006 or 2007 but some of our processes have changed since that timeframe. You've seen a steady number of applications before you at each meeting. Last night there was intention to be two applications but if someone doesn't complete the public notice they can't come before the Commission; so, we ended up with one application. The types of applications are very similar through the years too. We tend to see more Site Plan applications and some Conditional Uses. We are not seeing subdivisions of land for residential development like we used to because we are still building out stuff that's been on the books for years.

Mrs. Townshend stated that the stuff that we are seeing for the most part is continuing to move forward.

Mrs. Melson-Williams stated that the other thing that's happened with some of the changes in 2011 is that action by the Planning Commission grants a two year timeframe to take action. Previously, it was a year so we kept seeing all of these extensions. Now, the applicants get two years to finalize their plans and start construction and then they can ask for another one year extension. We are seeing projects that when they come in they are ready to go and keep moving forward and actually be built. You are not seeing the number of extensions that was previously the case. One reason being that they moved the length to two years instead of one year but also the marketplace. If somebody is investing in that much of a process to get an application filed and through the review, they are moving through to construction.

Ms. Maucher stated that in looking at the grocery store on Route 13 and the Traffic Impact Study wasn't been done yet; was that a timing issue? Responding to Ms. Maucher, Mrs. Townshend stated that they are doing it concurrently. At that point, they had the draft into DelDOT and they just didn't have the review comments from DelDOT.

Ms. Maucher questioned if that application was going to come back to the Commission? Responding to Ms. Maucher, Mrs. Townshend stated no, the motion was an approval but they are going to have to comply with whatever DelDOT tells them to do.

Ms. Maucher stated that there is no requirement that the TIS be with the application. Responding to Ms. Maucher, Mrs. Townshend stated no.

Ms. Maucher stated that with some of these larger projects that has a huge impact on her decision. Responding to Ms. Maucher, Mrs. Townshend that there have been times in areas where there are traffic issues where the Planning Commission has postponed a decision until that's in. That's certainly within the purvue. But she thinks that some of these sites are a little bit constrained. At the end of the day, they will have to do what DelDOT tells them in order to get access to a DelDOT road. New Castle County has a concurrency ordinance where their Code doesn't allow them to approve something if an intersection is failing. We don't have anything like that in the Code.

Ms. Maucher questioned if we were going to go in that direction? Responding to Ms. Maucher, Mrs. Townshend stated that she doesn't think there is a chance that it would go through an elected body here. Our economic environment is different than it is upstate. The traffic and the congestion issues are worse upstate than it is here. She thinks that the mindset here is much more pro-growth and pro-business.

Ms. Maucher stated that there can't be growth just for the sake of growth. It has to be quality of living also. Responding to Ms. Maucher, Mrs. Townshend stated but the concurrency requirements can pretty much shut everything down so it's that balance.

Research Activities

- **Update on Research for Ordinance Amendments**

Mrs. Townshend stated that they have a couple of research projects for ordinance amendments. Some of that has slowed significantly since Mr. Cook left. Mr. Diaz has done quite a bit of background research on updates to our residential zones.

1. Residential Zones

Mr. Diaz stated that one of the major changes that will go in the update is that we don't currently have in our *Zoning Ordinance* regulations for group homes other than those that are permitted by the State and have to be allowed. We are looking to ways for regulating those. There are different kinds of group homes so we have to see if there is a need to treat them different or if it would be better to treat them all the same. They are looking at updates to the home occupations. Currently, there is a division between professional home offices and customary home occupations. That distinction is a bit archaic so they are trying to roll those into one thing. The third major one is also looking at apartments. Right now there is a definition in our Code for garden apartments which is also a bit archaic and then there is this issue of residential conversions which is mostly subtle but they need to look again at which zones they are allowed in. The idea is that overall they would regulate apartments more on number of units and height rather than the perceived type of apartment.

2. Supplementary Regulations

Mrs. Townshend stated that she and Mr. Cook were working on the Supplementary Regulations and nothing has really happened since Mr. Cook left. They had gotten to the point of going through the Supplementary Regulations not including the Sign Regulations because that is a whole animal in itself because based on recent Supreme Court decision it needs a thorough update. They have kind of looked at it as what is the purpose of this? What is it trying to achieve? Is it achieving it? Does it need to be updated or removed? There are some things in the Supplementary Regulations that have probably been there since 1968 that may not serve a good purpose today. They started looking at those issues but they didn't get to the point of drafting.

The Supplementary Regulations is kind of like all of those little miscellaneous things that sometimes cause us problems. For instance, you have seen a few things that go to the Planning Commission that otherwise Staff could do administratively because they need a curbing waiver. Is there the ability to allow that administratively based on certain criteria? They have size of dumpster pads and size of dumpster enclosures and they are not consistent. The number of dumpster pads and enclosures is based on the size of the facility. There are so many things that can affect how many dumpster pads you need; mainly, how often you get your trash picked up. Do we need to be as prescriptive on those things or should we just make it clear that you have to have some degree of prescriptiveness but then have some degree of flexibility that if you don't handle your trash you are going to get fined. Now obviously you need to be able to make sure that you don't leave them to where they can't manage their trash. There needs to be some standard but right now it doesn't really make sense. There are a lot of little things that have just been there forever that just need to be reviewed. In the past fifty years, the objectives may have changed. That is kind of the eye that they are using to look at the Supplementary Regulations but at this point it's not on schedule because they don't have the staff to do it.

Current Studies and Projects

- **Transportation Improvement District**

Mrs. Townshend stated that as she reported last time they talked, the ball is in DelDOT's court and has been for well over a year; probably close to two years now. She is not sure where that stands. What she has been told when she asks is that the modeling staff is working on the modeling. She thinks they need to go back to DelDOT and ask if they are doing it or not. The idea of the Transportation Improvement District is that you wouldn't have to do a TIS for every project on Route 13 because they would have this master study that they could calculate the developer's contribution. She thinks that DelDOT just doesn't have the staff to get the work done that they've committed to. She thinks that they are probably at the point now where they need to ask if it's realistic.

- **Regional Bicycle Plan**

Mr. Tolbert questioned if we had a Bike Plan? Responding to Mr. Tolbert, Mrs. Townshend stated that we have a City of Dover Bicycle Plan and a City of Dover Pedestrian Plan. The MPO is working on a County-wide regional plan that will connect some things going on in Dover to things surrounding.

Mr. Diaz stated that the Committee for formulating that plan has been meeting monthly down at the Camden Town Hall. So far, the tasks that have been finished are identifying and prioritizing new on-road and off-road bicycle routes. In addition to that what they will be doing is making recommendations to DelDOT for some new signage that would be on some existing routes. There is also some overall general recommendations on how to make bicycle lanes safer and more attractive in the County and how to make it more widely available to people of different age groups and a number of other recommendations along those lines. Those would be directed towards the specific agencies like the City of Dover or the Kent County MPO for implementation. The process is on track to be finished this summer. He believes that they will be able to finish writing up the plan shortly afterwards.

Mr. Holt stated that some of these bike paths on the highway have a little white picture of a guy riding a bike, they look sort of dangerous. He rides a bike once in a while and he doesn't know if he would want to ride a bike in some of those places on the highway. There are a lot of crazy

drivers. Responding to Mr. Holt, Mrs. Townshend stated that there has been a lot of discussion whether that's been the right thing to do when they did the recent surfacing of Route 13. They narrowed the travel lane to add bike lanes on the edges. The issue was that whether or not we want people to they are riding bikes on Route 13. The idea wasn't to encourage people to ride on Route 13 but to make it safer for those who are. She thinks it's being met with mixed results because some people are very concerned that it's trying to encourage people and that the affect that it has is encouraging people to ride in an area where we really shouldn't be encouraging people to ride.

Mr. Tolbert stated that people are getting hit on bicycles.

Mr. Holt stated that he tries to stay as far away from the traffic as he can and even ride the opposite way so that he can see what's coming. There are a lot of inebriated drivers that make it even worse.

Mrs. Townshend stated that DelDOT does have standards but on State roads they are the authority.

Mr. Diaz stated that there has been some discussion at the Bicycle Pedestrian Subcommittee about an off-road alternative along Route 13; it will go through some of the parking lots. That is going to be one of the recommendations of the MPO's plan.

Mr. Holt stated that it sounds like a better option to him then to fight with the traffic.

Ms. Maucher questioned if you would need permission from the property owner in order to do that? Responding to Ms. Maucher, Mrs. Townshend stated yes, it can't just be done. There is a segment of Route 13 where there is actually public workshop coming up for sidewalks. She thinks that they decided instead of doing just a five foot sidewalk they are going to do a multi-use path. She thinks it's being held on March 29, 2017 at 4:00PM at Frontline Ministries. It's a US 13 Sidewalk Improvements Public Workshop. This will be a good place to put concerns on the record.

Mr. Holt stated that they can even do an elevated area for when a car goes over it would feel the bump or have rumble strips that would alert the driver.

Updates of Program and Plan Activities

- **Downtown Development District Program/Restoring Central Dover Community Plan**

Mr. Will Grimes from NCALL thanked everyone for allowing him to attend this meeting. Normally, he sees the results of your great planning but being able to sit at the table with you is wonderful. We are constantly doing things to revitalize the community. He heard them talking about the community garden that they are going to be doing. They are in collaboration with Wesley College. They are just applying for an Arts Grant. They noticed that in the study that they did they didn't have anything for the arts. They are now trying to go after an Arts Grant so that they can utilize the arts in the economic development and the revitalization of the central Dover area.

The old recycle building, is that privately owned? Responding to Mr. Grimes, Mrs. Townshend

stated yes.

Mr. Grimes questioned the building next to it? Responding to Mr. Grimes, Mrs. Townshend stated that the building south of the old recycle building she believes is owned by Mr. Burden.

Mr. Grimes stated that the building that he is referring to is right next to the old Terrapin Recycling building; it looks like it might have been a gas station. Responding to Mr. Grimes, Mrs. Townshend stated that she wasn't sure. They haven't gotten any sense that people are looking to do anything in those areas. The properties are zoned M (Manufacturing Zone). It's certainly something that could be looked at in the *Comprehensive Plan* about whether there is a better use for that property in the future if people are interested in redeveloping.

Mr. Grimes stated that they are definitely interested in both places. Responding to Mr. Grimes, Mrs. Townshend stated that unfortunately they don't have a sense of what is going on with those properties.

Mrs. Townshend stated that NCALL and Habitat are very active right now in constructing new homes in the Downtown. We see that as one of the key components of restoring the community because where there were blighted buildings or overgrown lots, we are starting to see owner occupied homes and that's a good thing.

Mr. Holt stated that it's good to have people there that care about keeping up on the property. Responding to Mr. Holt, Mrs. Townshend stated that where they are building they are not just building one or two houses; it's multiple houses per block so that it's having that kind of more impact affect.

Ms. Maucher questioned if the homes that are boarded up have been condemned? Responding to Ms. Maucher, Mrs. Townshend stated that some have been condemned but not all of them have gotten to the point of having gone before City Council. They prefer not to board them but the problem that we are having is people are getting in and doing things that they don't want people doing inside the homes. Keeping them boarded keeps people out.

Mr. Holt questioned if skateboard parks have been talked about? Dover used to have a nice skateboard park near Cheswold but that's been twenty years ago. Responding to Mr. Holt, Mrs. Townshend stated that we just completed and it's going through the City Council process for a Master Plan for Schutte Park and that would have a skate park. That would be in one of the out years so it's probably a few years away.

Mr. Holt stated that in those parks you could put a store there and someone could sell skateboard and wheels. Whoever does that will be adding another business in the City. This would get a lot of skateboards off of the street. Responding to Mr. Holt, Mrs. Townshend stated that she suspects that as they do additional park plans that they will be looking at additional areas for skateboards as well.

Planning Staff Priorities for 2017

Mrs. Townshend stated that they have pretty much gone over the Staff priorities. There is just a lot going on and they are trying to keep up with it.

EDUCATION AND TRAINING OPPORTUNITES

Mrs. Townshend stated that in the packet there was notification of upcoming training opportunities with the Institute for Public Administration. The next one is next Friday so if anyone is interested please let Staff know.

IPA Planning Education Series 2017

- **Planning 103: Land-Use and Development Administration to be held March 3, 2017, 9am to Noon at Paradee Center**

- **Planning 203: Advanced Land-Use and Development Administration to be held March 24, 2017, 9am to Noon at Paradee Center**

OPEN DISCUSSION

Ms. Maucher stated that she has a question about Administrative Plans. When is a voice vote required versus when a roll call vote is required? Responding to Ms. Maucher, Mrs. Townshend stated that the voice vote was just because it was a motion to table; it wasn't taking action on it.

Ms. Maucher questioned if a polling of each member is necessary for all of these applications? Responding to Ms. Maucher, Mrs. Townshend stated that we used to do a voice vote and she thinks it was after discussion with legal counsel that they had recommended that we have the reasons on the record in case anything does get challenged that we have the record that supports the decision.

Ms. Maucher stated that she was wondering if there weren't items that could be moved to a consent agenda for a voice vote. Responding to Ms. Maucher, Mrs. Townshend stated that potentially they could do extensions on a consent agenda.

Ms. Maucher stated for a curb waiver, if Staff recommends it there is really no need for the voice vote. Responding to Ms. Maucher, Mrs. Townshend stated that she would want to get legal feedback on that before we did anything like that. It is certainly something that they could look at because things like that are pretty standard.

Ms. Maucher stated that it something was on consent agenda they could always pull it off to discuss the matter.

Meeting adjourned at 1:39 PM

Sincerely,

Kristen Mullaney
Secretary