

1 CITY OF NEWARK

2 DELAWARE

3
4 PLANNING COMMISSION

5 MEETING MINUTES

6
7 MEETING CONDUCTED REMOTELY

8 VIA GO-TO-MEETING

9
10 SEPTEMBER 7th, 2021

11 7:00 P.M.

12
13 **Present at the 7:00 P.M. Meeting:**

14 **Commissioners Present:**

15 Chairman: Willard Hurd, AIA

16 Alan Silverman (Vice Chair)

17 Karl Kadar

18 Stacy McNatt

19 Jennifer Wallace

20 **Commissioners Absent:**

21 Allison Stine

22 Tom Wampler

23 **Staff Present:**

24 Paul Bilodeau, City Solicitor

25 Mary Ellen Gray, Planning and Development Director

26 Mike Fortner, Planner

27 Katie Dinsmore, Administrative Professional

28
29 Chair Will Hurd called the Planning Commission meeting to order at 7:00 P.M.

30 **1. Chair's remarks**

31 Chair Hurd: Alright. Good evening, everyone and welcome to the September 7th, 2021, City
32 of Newark Planning Commission Meeting. This is Will Hurd, Chair of the Planning
33 Commission. To the Governor's declaration of a health emergency and with the decision of
34 Council, we are holding this meeting remotely through the GoTo Meeting platform. Our goal
35 is to support the participation of everyone in this meeting. Katie Dinsmore the department's
36 Administrative Professional will be managing the chat and general meeting logistics. In
37 accordance with the guidelines for remote meetings, everyone needs to identify themselves
38 prior to speaking at the beginning of each agenda item. At the beginning of each agenda item,
39 I will call on the related staff member or applicant to present first. Once the presentation is
40 complete, I will call on each Commissioner in rotating alphabetical order for questions for
41 the presenters. If a commissioner has any additional questions, they would like to add

afterwards they can unmute themselves and I will call on them to make it clear who is speaking next. Otherwise please keep yourself on mute to prevent background noise and echo. Please also try to avoid talking over other people so that everyone listening in can hear clearly. For items open for public comment, we will then read into the record comments received prior to the meeting followed by open public comment. If members of the public attending tonight would like to comment on an agenda item during the meeting, they should send a message through the chat function to Miss. Dinsmore with their name, district, or address and which agenda item they wish to comment on. The chat window is accessed by clicking on the speech bubble icon on the top bar. For those attendees connected to the meeting only on their phone, I will call on you separately and you can press *6 to unmute yourself. We follow public comment with further questions and discussion from the commissioners and then the motions and voting by roll call. Commissioners will need to articulate their reasons for their vote. If there are any issues during the meeting, we may adjust these guidelines if necessary. Alright, having said all that, most of the items tonight don't fall into that category, but that's fine. We just want to get that out there. Wanted to thank Tom Wampler for his service to district 4, he is unfortunately unable to join us tonight, but this would have been his last meeting. We thank him, we know it's not an easy job to do and we're always appreciative of those who step up and do it. Mark Serva, from District 4 has been appointed and confirmed by Council I guess is the proper term and we hope he will be joining us in October. Because of this gap, I will be acting as secretary for any motions that need to be read into the record just to keep things moving along and to keep us from electing an interim secretary for a month because that doesn't make any sense. Alright, moving to the minutes.

2. The minutes of August 3rd, 2021, Planning Commission meeting

Chair Hurd: I had sent Katie belatedly today some minor corrections, a couple of dashes, a couple of words, very very minor. Is there anything from anyone else on the minutes? Alright seeing no objection, we will see the minutes as approved. There's the bang because I keep forgetting to use the bang (gavel). Alright that takes us to review and consideration of the Planning Commission 2021 Work Plan Draft.

3. Review and consideration of the Planning Commission 2021 Work Plan Draft

Chair Hurd: Actually, before we start Mary Ellen, would this be the 2022 Work Plan Draft?

Director Gray: Yes, I thought I put that on the draft?

Chair Hurd: Well, it's on the draft but it's not on the agenda the agenda says 2021.

Director Gray: Oh ok. So, it would be the 2021 annual report, but the work plan would be 2022.

Chair Hurd: Ok.

Commissioner Wallace: I have a quick question if I may? Jen Wallace. Are ok with that as far as posting 2021 on the agenda? Are we ok by FOIA rules?

Solicitor Bilodeau: Good question Commissioner, but I would say yes, I mean it's clearly a typographical error so I think we could say that's we're fine to proceed.

Commissioner Wallace: I just wanted to make sure that we're dotting our "I" s and crossing our "T" s.

Chair Hurd: Alright Mary Ellen I believe this is your show, or should we just dig into it?

Director Gray: We can cotalk how about that. Let me just do a little bit of the background, this is Mary Ellen Gray, I'm the city of Newark Planning and Development director. So, I think everyone on here is, well Commissioner Wallace you weren't on here for last year, so the code it's in the code that the Planning Commission does a work plan every year and then we pass it by a date in October I think, and then we do an annual report, I don't know if the annual report is required, but the work plan is required. So that's we're talking about it now. So, what I did is put together the current plan, which is still in play, and then made some, Mr. Hurd and I met and we discussed some items that perhaps the Planning Commission would like to do from his perspective and then also put in the projects that we know are on the Planning Department's

93 agenda (inaudible) our work plan every year is part of the budget process which we're going
94 through right now for the calendar year 2021 we include in the budget our work plan. So, again
95 like I said it's more or less the point of goals. But I've turned that from the goals into our work
96 plan and this is what we try to follow as resources allow. But things arise, sometimes we cannot
97 do everything on the plan, you know for example when a global pandemic comes up, we can't do
98 everything we want to do in a plan. So that's kind of the background (inaudible). So, Chairman
99 Hurd, I give the floor back to you.

100 Chair Hurd: Alright, ok. Well, why don't we just start with Commissioner comments and
101 discussion, and we'll start with Commissioner Kadar.

102 Commissioner Kadar: Yes, good evening. Just a couple of questions, and well one question and
103 one comment. The question concerns item number 7 on the front-page line 40. "Continue
104 quarterly reporting of the work plan". Have we been doing that? I don't recall reviewing the
105 work plan every quarter during the Planning Commission meetings or is it just me?

106 Chair Hurd: No, you are correct. I believe the quarterly reporting was one of the things that got
107 put aside with the extra work, the pandemic, the staffing, and such I think that was something
108 that we didn't always have time to have on the agenda. Or to have staff to work on, so yes, I
109 think you are correct we haven't seen that for a little bit.

110 Commissioner Kadar: So, we intend to resurrect that correct?

111 Chair Hurd: Yes.

112 Commissioner Kadar: Ok good. And the last one is paragraph 6 that's been crossed out makes
113 reference to the map on page 5. And it's the only reference to the map on page 5 so if we delete
114 paragraph 6, there's no need for the map on page 5.

115 Chair Hurd: This is true.

116 Commissioner Kadar: Ok. And thus ends my comments.

117 Chair Hurd: Ok. Oh, I remember we had a lot of trouble with reporting is because you guys
118 didn't have administrative support for most of the year...6 months? You're right, so that also
119 slowed things down with reporting...Commissioner McNatt?

120 Commissioner McNatt: Ok I have a question on page I guess page 4 line 130 and 131. Does the
121 item continue to work with WILMAPCO on follow-up to the completed Newark plan is that
122 incorporated into the TID project or are they separate?

123 Director Gray: This is Mary Ellen Gray; those are separate let me just look (inaudible) yes ok, so
124 this is the staff work plan item. So, this we're continuing to work with WILMAPCO on follow
125 up to the completed Newark Area (inaudible) project? Ok.

126 Commissioner McNatt: Right, that's that line and is that wasn't, that's not incorporated into the
127 TID?

128 Director Gray: Correct, that is not. That is a separate effort that was started, what have I got
129 here, more than five years ago to coordinate the Unicity with People Transit, the University of
130 Delaware bus system, and DART. And so that had to what we ended up doing was getting a
131 grant through WILMAPCO to do a study on how to make Unicity more efficient and how to
132 incorporate that into those three other entities. And so, from there was a consulting thing that was
133 done, and then from there Covid happened. And then that evolved into us working the outcome
134 of that is us working with DART and UD to make the Unicity more efficient and way more
135 information than you'd like, we could talk for an hour on Unicity. We've been working a lot
136 with it and long story short, we are looking to buy a smaller bus, a more efficient bus, we have
137 made the route more efficient and actually doing a field trip two weeks from now to look at a
138 new bus that we're partnering with DART on, it's a more efficient bus that has much better
139 handicap access than the buses that we've been purchasing. So, it's taken quite a level of effort
140 of coordinating or collaborating I think is a better word.

141 Commissioner McNatt: Ok thank you and my last question item number 2 that was struck on
142 page 2. Are any of those portions incorporated in any other areas of the work plan or are they
143 just taken out completely?

144 Chair Hurd: Ah.

145 Director Gray: So, chairman Hurd we took it out for a reason and I'm not recalling why we took
146 that out.

147 Chair Hurd: So, my recollection of the discussion one of, at least initially when you had done an
148 examination of sort of why people annex into the city for development as opposed to the County,
149 one of the reasons seemed to be that the city's least dense zoning was about twice as dense as the
150 county's densest almost. So, like if you have a suburban zoned parcel that's like one per acre,
151 our least dense zoning is about one half acre. So, it's double. With the annexation of the Walton
152 Farm, one of the things that came out of that was the addition of a new zoning that matched the
153 county's zoning of the one-acre parcels. So, we now have a mechanism to bring in if necessary,
154 bring a parcel in from the county but keep it at the same density that it would be in the county,
155 which seemed to be one of the impulses for people trying to come in because they can get it
156 denser than the other. And that seems to be the primary, because now that there is language that
157 allows people on the border of the city to receive sewer and water without having to be annexed,
158 so there, so the need to be annexed into the city to get the sewer and water and not have to be on
159 a septic system to get a denser development from are kind of mitigated, I guess. So, I think that
160 was my feeling of just trying to address that question and in my mind that has already been
161 addressed but maybe not in a formal way.

162 Commissioner McNatt: I understand your explanation. But my secondary concern though is that
163 I think it's important that the second part of number two that "the efforts should looking at
164 resources protections in the city" the densification of zoning and etcetera is one topic, but
165 resource protection is a whole other it goes along with you know your ground water, your
166 floodplains, your forests, things that we want to save; that we want to protect. So, resources
167 protection's separate and different and I think it's important. So, I think that if we can include
168 that second sentence, into some other area either add it to the new number two in some way, or
169 some other spot. I think it's equally (inaudible).

170 Chair Hurd: We could certainly unstrike this because I don't think the department ever made a
171 formal report on reasons why people tend to annex into the city for development as opposed to
172 the county. For me at least part of our understanding is partly anecdotal and just looking at these
173 projects and just trying to understand, why a project in this location would choose the city over
174 the county.

175 Commissioner McNatt: Yes, and that makes sense it was thought that there was a specific reason
176 why that was occurring. But that second sentence is a totally different topic and a different type
177 of effort, so I'd like to see that one stay if number two is struck.

178 Chair Hurd: Ok.

179 Commissioner McNatt: And one more...I think that was all of my comments I'm just doing a
180 quick scan of my notes here.

181 Commissioner Silverman: Excuse me, Mary Ellen and I have explored the topics that I'm about
182 to bring but I want to get it as part of this group's discussion and make some recommendations.
183 The effort that went into the focus areas a number of years ago are very important and very
184 germane with what's happening with the city now with respect to student housing, affordable
185 housing, mixed use, and density patterns and I'd like to call our attention to line 143 and 145 of
186 the text. And although it does talk about review code and it talks about development
187 recommendations to address student housing, the reference to concentrating, utilizing, the focus
188 area concept in this review I think it goes a long way to dealing with the issues of affordable
189 housing, student housing, the mixed use that we've talked about. The relationship between one
190 housing unit and the other, open space courtyards, noise, there's quite a bit of comprehensive
191 things that are reflected in the code, that are focused, no pun intended, on the focus area. The
192 other reason by I think focus areas should come to the surface is as the school district ruminates
193 over the disposal of, I believe 10 to 12 acres of their bus parking along Wyoming road, this

194 would be a natural area and with it being virtually open land as the project develops there would
195 be no need to worry about redevelopment and existing streets, it would be a blank pallet to really
196 flesh out the focus area concept. And that's my comments on the documents.

197 Chair Hurd: Ok. Commissioner Silverman, just a question from me. Currently we have the focus
198 area language in the Comprehensive Development Plan review, in the edits we've been going
199 through for the review. Are you looking for a deeper level than just including it in the Comp
200 plan?

201 Commissioner Silverman: Yeah, because it was referenced in the Comp Plan before. The items
202 on the 140-line area get right to the implementation of modifying the code. As the focus areas are
203 a nice, in the Comp Plan it outlines what the focus areas are generally and says we ought to get
204 to this someday. I think the work program would fully benefit from some of those focus area
205 ideas.

206 Chair Hurd: Ok. I will just say that the language in the Comp Plan at this point is effectively the
207 documents that we had gone through about the focus areas a year or two ago.

208 Commissioner Silverman: Oh good.

209 Chair Hurd: So that's so part of Council's concern was that it hadn't gone through the Comp
210 Plan review process and so it's been part of the Comp Plan review and it will come back up to us
211 in that sense. But I hear what you're saying, it's one thing to be in the Comp Plan, but it's
212 another to enact that effectively through code.

213 Commissioner Silverman: Correct.

214 Chair Hurd: Ok. Commissioner Wallace?

215 Commissioner Wallace: Thank you. So, Commissioner McNatt asked one of my questions, but I
216 would like us to keep on page 2 item 2 and not just the resource protection. While I agree that's
217 important, I think that we should do a deeper dive on annexation. I agree that there have been
218 some changes, but I think, bringing in my experience as a Council person, I know that this is an
219 area that residents are particularly interested in. And I agree that at this point we need some data,
220 everything at this point is anecdotal. And I would just like to echo Commissioner Silverman's
221 concerns about including the language, making sure that we do include things that are in the
222 Comprehensive Plan on the Planning Commission's workplan. Because again, from my time as
223 a Council person, I know how easy it is to not necessarily get around to items that are in the
224 Comprehensive plan. And so having a work plan does keep those items at the, you know on a to
225 do list, so yeah, I would support that. And I don't have any other questions at this point.

226 Chair Hurd: Ok. A clarification question for me Commissioner Wallace. For the
227 implementation of some of those Comp Plan is that something you'd like to see on the Planning
228 Commission's work plan or the Planning Department's work plan? Or are you not too
229 concerned?

230 Commissioner Wallace: Right, I think that that's a tricky one. I think that being on the Planning
231 Department's work plan that needs to come from council. We can put things on our own work
232 plan, and that is how we can highlight to Council that we would like them to allocate staff time
233 for these items.

234 Chair Hurd: Ok. Alright. My small concern is that we're discussing items of a Comp Plan review
235 that have not been processed or reviewed.

236 Commissioner Wallace: Right.

237 Chair Hurd: Doesn't mean we can't come along later and say we'd like to put this onto the work
238 plan. I'm just not sure how to phrase it at this point.

239 Commissioner Wallace: I think that, right, I think that's the wording is just you know the Comp
240 Plan isn't just a one and done you just look at it, but just that the Planning Commission plans to
241 review the Comprehensive Development plan after it's approved to potentially add items to it's
242 work plan. I think something as simple as that could address that. Because there's so many
243 things, we know, there's so many things in the Comp Plan. Prioritization happens, pandemics

244 happen, whatever. I do think that having another step for the Planning Commission to
245 reprioritize items you know do a short term, what do we want to try and address, and you know
246 that's probably not a bad item to have just as a standing item in the Planning Commission's work
247 plan.

248 Chair Hurd: Right, that makes sense, thank you. Ok. So, for me, I guess looking on item 6
249 starting on line 32 that we sort of struck out because (inaudible) the development plan, I have
250 noted that we have a second sentence in here about stormwater capacity and I think we need to,
251 that kind of bumps to the item on line 60 about research made policy (inaudible) on policy
252 downstream. I want to make sure that we're not losing that development because stormwater
253 capacity is an ongoing concern. So, I guess I'm ok with striking 6 as long as we're pushing that
254 stormwater capacity up a bit. Oh, on line 41, about the GIS staff and database, the other thing I
255 don't want to say specifically, but we had noted that we didn't have the underlying zoning for
256 UN properties it was in a document from 1970 or so we didn't necessarily have that formalized
257 and I had suggested that maybe that's something that could go into our GIS parcel database. But
258 I guess there's an open question of I want to just say that thing but there's an open question of is
259 there information that we have internally that would do well to be attached to the parcel database
260 in the GIS system. So maybe that's a broader question for the staff to review and consider.
261 Because this is about land use development, and I guess it's just sort of like a general review of
262 the GIS database to make sure there isn't other stuff we could put in there. Does that make
263 sense?

264 Commissioner Silverman: Will repeat your line number again please?

265 Chair Hurd: I'm looking mostly at line 141.

266 Commissioner Silverman: Ok.

267 Chair Hurd: So basically, what brought this up is the fact that there is an underlying zoning for
268 UN properties, but it may not be in an easily accessible place for people to find it. Maybe think
269 about is there other information maybe in old documents or other places that would be better
270 suited to be attached to the parcels on GIS database? So again, it's more of a comment than a
271 direction and as always it depends on staffing. Otherwise, it is a thorough, and full and busy
272 work plan. And I'm hoping you get the staff so you can make some motion on this. Alright, let's
273 go around the horn. Have we received any public comment on this item? Miss. Dinsmore or
274 Director Gray?

275 Miss. Dinsmore: We have not.

276 Chair Hurd: We have not, ok. I do not see any public on the meeting, so I'll close the public
277 comment. Any last thoughts from people on the work plan?

278 Commissioner Silverman: Very well done and it's evolved into a very nice document.

279 Chair Hurd: I would agree, it's clear.

280 Commissioner Silverman: Yes, and I think it truly reflects the amount of plates that the Planning
281 area has in the air at any one time.

282 Commissioner Wallace: This is Commissioner Wallace; I had a question. What is our process?
283 This is the first time I've been on this end of the work plan. So, will this be coming back at a
284 future meeting with our input? Are we going to be, well what's the process?

285 Chair Hurd: So, Director Gray, is there a date that this has to go to Council?

286 Director Gray: So, it I'd have to rereview the ordinance, but it says it has to be viewed and
287 approved by the Planning Commission. And then out of courtesy has gone to council and that
288 has evolved into Planning staff making a report to Council. Historically, before I started, it was a
289 consent agenda item and then some Council members wanted a report and have input into it; and
290 then it became a reporting item. And again, the last time I reported on it, there was discussion on
291 making it a consent agenda item again. And then if Council wants to discuss it, they can pull it
292 off of the consent agenda to discuss it. I'll triple check the ordinance, I don't think it has to be
293 reported but in general the process is that this would come back to Planning Commission next
294 month for review and that would be an action item for approval and the report and that would go,

295 the annual report on the 2021 workplan would go with it. Then that is reviewed and approved by
 296 the Planning Commission as well. And then that goes into a package to Council.

297 Chair Hurd: Ok.

298 Commissioner Wallace: Ok, so yeah sorry, I just wanted, I mean I understand that we want to get
 299 this to Council before they begin their budget considerations because some of this could have
 300 budgetary impacts and I know it was always something I looked at in consideration of. Of a
 301 budget. So, I just wanted to make sure that we have enough time to do that. But my preference
 302 would be you know I didn't know if there was a plan to vote on it tonight, but my preference
 303 would be for it to come back at our next meeting so that we have some further time to think on it.

304 Chair Hurd: Ok.

305 Director Gray: Commissioner Wallace, and that would certainly be enough time to get the
 306 Council if it comes back to, that would be my preference as well. Come back to Council, excuse
 307 me the Commission, finalized and then we can turn it around and put it on the next consent
 308 agenda, with the memo saying if Council would like to discuss it, we would be happy to at a
 309 future meeting. So, it would have that information to give them a final vote on their budget.

310 Chair Hurd: Ok, so no I like that so that we have some time to update this with the comments
 311 and then we do a last read, approve, or discuss approve and then we'll move on. Ok.

312 Commissioner Silverman: Chairman?

313 Chair Hurd: Yes, Commissioner Silverman?

314 Commissioner Silverman: I've got a recollection that there is an October reporting date
 315 somewhere that I read. I don't know if it's in the code or not, for this report from the Planning
 316 Commission and there was mention of the Council debating and discussing this and being
 317 involved in the process and I believe the last time that happened the Commissioners made it very
 318 clear that this is our document to Council it's not for their deliberations as to what should be on,
 319 what should be off, and wordsmithing. So that needs to be made very clear.

320 Chair Hurd: Yeah. Ok. Alright so, I think that means we don't need to vote tonight, since it is
 321 just being reviewed and is going back. Am I correct in that Paul, or sorry Solicitor Bilodeau?

322 Solicitor Bilodeau: I had no idea who this Paul guy was.

323 Chair Hurd: I know. I'm trying to be better about titles and not first names just to keep everyone

324 Solicitor Bilodeau: Yes, Mr. Chairman I think you're correct tonight was just more where
 325 everyone gets a chance to make their comments and it gives staff the time to incorporate these
 326 comments into the document for the Commission's final consideration at the October meeting.
 327 So, I think we're fine with the comments that have been made tonight.

328 Chair Hurd: Ok, awesome, yay moving on.

329 Director Gray: Chairman Hurd, I just (inaudible) code prevision and I'll certainly include that in
 330 the next report for the October meeting. So, it's (inaudible) work program section 2-87 in the
 331 code...before October 1st of each year the Planning Commission shall prepare a program for the
 332 coming fiscal year said program to include these items to be studied by the Planning
 333 Commission for the next 12 months and the necessary Planning Commission expenses to cover
 334 the program. The program shall then be submitted to City Council who shall then review the
 335 program and recommend to the city manager those parts of the program deemed necessary for
 336 fulfillment by the Planning Commission. City manager shall provide the necessary funds for
 337 these parts of the program approved by the City Council for inclusion in the budget all contracts
 338 (inaudible) approved by the Planning Commission program shall be answered in total by the city
 339 manager with approval from Council. So, I think the Council has can have input on when the
 340 Planning Commission is asking for money. I take (inaudible) that.

341 Chair Hurd: Ok, so that says October 1st.

342 Director Gray: Frankly, we've never made that due date.

343 Chair Hurd: Ok

344 Director Gray: (inaudible) it's always been, but we've never made that date.

345 Chair Hurd: Great so we're ok. Alright, well that takes us to our informational items, starting
346 with the Planning Director's report.

347 **4. Informational Items. (These items are for informational purposes only)**
348 **(Information)**

349 **a. Planning Director's Report (5 minutes)**

350 Director Gray: Let me pull up (inaudible) ok. So, let's start with the projects that went and are
351 going to Council on August 9 the project major subdivision with site plan approval for 268 East
352 Main Street had a second reading on August 2nd and there was a I believe the vote was
353 unanimous approval of that project. If you recall, the Planning Commission had recommended
354 that the applicant revise the plan by making the front setback meet code and it did not need
355 parking waiver. And so, they revised the plan they did push it back 20 feet, they went to council
356 with that, and it was reviewed and approved. Also, for that night there was a second reading for
357 the ordinance to make some code revisions to the parking waiver ordinance and that was
358 approved without any incident and towards that end that project the 132 136 is looking to be
359 scheduled to go to council for the ordinance change at the last meeting in October for a hearing
360 for the reconsideration of that project, further revised (inaudible). Yes, that's in October, so
361 moving on. So, on October 16th, was the Planning and Development Department that includes
362 the land use division, the code division, and parking division tapestry of revisions. We were the
363 first hearing we were the first budget presentation and so one of the things I brought up from last
364 year, because I thought it was worth a discussion, certainly Kent County does it, New Castle
365 County for sure, the Planning Commission stipend, the intent from my perspective is to try and
366 diversify the board or the Commission and the 100 dollar stipend was a way to defray costs
367 associated with serving on the Planning Commission, so that would include babysitting,
368 transportation costs, and it was a similar conversation to last year and it was not, three council
369 people were in favor of it and four were not so that revision is not going to move forward. The
370 rest of the items I spoke about the Planning division component were approved and that includes
371 the funding of the new position of the Deputy Planning and Director and the two temporary entry
372 level Planner Positions as well as well Council also appropriated funding for the Charrette and
373 revisions of the BB (inaudible) and also we (inaudible) this is no for final approval just for input,
374 I just have in there that I was consulting the budget to continue to paying AECOM which is
375 helping us with the Transportation Improvement District and then some funding for a consultant
376 to help us with the Accessory Dwelling Ordinance and the Inclusionary Zoning Ordinance.
377 Those two ordinances we have in our work plan and that is prior to matrix that was approved by
378 Council two years ago, on the recommendations from the Rental Housing Work Group. And we
379 are starting those initiatives this coming year and I feel that those completely new ordinances and
380 the city would benefit from (inaudible) expertise and lessons learned from ordinances such as
381 these in other areas of the country. So, as of now was received favorably, I wasn't told not to.
382 Ah, August 23rd, the Deputy Planner position ordinance was heard, the second reading of that
383 was approved, by 5-1 I think we were missing a Council person, maybe it was 6-1. TID
384 presentation that was a review and recommendation of service standards and transportation
385 improvements, that was also approved as well as presented there was a discussion by Council,
386 that was our second and final in person Council meeting, so it was good discussion. September
387 13 is coming up and that is the first reading for the Comprehensive Plan changes that you all
388 recommended approval on last month and the second reading is October 11th. Upcoming
389 September 27 is the 1325 Cooches Bridge Cell Tower and the proposed annexation on Elkton
390 Road and Otts Chapel Road euphemistically called the Wawa, part of the discussion. So, the
391 next Planning Commission meeting, we were looking at I believe I mentioned this last meeting,
392 the 500 and 700 Creekview Road, otherwise known as The Mill Project and we're having a SAC
393 meeting tomorrow I don't believe it's ready to go the applicant gave us the revisions, but they
394 only gave us the responses to the SAC comments, we did not receive a plan revision. And it is
395 now, we have now crossed the deadline to give us time to review but we reached out to the
396 applicant and consultant today to figure out where that is. We have another we're also working
397 on, oh meeting, and then there are a couple other projects I'd like to mention. Put it on your

398 calendar and we'll do a save the date, on October 19th, 2021, and 7:00 this will be a virtual
399 meeting of course, that will be on the CIP that is our annual CIP meeting and presentation to the
400 Planning Commission, so Finance is working on getting that together. And we're working on
401 scheduling our next training; our next training is on site plan approval we don't have a date yet
402 from Max Walton, he and I have been talking. Some other happenings, we've been working
403 with the TID team to do some outreach at the upcoming Community Day which as of right now
404 it is still on so and that is September 19th so that is coming up. So, we're excited about that,
405 we're going to have a stand and talk to (inaudible) The RFP on the Charrette and revisions to the
406 BB and RE zone was advertised for three weeks with a due date of the 21st of this month. And a
407 Council hearing is set for October 18 so we're hoping we get some good applications in; we sent
408 that RFP for live and hopefully we get some well we got some good questions from some
409 applicants and consultants so far so hopefully we get some good applications. The two planner
410 positions were posted for two weeks, alas we only had zero applicants for the Community
411 Planner position, and then we have a couple of applicants for the Planner position. So, we're
412 hoping to get more applicants with the extension of the posting and here again we have posted
413 that online. I mentioned the Unicity we are revising the route starting October 4th for two
414 reasons; one we are cutting out stops that haven't been used in a long time and two we are
415 including stops for the Bloom Energy folks, getting them from the transit station to employment
416 and back and that was a request from the DelDot secretary's office. So, hopefully we'll get some
417 more ridership from there and we've been busy advertising the new route. We've gotten two new
418 land use projects since we met last, they will both be of interest. The one is a major subdivision
419 and rezoning, at 339, 341, and 349 East Main Street that is for a six-story mixed use apartment
420 complex and that is posted on our website, or it will be posted, if it's not there yet it will be there
421 soon. And then we also just in received a major subdivision, rezoning, special use permit,
422 parking waiver, and comprehensive plan development for 30 South Chapel also known as the
423 Burger King site. So, there's two buildings being proposed on that, one the firehouse and two a
424 seven-story apartment complex with parking on the first floor. Just got it in, and we're looking
425 at it. And again, that will be posted on the website as well if you want to take a look at it.
426 Projects in house, we've got a bunch of projects in house that we're waiting to hear back from.
427 We met with the applicant's representative from 10 and 16 Benny Street and that is coming close
428 to getting a final set of revisions for us to look at still haven't heard back from the Chik-Fil-A
429 folks, and there's a project up on Capitol Trail that might be coming in. And we've not had a lot
430 of inquiries as of late regarding development and potential (inaudible) but nothing (inaudible) so
431 I'm kind of going on and on. The property maintenance guys have been very busy and yes,
432 Commissioner Silverman?

433 Commissioner Silverman: Go back through the status of the Chik-Fil-A application, where is it
434 in process?

435 Director Gray: Sure, we have sent them SAC comments I can get you when we sent them SAC
436 comments it was well over a month ago, so the ball is in their court.

437 Commissioner Silverman: Thank you.

438 Director Gray: You're welcome.

439 Chair Hurd: Alright, thank you Director Gray, Planner Fortner, talk to us about the
440 Comprehensive Development Plan V update.

441 **b. Comprehensive Development Plan V Update (5 minutes)**

442 Planner Fortner: Hi, how're you doing, well we met on August 26th and the Committee reviewed
443 the Parks and Recreation Chapter, Public Utilities, Environmental Quality, and Economic
444 Development. Still a lot of work to do especially on Public Utilities and Environmental Quality,
445 we just need to coordinate with public works on that. We are the next meeting will probably be
446 in October we're using September to just kind of get all the revisions set to kind of come up with
447 our first complete draft that the committee will review and then we will send it to through the
448 State's PLUS process, the Planning Land Use Services and that's when all the state departments
449 will review the documents and give us comments and then of course the Committee will review
450 those comments, incorporate those comments and then pass it along to the Planning Commission

451 when they're ready and that's the general timeline, we're looking towards November or
452 December for Committee wrapping up that work.

453 Chair Hurd: Great thank you. Moving to item 5, new business.

454

455 **5. New Business. (Introduction of new items for discussion by City Staff or Planning**
456 **Commissioners. New items requiring public notice will be added to a future**
457 **agenda.) (Information) (5 minutes)**

458 Chair Hurd: I don't think we have anything currently; I do know Director Gray there were a
459 couple of documents I kept trying to send you that were getting bounced by the system. I don't
460 know if that was why the emails were getting rejected, because they had attachments so. I might
461 try again but just a heads up on that. And I'll just mention because I forgot to mention in the
462 Chair's remarks. I was reappointed on the 23rd on August, or at least confirmed I guess for
463 another three years. So, whoo. Any other new business that Commissioners wish to bring to the
464 Commission? Alright seeing none, we'll move on to General Public Comment.

465 **6. General public comment. (Regarding items not on the agenda but related to the**
466 **work of the Planning Commission) (Information) (5 minutes)**

467 Chair Hurd: Miss Dinsmore has anyone submitted anything for General Public Comment?

468 Miss Dinsmore: No Chair Hurd, they have not.

469 Chair Hurd: Ok. And there are sadly no public at our meeting tonight, sadly. So that closes us
470 for General public comment. And that brings us to the end of our agenda, and so we are
471 adjourned.