

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING**

December 3, 2013

7:00 p.m.

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

Acting Chairman: Angela Dressel

Commissioners Present: Patricia Brill
Bob Cronin
Edgar Johnson
Alan Silverman

Commissioners Absent: James Bowman
Andy Hegedus

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

Acting Chairman Angela Dressel called the Planning Commission meeting to order at 7:00 p.m.

Ms. Dressel: We have three items from the agenda that will no longer be reviewed this evening: #3, the Trader's Alley project will not be reviewed; #5, the 428 Paper Mill Road project will not be reviewed; and, #6 had already been removed from the agenda for this evening. If you are here to speak on any of those, we wanted to give you advanced notice so that you can either stay at your leisure or you can leave and come back when those items are on the next agenda.

1. THE MINUTES OF THE NOVEMBER 5, 2013 PLANNING COMMISSION MEETING.

Ms. Dressel: Are there any additions or changes to the minutes? Hearing none, the minutes are accepted as submitted.

2. REVIEW AND CONSIDERATION OF A SUBDIVISION AMENDMENT FOR CHAPTER 27, APPENDIX III, SECTION VIII, WETLANDS, TO GIVE THE PUBLIC WORKS AND WATER RESOURCES DIRECTOR AUTHORITY, IN CERTAIN INSTANCES, TO MODIFY THE SITE DESIGN AND CONSTRUCTION REQUIREMENTS CONCERNING WETLANDS.

Ms. Pat Brill: Can we move this to the last item so we don't keep people waiting?

Ms. Feeney Roser: The Public Works and Water Resources Director and Assistant Director are here. I am sure that they can accommodate that request.

MOTION BY BRILL, SECONDED BY JOHNSON, TO MOVE AGENDA ITEM #2 TO THE LAST ITEM OF THE AGENDA.

VOTE: 2-3
AYE: BRILL, JOHNSON
NAY: CRONIN, DRESSEL, SILVERMAN

MOTION FAILED.

Ms. Feeney Roser: Hopefully, this is going to be quick. Let me summarize my report.

“The Public Works and Water Resources Department has raised a concern with the potential negative impact of the City’s Subdivision and Development Regulations as they relate to site design and construction requirements for already developed lands. Specifically, Appendix III, Drainage Code, Section VIII, Wetlands, Section (c)(2) provides buffer areas for undeveloped and developed areas of the City. However, because of the existing Code verbiage, developed lands are unintentionally treated more stringently than undeveloped lands. Specifically, this section reads:

“For undeveloped lands, a 50 foot buffer area surrounding the wetlands measured from the edge of the wetlands jurisdictional line shall be required. This buffer area shall consist of natural and minimally disturbed vegetation, with any such disturbance subject to the standards in subsection (1) above. A five foot wide pathway mowed to a minimum height of four inches through the buffer for pedestrian access to the wetland(s) may be permitted. For wetlands located on previously developed parcels, the buffer area shall consist of the area between the site’s impervious surface and the wetlands jurisdictional line.”

Therefore, for developed lands the extent of the buffer may actually be wider than the 50 foot wide buffer area for undeveloped parcels. In other words, if the developed site’s impervious surface is further from the wetlands jurisdictional line than the 50 foot wide buffer required for undeveloped lands, the developed parcel would be held to a higher standard (a wider buffer) than undeveloped lands. This was an unintentional consequence of the language because clearly, if a 50 foot buffer is the standard for new development of raw land, the 50 foot buffer should also be adequate for redevelopment of existing developed sites. Therefore, we suggest correcting this discrepancy by adding the words “no wider than 50 feet” to the last sentence of Chapter 27, Appendix III, Section (c)(2) to read, as follows:

“For wetlands located on previously developed parcels, the buffer area shall consist of the area, no wider than 50 feet, between the site’s impervious surface and the wetlands jurisdictional line.”

In addition, the Department raised concerns that while the regulations afford the Public Works and Water Resources Director the discretion to approve modifications to a subdivision plan site design to preserve wetlands area or to minimize the disturbance of them, he does not have the authority to approve modifications that enhance the existing wetlands. Specifically, Chapter 27, Section VIII, Design Alternatives, Section D, reads as follows:

“The Public Works Director may approve modifications to the subdivision plan site design that serves to preserve wetlands areas or minimize the disturbance of the wetlands. As specified in the Delaware Sediment and Stormwater Regulations, wetlands disturbance for stormwater management shall be limited to the construction of pond embankments, provided that the intended or functional aspects of the stormwater facility and wetlands are maintained or enhanced and the construction of the wetlands for this purpose is the only reasonable alternative. All necessary state and federal permits must be obtained and mitigation measures satisfied.”

Therefore, we suggest that the first sentence of this section be amended to include approving modifications which will result in the enhancement of wetland areas. We also recommend that, at the same time, we change the name of the director to reflect the recently consolidated Public Works and Water

Resources Department. Therefore, we recommend that Chapter 27, Appendix III, Section VIII (b)(d) Design Alternatives be amended by deleting the first sentence and replacing it with the following sentence:

“Notwithstanding, the site design and construction requirements set forth in the preceding subsection (c), the Public Works and Water Resources Director may approve modifications to the subdivision plan site design that serve to preserve or enhance wetland areas or minimize the disturbance of wetlands.”

Recommendation

In order to avoid unintended consequences in the current Code language for wetlands, while continuing to protect and enhance our existing wetlands, the Planning and Development Department and the Public Works and Water Resources Department suggest the Planning Commission consider **recommending to City Council the following:**

A. Amend Subdivision and Development Regulations, Chapter 27, Article III, Section VIII(c)(2) by adding the following italicized language to the existing language:

“For undeveloped lands, a 50 foot buffer area surrounding the wetlands measured from the edge of the wetlands jurisdictional line shall be required. This buffer area shall consist of natural and minimally disturbed vegetation, with any such disturbance subject to the standards in subsection (1) above. A five foot wide pathway mowed to a minimum height of four inches through the buffer for pedestrian access to the wetland(s) may be permitted. For wetlands located on previously developed parcels, the buffer area shall consist of the area, *no wider than 50 feet*, between the site’s impervious surface and the wetlands jurisdictional line.”
and,

B. Delete the first sentence of Chapter 27, Appendix III, Section VIII(d), Design Alternatives and replace it with the following sentence (changes in italics):

“Notwithstanding, the site design and constructions requirements set forth in the preceding subsection (c), the Public Works and Water Resources Director may approve modifications to the subdivision plan site design that serves to preserve or enhance wetlands areas or minimize the disturbance of wetlands.”

Ms. Feeney Roser: Both the Director and the Deputy Director of Public Works and Water Resources are here and will be happy to answer any questions you may have for them, as am I.

Ms. Dressel: Are there any questions from the Commission for Maureen?

Mr. Alan Silverman: Who owns the wetlands?

Ms. Feeney Roser: The wetlands are the property of the owner.

Mr. Silverman: Are they dedicated to the City or does the property owner own the property that the wetlands are on?

Mr. Tom Coleman: Assistant Director of Public Works and Water Resources. The property owner would own the wetlands. There would be wetlands on their property.

Mr. Silverman: Who is responsible for the life cycle cost of maintaining these wetlands?

Mr. Coleman: The property owner.

Mr. Silverman: And nuisances generated by the wetlands or infestation?

Mr. Coleman: The same people that would be responsible (inaudible).

Mr. Silverman: How does the property owner become notified of that? Is it part of their deed? Are they notified when they purchase the property?

Mr. Coleman: Sometimes you would know you have wetlands and sometimes you wouldn't know you have wetlands until you have them delineated. In this case, if it is a subdivision plan that would come through and maintenance would need to be specified. For ongoing maintenance for the wetlands definitely would be enhanced as part of the subdivision plan process.

Mr. Silverman: So, it would appear as a note on the subdivision.

Mr. Coleman: Yes. I see this usually being used to create a stormwater wetlands area that would be incorporated in the stormwater management plan, but there are instances where if you mitigate wetland areas they would have to create the wetlands then it would be a maintenance responsibility.

Mr. Silverman: How would that be coordinated if a linear wetland backing up to an extensive wetlands or stream area was owned by (inaudible).

Mr. Coleman: They would only be disturbing the portion on their property.

Mr. Silverman: Once it is in place. Five years down the road, there is a Phragmites infestation and the City says you have to do something about it. It is a wetlands invasive plant. Who says that the ten or fifteen property owners backing up against the property has to do something?

Mr. Coleman: It would only be enhancing an existing wetlands. There would already have been wetlands there and if it was a stormwater management area where there were wetlands there then it would be a stormwater management area (inaudible).

Ms. Dressel: Are there any other questions from the Planning Commission? Did the Public Works Department want to speak in addition? Are there any public comments about this issue?

Mr. Coleman: In order to disturb wetlands for the enhancement, they would have to follow all Federal and State permitting requirements. So, if it were for a section of wetlands they would have to get a permit from the Army Corps of Engineers and everything would be administered through the existing Army Corps process. If you read the Code, actually earlier in the wetlands Code it says that if you modify wetlands you need to get an Army Corps permit and then there is essentially a prohibition from doing it later on and there is conflicting language that this helps clear up as well.

Mr. Silverman: That is the thing that concerns me. Who established the wetlands on behalf of the landowner?

Mr. Coleman: If there are jurisdictional wetlands, they have to get a jurisdictional determination from the Army Corps. They would be delineated by a licensed wetlands specialist. That delineation would go to the Army Corps and the Army Corps has to sign off on the delineation and either agree or disagree with the delineation.

Ms. Dressel: We will bring it back to the Commission. Is there any discussion or a motion?

MOTION BY CRONIN, SECONDED BY JOHNSON THAT THE PLANNING COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS TO CITY COUNCIL:

- A. AMEND SUBDIVISION AND DEVELOPMENT REGULATIONS, CHAPTER 27, ARTICLE III, SECTION VIII(C)(2) BY ADDING THE FOLLOWING ITALICIZED LANGUAGE TO THE EXISTING LANGUAGE:

“FOR UNDEVELOPED LANDS, A 50 FOOT BUFFER AREA SURROUNDING THE WETLANDS MEASURED FROM THE EDGE OF THE WETLANDS JURISDICTIONAL LINE SHALL BE REQUIRED. THIS BUFFER AREA SHALL CONSIST OF NATURAL AND MINIMALLY DISTURBED VEGETATION, WITH ANY SUCH DISTURBANCE SUBJECT TO THE STANDARDS IN SUBSECTION (1) ABOVE. A FIVE FOOT WIDE PATHWAY MOWED TO A MINIMUM HEIGHT OF FOUR INCHES THROUGH THE BUFFER FOR PEDESTRIAN ACCESS TO THE WETLAND(S) MAY BE PERMITTED. FOR WETLANDS LOCATED ON PREVIOUSLY DEVELOPED PARCELS, THE BUFFER AREA SHALL CONSIST OF THE AREA, *NO WIDER THAN 50 FEET*, BETWEEN THE SITE’S IMPERVIOUS SURFACE AND THE WETLANDS JURISDICTIONAL LINE.” AND,

- B. DELETE THE FIRST SENTENCE OF CHAPTER 27, APPENDIX III, SECTION VIII(D), DESIGN ALTERNATIVES AND REPLACE IT WITH THE FOLLOWING SENTENCE (CHANGES IN ITALICS):

“*NOTWITHSTANDING, THE SITE DESIGN AND CONSTRUCTIONS REQUIREMENTS SET FORTH IN THE PRECEDING SUBSECTION (C), THE PUBLIC WORKS AND WATER RESOURCES DIRECTOR MAY APPROVE MODIFICATIONS TO THE SUBDIVISION PLAN SITE DESIGN THAT SERVES TO PRESERVE OR ENHANCE WETLANDS AREAS OR MINIMIZE THE DISTURBANCE OF WETLANDS.*”

VOTE: 5-0

AYE: BRILL, CRONIN, DRESSEL, JOHNSON, SILVERMAN

NAY: NONE

ABSENT: BOWMAN, HEGEDUS

MOTION PASSED UNANIMOUSLY

3. REVIEW AND CONSIDERATION OF THE MAJOR SUBDIVISION, PARKING WAIVER AND SPECIAL USE PERMIT FOR 58 E. MAIN STREET TO DEMOLISH THE EXISTING BUILDINGS TO CONSTRUCT A NEW MIXED USE, FOUR STORY BUILDING CONSISTING OF 24 UPPER FLOOR APARTMENTS AND FIRST FLOOR COMMERCIAL SPACE.

Mr. Cronin: Before we start, in full disclosure, earlier this year as a realtor I did broker a transaction between another entity of the applicant for a different property from which I received no compensation from the applicant. So, I don’t feel any conflict of interest in terms of recusing myself, but if anybody here thinks that there is any impropriety, I would ask them to state so now before we begin this particular item on the agenda.

Ms. Dressel: There doesn’t appear to be a conflict.

Ms. Feeney Roser summarized her report to the Planning Commission which reads as follows:

“On August 22, 2013, the City of Newark received an application from 58 E. Main Street, LLC for the major subdivision, parking waiver and special use permit for the property located at 58 E. Main Street (formerly Delaware Book Exchange). The applicants are requesting development approval in order to demolish the 26,720 gross square feet of existing buildings at the site for the construction of a new mixed use, four story building consisting of 24 upper floor apartments and 6,800 sq. ft. of first floor commercial space (total 39,050 GSF). The applicants have applied for the required 51 space parking waiver, as well as a special use permit for apartments in the BB district. Please see the Landmark Science and Engineering major subdivision, parking waiver and special use permit plan, color building elevations and the applicant’s supporting materials.

The Planning and Development Department report on the 58 E. Main Street project follows:

Description and Related Data

1. Location:

The north side of E. Main Street approximately 694 feet of the intersection of E. Main Street and South College Avenue and 444 feet west of the Main and Academy Streets intersection.

2. Size:

.535 acres

3. Existing Land Use:

The site is currently the home of the Newark Bike Project and the retail store, Clothes in the Past Lane. The site also contains 10 upper floor apartments with a shared access drive with the property to the west and contains a small parking lot at the northwest end of the property and a small building on the western side.

4. Physical Condition of the Site:

The 58 E. Main Street property is a developed site containing one large mixed use building with first floor commercial space and 10 upper floor apartments. A smaller commercial building is located on the western property line at the rear of Switch Snowboards and Skateboards. A shared access driveway is located between the primary building and the Switch Snowboards and Skateboards building located at 54 E. Main Street. A small parking lot consisting of 8 spaces occupies the rear northwestern portion of the site.

Regarding soils, according to the United States Department of Agriculture’s Natural Resources Conservation Service, the soils consist of Urban Land (Up). The Natural Resources Conservation Service indicates that this is a disturbed soil that has been used for development purposes. No development limitations for the use proposed are indicated.

5. Planning and Zoning:

The 58 E. Main Street property is currently zoned BB. BB is the City’s central business district zoning that permits the following:

A. Retail and specialty stores.

- B. Retail food stores up to 5,000 square feet in maximum floor area, with special conditions.
- C. Restaurants, bakery and delicatessens.
- D. Banks and finance institutions.
- E. Offices for professional services and administrative activities.
- F. Personal service establishments.
- G. Studios for artists, designers, photographers, musicians, and sculptors.
- H. Repair and servicing, indoor and off-site of any article for sale, which is permitted in this district.
- I. Related indoor storage facilities as accessory uses with special requirements.
- J. Accessory uses and accessory buildings.
- K. Public parking garage and parking lot.
- L. Public transit facilities.
- M. Social club, fraternal, social service, union and civic organizations, except on ground floor locations.
- N. Photo developing and finishing.

BB also permits, with a Council granted Special Use Permit, the following:

- A. Retail food stores with more than 5,000 square feet in area.
- B. Drive-in and curb service for other than eating establishments.
- C. Fast-food restaurants with special requirements.
- D. Motels and hotels.
- E. Commercial in-door recreation and in-door theaters.
- F. Instructional, business or trade schools.
- G. Electric gas and telephone central offices and telephone central offices and substations with special requirements.
- H. Tower, broadcasting or telecommunications on existing buildings or structures with special requirements.
- I. Police and fire stations.
- J. Library, museum and art gallery.
- K. Church or other place of worship.
- L. Restaurant, cafeteria style.
- M. Apartments, except on ground floor locations, with special requirements.
- N. Restaurants with alcoholic beverages, with special requirements.

Regarding BB zoning area requirements, other than the off-street parking waiver requested for uses at the site, the 58 E. Main Street plan meets all applicable Zoning Code requirements.

Regarding nearby properties, the 58 E. Main Street property is adjacent to the west to the mixed use building containing Switch Snowboards and Skateboards shop, which is also zoned BB. To the east is the BB zoned National 5 & 10. Across Main Street from the site are several BB zoned buildings which include the California Tortilla, Dunkin Donuts and the Galleria businesses. Immediately adjacent to the rear (north) is the University of Delaware's Carpenter Sports Building (Little Bob).

Regarding comprehensive planning, the Newark Comprehensive Development Plan IV calls for "commercial (pedestrian oriented)" uses at the 58 E. Main Street site. Commercial (pedestrian oriented) land uses are defined as ". . . all types of retail facilities for the buying and selling of goods and services as well as administrative and professional offices, personal care establishments, eating establishments and shopping centers. Residential uses may be permitted under certain limited circumstances." Note the majority of downtown Newark is classified under this Comp Plan land use definition. In addition, the Plan's downtown economic enhancement strategy suggests, "downtown core district" land uses for the site. The strategy describes this district as:

“ . . . [The] center of Newark’s commercial business district is intended as an area to be redeveloped with first floor specialty and traditional retail shops, with a balanced concentration of food and entertainment. Apartments and offices are proposed for upper floors. Any additional apartments, however, must be carefully and closely evaluated in terms of their impact on downtown traffic and parking; their compatibility with existing downtown buildings in terms of design, scale and intensity of development; the contribution of the overall project, including proposed apartments, to the quality of downtown’s economic environment; and potential significant negative impacts on nearby established businesses and residential neighborhoods.”

Regarding gross residential density, please note that 58 E. Main Street major subdivision, parking waiver and special use permit plan calls for residential uses at a density of 44.28 dwelling units per acre. By way of comparison with recently approved BB zoned projects along Main Street, please note the following densities:

<u>Development</u>	<u>Units Per Acre</u>
Newark Shopping Center	47.79
Campus Edge	25.88
Kate’s Place and Choate Street Townhomes	25.02
Washington House	36.10
102 E. Main Street	20.83
108 E. Main Street	14.71
129 E. Main Street	35.29
132 Delaware Avenue	34.78
One South Main	37.27

As noted above, the Commission should weigh this requested density against the overall contribution of the project to the quality of the downtown economic and aesthetic environment.

Based on recent discussions at both Planning Commission and Council meetings, the following density calculations are also provided. In terms of bedrooms per acre, the 51 bedrooms proposed for the 58 E. Main Street plan calculate to 95.3 bedrooms per acre. For comparison purposes, other nearby and recently approved multi-unit developments have the following bedroom densities:

<u>Projects</u>	<u>Bedrooms Per Acre</u>
Newark Shopping Center	95.6
Campus Edge	103.5
Kate’s Place & Choate Street Townhomes	59.3
102 E. Main Street	62.5
108 E. Main Street	58.8
129 E. Main Street	105.9
132 Delaware Avenue	104.3
One South Main	83.6

Status of the Site Design

Please note that at this stage in the Newark subdivision and review process for projects fronting on Main Street, applicants are required to show the general site design and architectural character of the project. For the site design, specific details taking into account topographical and other project features must be

included in the construction improvement plan. For architectural character, the applicants must submit at the subdivision plan stage of the process color scale elevations of all proposed buildings, showing the kind, color and texture of materials to be used, proposed signs, lighting and related exterior features; and, in addition, contextual color scale elevations showing the front Main Street facades of all buildings immediately adjacent to the property. If the construction improvement plan, which is reviewed and approved by the operating departments, does not conform substantially to the approved subdivision site and architectural plan, the construction improvement plan must be referred back to City Council for further review and approval. That is, initial Council subdivision plan approval means that the general site concept and the more specific architectural design has received City endorsement, with the developer left with some limited flexibility in working out the details of the plan -- within Code determined and approved subdivision parameters, to respond in a limited way to changing needs and circumstances. This does not mean, however, that the Planning Commission cannot make site design or related recommendations that City Council could include in the subdivision plan and agreement for the project.

Be that as it may, as you can see from the 58 E. Main Street major subdivision, parking waiver and special use permit plans, supporting letter and applicant's color building elevations, the proposal calls for the demolition of the existing buildings on the site to allow the construction of a new 39,050 gross floor area building to contain 6,980 sq. ft. of first floor retail space with 24 apartments on three floors above. The apartment mix proposed is: 5 three-bedroom apartments; 17 two-bedroom apartments; and 2 one-bedroom apartments. In the rear of the structure, a 23-space parking lot is proposed, some of which is partially or entirely under the building. The applicant proposes to lease these 23 spaces to the City for a municipal parking lot. Access to the site and to the parking lot in the rear is via a new 24 ft. fire lane on the east side of the building. This will eliminate one curb cut along Main Street and increase the width of alley entrance between this building and the National 5 & 10 to function as a primary fire lane, benefitting both properties.

Please consult the applicant's submitted elevation drawings and supporting letter for additional information concerning the proposed architectural and site design. To evaluate the proposed architectural design, the Planning Commission should consult the design criteria in Municipal Code Chapter 27, Subdivision and Development Regulations, Appendix XIII(d).

Please note, in this regard, that on a voluntary basis, the applicants reviewed the proposed elevation drawings with the Downtown Newark Partnership's Design Committee. The Committee used the Downtown Newark Partnership's Design Guidelines for mixed use buildings in downtown to evaluate the project. The committee determined that the building meets all applicable guidelines and, as a result, they recommended the architecture as appropriate and attractive, with suggestions for minor improvements such as using cast stone on the lower level instead of the applied synthetic material proposed and, if possible, burying electric lines or servicing the building from the rear. The Committee also recommends signage guidelines be established for the property so that signage is compatible with the building design and tenant mix.

BB District Off-Street Parking Option Procedure

The applicant is requesting a 51-space parking waiver for the project.

Please note, in this regard, that the BB district off-street parking waiver program, adopted by the City to encourage quality pedestrian oriented development downtown stipulates that the Planning Commission can reduce or waive the off-street parking standards in Zoning Code Section 32-45(a) after considering the following:

- “A. Whether the applicant has demonstrated the proposed use does not conflict with the purposes of the Comprehensive Development Plan of the City;
- B. Whether the applicant has demonstrated that the proposed use conforms to and is in harmony with the character of the development pattern of the central business district;
- C. Whether the applicant has demonstrated that the proposed use is not highway oriented in character or significantly dependent on automobile or truck traffic as a primary means of conducting business;
- D. That the proposed use will not adversely affect the health or safety of persons residing or working in the vicinity, will be detrimental to the public welfare, or injurious to property improvements in the vicinity;
- E. The Planning Commission may also consider the availability of off-street parking facilities, the availability of nearby adjacent public parking facilities (within 500 feet) that may be shared by the applicant and an existing or proposed use. In considering this subsection the Planning Commission may require that the applicant submit an appropriate deed restriction, satisfactory to the City, that ensures either the continued validation of and/or the continued use of shared parking spaces in connection with the uses and structures they serve;
- F. The Planning Commission shall consider the advice and recommendation of the Planning and Development Director.”

Please note also that the BB zoning parking waiver procedure permits City Council to review, modify, or deny Planning Commission approval, disapproval, or approval with conditions upon the recommendation of a member of City Council, the Planning and Development Director and/or the City Manager.

Also regarding the requested parking waiver, our procedure specifies that applicants receiving such approvals must make a “payment in lieu of spaces” to the City used to improve downtown parking. The required payment, based on an estimate of the costs of construction of a surface level parking space provided by the Public Works and Water Resources Department (PWWR) of \$6,272 may be found below. Please note that this calculation anticipates that most of the 51 spaces to be waived are residential in nature.

<u>Number of Spaces</u>	<u>Payment Required</u>
First Five Spaces (5)	\$ 7,840 (25% of Cost)
Six to Twenty-Five Spaces (20)	\$ 94,080 (75% of Cost)
Over Twenty-Five (26)	<u>\$163,072</u> (100% of Cost)
Total:	\$264,992

Comments regarding this “payment in lieu of spaces” and related comments regarding this issue appear below under Subdivision Advisory Committee. The applicant’s supporting letter with comments regarding the parking waiver is attached.

Special Use Permit

Zoning Code Section 32-78, Special Use Permits, stipulates that Council may issue a special use permit providing that the applicants demonstrate that the proposed use will not:

- "A. Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- B. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- C. Be in conflict with the purposes of the comprehensive development plan of the city."

Please note that the applicant needs a special use permit for the 24 proposed apartments in downtown.

Fiscal Impact

The Planning and Development Department has evaluated the impact of the 58 E. Main Street project on Newark's municipal finances. The estimates are based on the Department's Fiscal Impact Model. The Model projects the 58 E. Main Street development plan's fiscal impact; that is, the total annual municipal revenues less the cost of municipal services provided. Based on the Model's estimate, we project the annual 58 E. Main Street net revenue to be as follows:

First Year:	\$42,077.46
Second Year and Thereafter:	\$10,577.46

Please note that the current fiscal impact of 58 E. Main Street is not calculated into this estimate. In other words, the impact is calculated from the complete proposed project, and not the difference between what is currently generated and what will be generated if the development is approved. In addition, please note the difference between the first and future years' estimates is the anticipated real estate transfer tax in the first year from the sale of 58 E. Main Street to the applicant.

Traffic and Transportation

At the request of the Planning and Development Department, the Delaware Department of Transportation (DelDOT) has reviewed the 58 E. Main Street major subdivision, parking waiver and special use permit plan. The Department indicates that the project does not meet the warrants for a Traffic Impact Study (TIS) which is 400 trips per day and 50 per peak hour. Having said that, the Department does have the following comments:

- A. East Main Street is classified as a principal arterial roadway and requires a minimum of 50 feet of right-of-way from the center line. If right-of-way is less than the minimum, a dedication will be required.
- B. A traffic generation diagram should be shown on the plan.
- C. A stop sign and stop bar at the egress into E. Main Street in accordance with the DE MUTCD Part III is required.

Subdivision Advisory Committee Comments

The City Subdivision Advisory Committee – consisting of the Management, Planning and Development and Operating Departments – has reviewed the proposed 58 E. Main Street development plan and has the comments below. Where appropriate, the subdivision plan should be revised prior to its review by City Council. The Subdivision Advisory Committee comments are as follows:

Electric Department

1. The developer will be required to pay \$11,300 for meters and equipment, and \$300 for each commercial customer when the service connection is requested.

2. The Electric Department will require that all switch gear and related equipment be approved by the Department. Electric meters will be grouped in the electric room within the building.
3. The developer must pay all costs to repair the City's smart meter system, if the building interferes with its operation. This comment was also made by Public Works and Water Resources.

Parks and Recreation Department

1. The Parks and Recreation Department notes that the new driveway will require that the developer remove the tree and tree pit (at the sidewalk). The developer will also have to repair and replace pavers and concrete flatwork to match the existing sidewalk, and ensure that electric service to adjacent tree pits is operating. The electric work must be inspected and certified.
2. A "tree protection zone" (TPZ) is required to be in place around the tree located in the front of the building prior to demolition and shall remain there until such time as the construction is completed.

Police Department

1. The Newark Police Department indicates that an increase of 24 apartment units at this location will increase calls for Police service.
2. The Department notes that the balconies on the elevations shown on Main Street need to be decorative only (with non-operable doors).

Planning and Development

Planning

1. The Planning and Development Department notes that the proposal conforms to Comprehensive Development Plan IV and meets all area requirements for BB zoning district, except for parking.
2. The Department notes that the elimination of one curb cut and driveway across the Main Street sidewalk, and the provision of a 24 foot fire lane to serve 3 properties in place of two narrower access ways which could be difficult to maneuver fire apparatus through, are positive contributions of the project.
3. The Department notes that #7 of the Data Column should be revised to reflect the actual proposed bedroom mix for the development: 5 three-bedroom units, 17 two-bedroom units, and 2 one-bedroom units. In addition, the Department notes that the Certificate of Plan Approval on the plan should include a signature line for the City Manager's approval. Both revisions are necessary before Council review.
4. The Department notes that the property is deed restricted to no more than 4 unrelated tenants per apartment. The applicant agrees that the one-bedroom apartments will be further restricted to two unrelated tenants permitted, bringing total permitted occupancy at the site to 92 tenants.
5. Regarding the parking waiver, the Planning and Development Department notes that although the applicant is building 23 parking spaces on site, those spaces cannot be counted toward the parking requirements because the spaces will be leased to the City for municipal parking operations, and not specifically allocated to serve the uses at 58 E. Main Street. Had the 23 spaces been retained by the applicant for the building's use, the required waiver would be 28 spaces. In addition,

regarding the waiver, the Department suggests that in light of the applicant's proposal to lease all 23 spaces provided to the City to create a new municipal monthly parking lot, that the normally required parking waiver fee (\$264,992) be waived. In this case, that suggestion is contingent upon the applicant providing a 99 year lease to the City at the lease price of \$1.00 per year. Further, as a condition of approval, the Planning and Development Department suggests, to minimize the impact of the proposed apartments on downtown parking, that each tenant be informed in writing before signing a lease that no off-street monthly permits will be available at the 58 E. Main Street site for their use as a result of the lease. Of course, tenants may apply to the Downtown Parking Office for a monthly permit in this lot or other municipal holdings, subject to availability.

6. In terms of density, the Department acknowledges that the 44.28 dwelling units per acre is less than the maximum allowable density in the BB zone and that the plan meets Code for the bedroom mix proposed ($5 \times 20 + 19 \times 50 / 24 \times 542 = 23.71$). The Department also acknowledges that the property is deed restricted as to maximum occupancy (92); and further, recognizing that the limits on the number of bedrooms and tenants will reduce, to a certain extent, the intensity of the project, the Department cannot help but note that the proposal calls for a very dense half acre. In this regard, based on the density comparisons provided above, the requested density is approximately 13 units more per acre than the average density approved downtown (30.85) over the recent past; and is approximately 8 units more per acre than the Washington House (36.1 units per acre) and 3.5 units less per acre than the Newark Shopping Center (47.79). Both of these projects (Washington House and the Shopping Center) received their densities based at least in part on perceived community benefit from the projects (the Washington House – promoting owner occupancy; and the Newark Shopping Center – providing improvements to an aging center in need of revitalization). Having said that, the developer's willingness to lease, for an extended period of time and at a nominal fee, 23 parking spaces to be added to the municipal inventory in the heart of downtown is also a significant community benefit, which needs to be considered. The Commission will have to weigh this benefit to the Newark community and others that the applicant may point out at the meeting, against the density requested. As previously noted, the City has approved higher than average densities in the past for a significant community benefit, and further, also as noted above, the density requested meets Code.
7. The Department indicates that because the parking lot is proposed to be operated as a municipal lot, the parking lot lighting system design and maintenance access will have to be approved by the Electric Department.
8. The Planning and Development Department suggests that the Planning Commission consider the following conditions of subdivision approval:
 - The architectural design for the proposed building should be carried out on all portions of the facility from public ways and parking lots.
 - Mechanical equipment and utility hardware be screened from public view with materials harmonious to the proposed architectural design or such equipment shall be located so as not to be visible from adjoining streets or public rights-of-way.
 - Exterior lighting be designed as an integral architectural element of the proposed architectural façade. All such lighting to be shielded to limit visual impacts on adjoining properties.
 - Units should be designed so they can easily be converted into condominium units should market conditions change.

9. Trash compactors should be used to limit insofar as possible the commercial and residential trash and recycling needs of the building on municipal parking lot operations. The applicant may want to discuss combining trash and recycling services with adjacent properties, if compactors are not feasible at the site. Regardless, 23 unimpeded parking spaces must remain onsite for use as parking spaces once the building is built and occupied.

Code Enforcement

1. The Code Enforcement Division of the Planning and Development Department indicates the building should be designed and constructed in accordance with the ICC Codes as amended, in effect at the time of submittal for review. The project will be required to meet the IFC and the Delaware State Fire Code, whichever is more restrictive. In this regard, general note #3 should be revised to reflect the 2012 Delaware State Fire Protection Code.
2. The Division notes two complete sets of architectural/structural drawings with details and sections are required to be submitted for construction review.
3. The Division indicates any outside seating area associated with the building must maintain 5' of clear walkway for pedestrian traffic.
4. The Division notes a live-in, onsite property manager is required.
5. The Division indicates structural columns supporting the rear portion of the building cannot interfere with parking spaces.

Public Works and Water Resources

1. The Department notes that a "Letter of No Objection" from DeIDOT is required.
2. The Department indicates that a final version of the necessary easement agreement with the western property owner will be required prior to approval of the Construction Improvements Plan (CIP).
3. The Department notes that individual meters shall be provided for each dwelling unit and located in a central location approved by the City. The developer is responsible for the costs of the meters. (See plan note #25 and note #26); and the STP fee for each unit is required prior to CO. (See note #27).
4. During the CIP process, the developer will provide a set of water system drawings in accordance with the State of Delaware Department of Health Drinking Water Standards for review and approval.

Recommendation

Because the project conforms to the land use guidelines in the Comprehensive Development Plan IV and because the major subdivision, parking waiver and special use permit, with the Subdivision Advisory Committee conditions, will not have a negative impact on adjacent and nearby properties, and if following the Planning Commission's review of this report and the consideration of the applicant's presentation and public comment, the Commission determines that the project is compatible with downtown in terms of intensity of development; the Planning and Development Department suggests **that the Planning Commission take the following actions:**

- A. Approve the 51-space parking waiver for the 58 E. Main Street property; and,**
- B. Recommend that City Council approve the 58 E. Main Street major subdivision and downtown apartment special use permit plan as shown on the Landmark Science and Engineering plan dated, August 22, 2013 with revisions through November 7, 2013 at the density requested, with the Subdivision Advisory Committee recommended conditions.”**

The developer is here. I will be happy also to answer any questions the Commission has for me.

Ms. Dressel: Are there any questions for Maureen at this point from the Commission?

[Secretary's Note: Ms. Goodman, Planning Commissioners and the public refer to visuals brought to the Planning Commission by the applicants].

Ms. Lisa Goodman: Of Young Conaway Stargatt & Taylor here on behalf of 58 East Main LLC along with Joe Charma from Landmark Engineering, John Winkler who is the project architect and Angela Tsionas-Matulas who is the representative of the owner of the property.

As Maureen ably went through her report, I am not going to do it in great detail. I would like to hit on the highlights and then answer any questions. We are here seeking special use approval and a parking waiver to permit the redevelopment of the property at 58 E. Main Street, which is currently actually two buildings. If you look at the first item on the handout that I gave you, which is also the item that is now up in the front here. This shows the existing uses on the property. What I think you will note is that the large and small areas of salmon color are the footprints of the two existing buildings. You can see that the large building, which is two stories, almost covers the entire site. So, we are proposing a building which is a smaller footprint but taller and is somewhat more square footage but not as much as one would think because this building that is on this site is so sprawling. That is also what has allowed the design to end up with 15 more parking spaces than are currently on the site. There are currently 8 spaces on the site and when this site is developed, assuming we obtain the necessary approvals from you and forward to Council) the site will have 23 parking spaces. The site, as Maureen indicated is .535 acres and it is currently zoned BB. So, we are not in front of you for a rezoning.

The next piece of paper you have in your packet shows the proposed site plan. You can see the difference in the proposed plan. First of all, the smaller building that is on the west side is gone completely. That is proposed to be demolished and not rebuilt. The building itself that is shown in brown, that is the new footprint of the building. The rear of that building has parking underneath it. So, we have 6 spots that are totally under the building, 6 spots that are just a tiny bit under the building. It is all surface parking, but our parking that is not under the building, all of those spots are proposed to be essentially given to the City. Because some of them are under the building, we can't give them without it becoming so complicated that it even makes a lawyer's brain hurt to think about doing an air rights agreement. So, we give them to the City by virtue of a 99 year lease and that has the same affect, which is essentially an ownership interest in the land. That will allow the City to control the revenue from those spots without having to construct them. The City is proposing to make it a monthly parking and you can do the math on the monthly fee X 23 every year for 99 years. It is a lot of money. It is close to \$25,000 per year every year, year after year and at no cost to construct to the City. So, we think that is a very big benefit, not to mention that the City has really had a lot of foresight in terms of stringing these municipal lots together and this is how they happen. They happen when we get this type of development and the developer says, I recognize this is the right

thing and the City says, we will work with you and eventually, all of these lots get hooked up and it really works well.

So, we come to you for a parking waiver partly as a result of giving the parking that we are creating to the City. Maureen did an excellent job of explaining how we got from 51 to 28. 28 is our true shortfall. 51 is our shortfall when we have to count the spaces that we are giving to the City. Just to add an extra ouch to it, we also have to pay for those spots. Technically, were the fee not waived we have to pay the waiver fee for the spots that my client is giving to the City. It all works out in the end, but it is a little complicated. The bottom line is that the City is getting a new municipal lot that we think will be a great benefit.

The City is also getting, as Maureen mentioned, a great enhancement in less access onto Main Street. We have an alley here which is currently vehicular access, but not really sufficient for fire access. So, this will be closed to vehicles. It will be, as Mr. Charma and I were talking about before, it will have the feeling of Penny Lane like down at the beach, because there will be shop accesses along here but it will only be pedestrian. We think that will be really nice as well. Joe had a fancy name for it.

Mr. Charma: A via.

Ms. Goodman: We are creating a new Code compliant 24 ft. wide fire lane here which will provide access back here to all of these buildings, which we think is also of great benefit.

Let me talk a little bit about the building itself, if I might. You all have in the package I gave you all of the architectural, and I believe you probably got them in advance as well. This shows the proposed building, essentially, photo-simulated into the streetscape. The first one in your package simply shows the same thing from a slightly different angle. The second one is actually this shot. This building, we think, has a lot to recommend. It sort of feels like it has been there for a long time – use of the brick, the use of the windows. It is designed to match a Main Street feel. Some of the more residential development that we have going on, not on Main Street, has a slightly different feel to it, but the goal here was to get a Main Street feel and we are very pleased that we believe that we have done that.

We have also included for you in your package just so you can see elevations from all sides so you can get a sense of what the building looks like and you can also get a sense of how the parking works. On the bottom here you can see that some of the building is elevated and has parking that can come under it as well and it has shots that wrap around the side as well.

The parking waiver, just to briefly go through the standard, the proposed use does not conflict with the Comp Plan. We already heard that in the Department's report. The Comp Plan clearly says this is a commercial business district with mixed use. It is in harmony with the character of the development pattern of the central business district. It is exactly like the surrounding Main Street. It is a mixed use building with apartments above proposed commercial. The use is certainly not highway oriented and we believe it will have positive affects rather than any potential negative effects. In addition to providing the type of activity we want on Main Street, it will go a very long way toward creating more municipal parking and doing it in a way that the revenue, obviously, comes to the City. And, by putting in either leases or a separate piece of paper that tenants know up front that they don't get a parking space, it actually makes that very simple. They can come to the City and apply for one in this lot or a different lot and then the City controls that, can give those out and charge for them as the City sees fit and all of the revenue comes to the City. So, we believe this is a very good use. It does propose 24 apartments. They are a mix of 1, 2 and 3 bedroom apartments and we think we have a good mix that will work well here. Since this building is already functioning with only 8 parking spaces, there is

already a good established vibe here that this is really downtown living. This is walking, this is not driving. So, we believe that this will work very well, that it will fit in and we are happy to answer any questions that you may have. We have our team here and our team is happy to answer questions.

Ms. Dressel: Are there any questions from the Commission?

Mr. Edgar Johnson: I am looking at your drawing on page 2. You said 23 parking spaces. I seem to count a little bit more than that.

Ms. Goodman: You are looking at the seven spaces on the right of the plan. You are looking at these?

Mr. Johnson: Yes.

Ms. Goodman: Those are not actually on this property. Those are being reconfigured and freshened up for the neighboring property owner who will also, frankly, have much better access to those parking spaces, but those do not go with this parcel.

Mr. Silverman: I took quite a bit of time to review this plan, I walked the site, looked at the photographs and I believe the applicant and the applicant's consultants have not only met the minimum requirements of the Code, but far exceeded it and it represents the spirit of (inaudible). This building is setback further from a number of the uses on the street. (Inaudible). The City Police in their review were rather curt in saying more units, more policing problems. I believe that the applicant has addressed those problems. (inaudible). With respect to the existing building onsite, if you look at an aerial photograph of that building, it appears that the original front structure was built sometime in the mid 18th Century and has been added on to in an irregular way. We were discussing earlier before the meeting that we could imagine what the plumbing system in that building looks like. It appears to be a warrant of apartments with entrances, exits, internal stair, dead-end hallways and is a nightmare from a public safety point of view and from a Fire Department point of view. (inaudible) The sprinkler ordinance of the City and the elimination of that building will go a long way to increase the public safety along Main Street.

I like the parking arrangement in the sense that it does add to that interconnection of rear access and continuous access from what used to be the old Wilmington Trust lot up towards Rhoades Drug Store. As Main Street redevelops, it will work in through there.

The unit layouts don't necessarily need to be in the architectural detail but the exterior architect of the building is very telling by the size of the windows how the building will work. The architecture is very refreshing in the sense that there are no white columns on the front and there are no peaked imitation slate roofs. It is, indeed, a downtown urban building and reflects that. The setback I commented on earlier, the drive under the parking in the rear, the alleys, add to both light and air on Main Street both physically and from a perception point of view. The parking arrangement, even with the waiver I believe, helps make the City's effort on a parking building downtown, the additional structure, more of a self-fulfilling prophecy. This is the way I see Main Street developing. I intend to vote for your proposal.

Ms. Dressel: Are there any other comments from the Commission?

Ms. Brill: I saw in the Newark Partnership Design Guidelines, they suggested minor improvements using cast stone on the lower level and possibly burying the electric lines or servicing them in the back. Do you want to comment on those recommendations?

Ms. Feeney Roser: Before you do, I would say that our Electric Department has looked at it and said that we can't bury the lines in the back. Is that accurate, Mr. Charma?

Mr. Joe Charma: Landmark Science and Engineering. I believe that is the case. In one of the City's parking lots, Lot #3, we wanted to bury power lines there and that was an issue when we were looking at the More Park system in that lot. That was potentially an issue.

With respect to the stone on the lower façade, first of all, I chair the Downtown Partnership Design Review Committee, but for this project, obviously being involved, I excused myself and the Vice Chair, who is here, did run that meeting. What we did talk about is, perhaps, adding some other element. The architect is here and I think what he chose to do is to add some precast, which is a nice change, down on the lower element. It is very similar to 136 S. Main Street project. That is also one of Ms. Tsiona-Matulas' properties where they did mix brick and precast, and it turned out very well. I think that this is the kind of façade that we (the Partnership) is looking for – a variety and a change so it is not just all brick. With this particular building I think the architect made a good choice in materials. They are in harmony, I believe, but it is architecture and it is very subjective.

Ms. Feeney Roser: Is this the same building that the Design Committee saw or have changes been made based on their recommendation – the cast stone, the materials on the sides?

Mr. Charma: This is a little more detailed. It was very similar to this from my recollection, but this is more detailed and the rendering is a higher resolution so the details really pop. The opera style windows that was an element in which the Committee liked. It is pretty close from my memory.

Mr. Johnson: I wanted to agree with Alan. I think it is a beautiful building and I would like to see more construction like this on Main Street. It is magnificent.

Mr. Charma: The architect is here and he has to take the credit for that. We think he did a great job with this building and I, as the Chair of the Design Review Committee, would agree with you. This is the kind of downtown buildings we want to see on Main Street. It is very urban. It is a very traditional style but it is urban. It fits in with our downtown.

Ms. Dressel: I have one request from the public.

Mr. Steven Pilnick: I own 48 and 50 E. Main Street and my family has owned 48 and 50 E. Main Street since pre-World War II times. The first thing I would like to say is that I am not here to object to the project, I applaud the project. I did have one concern, one immediate and one, perhaps, in the future that I just wanted to share with you. For the past 13 months, I have been having discussions with the University of Delaware. As you are well aware, there has been a significant amount of renovation to the Carpenter Sports Center that runs immediate rearward to my property perpendicular, and as a matter of fact to 58 E. Main Street LLC's property as well.

The renovation has impacted my property which I have shared with the University of Delaware and I want to complement them for assisting me and the dialogue that has ensued in our mutual efforts to correct the drainage problem. It wasn't so much of a volume of water pouring off of their massive roof as it was the sheer velocity due to the renovations. What I am trying to get at here by sharing this with you is, it has been a significant problem and has impacted my property. Newark has been very helpful- the Code Enforcement Department. Again, the University has been very helpful, but it has taken up a significant amount of time and we have been working on this issue for approximately 14 months. I think it is coming to a rapid conclusion.

What I was hoping to avoid is compounding my problem or for that matter, our problems. I didn't want to see a University of Delaware drainage problem being coupled with, perhaps, a problem coming from new construction from my next door neighbor. My hope is simply this and my reason for being here is simply this. Perhaps I can stop by, Joe, your shop one of these days and talk about these drainage issues because, unfortunately, I feel that with the two property owners (the University of Delaware and yours) with those two together, I would have some significant issues with my building that is presently being impacted. Thank you very much and I appreciate everyone's time.

Ms. Dressel: Is there anybody else from the public that wishes to speak?

Ms. Leslie Purcell: I was just down at the Bike Project, is the new building as it is proposed pretty much the same distance. Is it setback the same? It looks like it is pretty even with the National 5 & 10. I'm just curious about the setback really.

Mr. Charma: The building is actually setback a little bit further. The existing building that is there is pretty much even with the National 5 & 10. This building is set back a little bit further. It is 20 ft. off the street line. That is a Code minimum because of the height of the building being a four story building. So, it is set back slightly more.

Ms. Dressel: Are there any more public comments? Thank you. We are back to the Commission.

Mr. Cronin: In the Planning Department's report under Status of the Site Design toward the end, "The Committee also recommends signage guidelines be established for the property so that signage is compatible with the building design and tenant mix." Who would be establishing guidelines? Is that the Downtown Newark Partnership Committee? Is that is what is intended there?

Ms. Feeney Roser: That would be the property owner. I believe that was the intent.

Mr. Cronin: The picture shown doesn't show any signs for storage or initial awnings, but I am trying to visual signs.

Mr. Charma: What the Design Committee has been working on with the Code Enforcement Division of the Planning and Development Department is an upgraded sign code. It is very user friendly. You will see that at some point. I think you will really like it. But, what we talked about is with new buildings we would work with the property owner to kind of think about the kinds of signage so the signage is uniform and it works with the building. We have an example of a building – I'm not going to name the building – where the sign of the façade of the building is bigger than the façade. It actually hangs below the façade. It shouldn't do that. The reason it does is because the business enterprise that is there, that is their standard sign. We want to try to not have that happen because those kinds of things become eyesores and we want signage to be creative. We are not going to limit the kinds of signs that can be done, but we want them to be done with some thought and design to work with the building or structure that it is on. That is all we ask for.

Mr. Cronin: To go back to the questions, it talks about recommend signage guidelines be established. Who would establish the guidelines?

Mr. Charma: That is the Design Committee.

Ms. Feeney Roser: Let me read you the sentence. "The Committee also recommends signage guidelines be established for the property so that signage is compatible with the building design and tenant mix." My understanding of that is that the developer would develop these guidelines, perhaps, in conjunction

with the Design Committee, but it would be the property owner's responsibility to let the new tenant know what those guidelines were.

Mr. Charma: Thank you. That was very well put.

Mr. Cronin: That sounds perfectly fine to me and clears up any concern I might have had. Thank you.

Mr. Dressel: Does anybody want to make a motion?

MOTION BY CRONIN, SECONDED BY SILVERMAN THAT THE PLANNING COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS TO CITY COUNCIL:

- A. APPROVE THE 51-SPACE PARKING WAIVER FOR THE 58 E. MAIN STREET PROPERTY; AND,
- B. RECOMMEND THAT CITY COUNCIL APPROVE THE 58 E. MAIN STREET MAJOR SUBDIVISION AND DOWNTOWN APARTMENT SPECIAL USE PERMIT PLAN AS SHOWN ON THE LANDMARK SCIENCE AND ENGINEERING PLAN DATED, AUGUST 22, 2013 WITH REVISIONS THROUGH NOVEMBER 7, 2013 AT THE DENSITY REQUESTED, WITH THE SUBDIVISION ADVISORY COMMITTEE RECOMMENDED CONDITIONS.

Ms. Feeney Roser: With the change because in the report it says 28 spaces? I will revise the report to make it 51 and change the figures.

Mr. Cronin: With that change I will restate the motion to accommodate that change.

Ms. Dressel: We have a motion. Does we have any discussion on the motion?

VOTE: 5-0

AYE: BRILL, CRONIN, DRESSEL, JOHNSON, SILVERMAN

NAY: NONE

ABSENT: BOWMAN, HEGEDUS

MOTION PASSED UNANIMOUSLY

4. A COMPREHENSIVE DEVELOPMENT PLAN UPDATE DISCUSSION.

Mr. Mike Fortner: Once again I thought you were going to have a really long meeting so I did not plan to say a lot, but I did want to tell you that our next Planning Commission Workshop will be on Tuesday, December 10, 2013 at 7:00 p.m. in Council Chambers. We will cover land use. I am working with the Institute of Public Administration to get some of the maps ready. We will also cover annexation – places that we might want to annex in the next five years as well as our area of concern. Of course, our implementation plan will be discussed at that meeting as well.

I will be putting out another newsletter later this week to promote the meeting and also to tell folks about some of the items we have discussed.

The chapters we have reviewed are online for the public to read. As we go through and come up with the next revision, we will have the new edition come online as well.

That is all I have. I will be happy to answer questions.

Ms. Dressel: Mike, do you have the sections we will be reviewing next week online as well?

Mr. Fortner: No, I don't have that online. I will be getting that ready for you probably by the meeting.

Ms. Dressel: Could you send that to us?

Mr. Fortner: I will send out what I can prior to the meeting.

There being no further business, the Planning Commission meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Elizabeth Dowell
Planning Commission Secretary