

**MINUTES
CITY PLANNING COMMISSION
July 16, 2019**

Present: Desmond Baker (Acting Chair), Joseph Chickadel, Anthony J. Hill, Lloyd Budd and Tanya Washington (Commission Members); and Gwinneth Kaminsky, Timothy Lucas, Matthew Harris, Gemma Tierney and Dorien Snyder (Planning).

The meeting was convened at 6:00 p.m. by Desmond Baker.

REGULAR MEETING

A. Approval of the minutes of the June 18, 2019 Planning Commission Meeting.

Mr. Baker asked the Commission to make a motion on the minutes of the June 18, 2019 City Planning Commission meeting. Mr. Hill made a motion to approve the minutes, and Mr. Chickadel second the motion. All members voted to approve the minutes.

B. NEW BUSINESS

Resolution 09-19; MS-19-02: Subdivision application from McBride & Ziegler, Inc., on behalf of Commerce Properties, LLC, which proposes to subdivide one parcel into two parcels.

Mr. Timothy Lucas from the Department of Planning and Development presented the report for Resolution 09-19, MS-19-02, which proposes to subdivide one parcel into two parcels. This presentation was accompanied by a series of slides. Mr. Lucas stated that the applicant's proposal is considered a major subdivision, and is subject to review by the Planning Commission, because the site is larger than 2.5 acres and is in a regulatory floodplain.

Mr. Lucas stated that the site is in South Wilmington, and is generally bounded by Commerce Street, Dock Street, and the Christina River. It is comprised of one existing 29.31-acre parcel. The entire site falls within the W-1 (Waterfront Manufacturing) zoning district. Mr. Lucas added that the subdivision plan proposes to subdivide a 2.9-acre portion of the site to create a new lot. The proposed new lot will contain the only structures on the site. No new construction is proposed.

Mr. Lucas said that the subdivision plan was circulated to City Departments for comment, and that the Department of Planning and Development provided the following comment:

- The Department of Planning and Development requests that a note be added to the plan regarding the site's brownfield designation.

Mr. Lucas concluded by stating that the Department of Planning and Development recommends approval of Resolution 09-19, and that the Departmental comment presented must be incorporated into the final plan submission prior to recordation.

Mr. Baker asked Commission Members whether they had any questions or comments. Mr. Hill asked if Commerce Street runs all the way to the Christina River and is two-way. Mr. Lucas said yes.

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Mr. Chickadel asked, as it relates to the buildings located on the divided parcels, what are they there for, are they relative to the size of the parcels and do they meet FAR or other requirements. Mr. Lucas replied that there are three concrete and/or metal warehouse buildings on the site. He noted that the City Zoning Manager reviewed the plan and approved it for conformance with Chapter 48, Zoning Code, and it does meet all setbacks and area ratio requirements.

Mr. Baker asked whether there were any provisions for fire hydrants on this property. Mr. Lucas stated the City Water Engineer reviewed the plan and did not have any comments; therefore, most likely it meets all the current requirements and reiterated that they are not proposing any construction. Mr. Baker asked if there were two buildings on Lot 2. Mr. Lucas said yes and that those would be required to meet all fire regulations. Mr. Baker asked what the proximity of the fire hydrants was to these properties. Mr. Lucas stated that the Delaware State Regulations Code requires that a fire hydrant be located within 300 feet of all properties. Mr. Baker asked if the Fire Marshal's Office reviewed the plan. Mr. Lucas said the Fire Marshal's Office did review the plan and indicated that they had no comments.

Mr. Budd asked if there had been any consideration of environmental issues at this address. Mr. Lucas said at the time of any future development, any environmental issues would be addressed; however, not for the sake for land division.

There being no additional questions, Mr. Baker asked for a motion to approve Resolution 09-19, MS-19-02: Subdivision application from McBride & Ziegler, Inc., on behalf of Commerce Properties, LLC, which proposes to subdivide one parcel into two parcels. Mr. Hill made a motion to approve Resolution 09-19 and it was second by Mr. Chickadel. With all members being in favor, Resolution 09-19 was approved.

Resolution 10-19; MS-19-03: Subdivision application from VanDemark & Lynch, Inc., on behalf of Wilmington UDAG Corporation, which proposes to subdivide two parcels into newly reconfigured parcels.

Mr. Timothy Lucas from the Department of Planning and Development presented the report for Resolution 10-19, MS-19-03, which proposes to subdivide two parcels into two newly reconfigured parcels. This presentation was accompanied by a series of slides. Mr. Lucas stated that the applicant's proposal is considered a major subdivision, and is subject to review by the Planning Commission, because the site is larger than 2.5 acres and is in a regulatory floodplain.

Mr. Lucas stated that the site is located on the East 7th Street Peninsula and is generally bounded by East 7th Street, Marsh Lane and the Christina River and is 8.13 acres in size and is the former site of the Christina Marina. He said that the former Marina Impoundment area still exists. He further stated that the site is comprised of two existing parcels, 1A and 2A/2B and that Parcel 2A/2B is noncontiguous and is separated by East 7th Street. Mr. Lucas mentioned Parcel 1A is zoned W-4 (Waterfront Residential/Commercial), and that Parcel 2A/2B is split-zoned: the 2A portion of the parcel located south of East 7th Street is zoned W-4; the 2B portion of the parcel located north of East 7th Street is zoned W-3 (Low Intensity Waterfront Manufacturing/Commercial Recreation).

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Mr. Lucas said that the subdivision plan proposes to relocate the property line dividing parcels 1A and 2A/2B. Mr. Lucas also mentioned that the entirety of the impoundment area, currently part of parcel 1A, will become part of the reconfigured Parcel 2A/2B. Parcel 2A/2B will remain noncontiguous and no construction is proposed by this plan.

Mr. Lucas reported that the subdivision plan was circulated to City Departments for comment and that the following comments were provided:

- The City's Transportation Engineer reviewed the plans and provided the following comment:
 - For the proposed Parcel 2A, the existing fence and access gate are located within the public right-of-way of E. 7th Street (70' wide). Future owners should work with the Department to obtain an encroachment permit.
- The Department of Planning and Development requires the following revisions:
 - Correct the East 7th Street address as shown on the plan's title from "1126" to "1136" to match the official county address.
 - The building setback line along the Christina River is measured from the water's edge. If the shoreline and parcel boundary do not coincide, the line should be adjusted on the plan accordingly.
 - The official New Castle County address for parcel 2A/2B is "0 East 7th Street" and should be added to the Plan Notes #2, the Property Area Chart, and beneath the plan's title.
 - Parcel 2A/2B is split zoned. W-3 Zoning District information should be added to the Plan Notes #6.
 - Add a note to the plan regarding the site's brownfield designation.
 - The total area of the site listed in the Plan Notes #7 does not match the Existing Area or Proposed Area as listed in the Property Area Chart. It appears that the Note #7 total may have left out parcel 2B.

Mr. Lucas stated that there is one additional planning recommendation to be briefly addressed, which will not affect the Department's approval of the final subdivision plan. Because future development of the site is subject to review for conformance with the City's Waterfront Development Standards, it is recommended that the UDAG Corporation work with the City's Planning and Law Departments to establish a public access easement through the site as is recommended on the Waterfront Development District Standards Map B, Recommended Easements.

Mr. Lucas concluded that the Department of Planning and Development recommends approval of Resolution 10-19, MS-19-03, which recommends approval of the preliminary major subdivision plan for 1136 and 0 East 7th Street, as submitted by VanDemark & Lynch, Inc., on behalf of

Wilmington UDAG Corporation and that all comments to the subdivision plan must be incorporated into the final submission prior to recordation.

Mr. Baker asked Commission Members whether they had any questions or comments. Mr. Hill asked if the Zoning Manager had any comments on whether a noncontiguous parcel was still going to be in existence and what his thoughts are on the ability to build on the property and are there regulations allowing for that. Mr. Lucas stated that the Zoning Manager reviewed the plan and was fine with leaving the parcel noncontiguous and that he did not specifically comment as to his reasoning.

Mr. Chickadel asked if a large structure were to be placed on Parcel 2A, whether the noncontiguous parcel could be developed with accessory parking and how would the FAR be calculated. Mr. Lucas said it could function as accessory parking regardless of whether it was adjacent or not. There are no specific setback requirements in waterfront districts that aren't directly adjacent to the water, so that would directly affect the developable nature of the parcel and any FAR regulations would still apply to both parcels.

Mr. Baker asked if the setback had been taken into consideration when the plans were prepared for erosion control. Mr. Lucas stated that the setback begins from the shoreline, it exists wherever the shoreline is, and it is not a fixed setback. It is not clear from the plan where the shoreline is; the only designation is the elevation.

Mr. Baker asked if drainage issues have been taken into consideration for whomever is going to develop on the property and whether there is a floodplain designation for this property. Mr. Lucas stated yes. Ms. Kaminsky added that the 7th Street Peninsula Master Plan is underway and is addressing issues such as flooding, environmental concerns and infrastructure on the Peninsula and that this would help to guide all the development moving forward.

Ms. Washington asked to be recognized and noted as present.

There being no additional questions, Mr. Baker asked for a motion to approve Resolution 10-19, MS-19-03: Subdivision application from VanDemark & Lynch on behalf of Wilmington UDAG Corporation, which proposes to subdivide two parcels into two newly reconfigured parcels. Mr. Hill made a motion to approve Resolution 10-19 and it was second by Mr. Budd. With all members being in favor, Resolution 10-19 was approved.

C. OTHER BUSINESS

Status Update – Wilmington Bike Plan Presentation

Ms. Gemma Tierney introduced herself to the Commission Members and shared that she and Mr. Matthew Harris of the Department of Planning and Development will be presenting an overview of the City of Wilmington's Bike Plan to the Commission Members. Their presentation was accompanied by a series of slides. Ms. Tierney stated that the Bike Plan is an update to

Wilmington's first full bike plan, which was created in 2008 by WILMAPCO. Ms. Tierney further stated that the update process began in 2017, following discussions by Bike Wilmington. She described Bike Wilmington as an interagency group that includes representatives from the City, DelDOT, New Castle County, WILMAPCO, and several nonprofits, which meets to discuss design and advocacy related to biking in and around Wilmington. Ms. Tierney said that the group saw a need for an updated plan to respond to conditions that had changed since the last plan. Ms. Tierney stated that the updated plan provides a greater level of specificity than the 2008 plan, particularly regarding the proposed citywide bike network, and implementation steps.

Ms. Tierney said the plan places greater focus on low-stress on-street bike infrastructure as opposed to recreational trails, and that this focus is intended to better address biking for transportation. Ms. Tierney said that biking for transportation and for recreation are both good for individual health and fitness but that biking for transportation tends to have a greater impact than recreational biking when it comes to a variety of broader, societal benefits. She said that, in addition to personal health, these benefits include promoting equity and opportunity by providing an affordable and convenient transportation option, reducing the impact of vehicle emissions on the environment, and reducing traffic congestion. Ms. Tierney described how the staff of the Department of Planning and Development conducted a variety of types of public outreach, primarily including presenting information on the planning effort and conducting a public survey to inform the plan's priorities.

Ms. Tierney said that the plan is built around an overarching vision and three goals and that each goal has a set of recommendations to contribute to that goal. Ms. Tierney stated that Goal 1 focuses on the creation of a low-stress bike-network; Goal 2 focuses on education and advocacy about biking for transportation; and Goal 3 focuses improving access to biking by helping to make it affordable, safe, and convenient.

Ms. Tierney discussed the citywide bike network map that was developed by Planning staff and Bike Wilmington. She said that the map shows routes that are already existing, as well as projects that are currently in the pipeline and planned routes, both of which are needed to create the network in the short term. She said that the map also includes proposed routes, which are proposed to create a better network in the long term. Ms. Tierney further discussed how the map also specifies the type of facility that is most appropriate for a given location. The facility types include separated pathways, standard bike lanes, protected or buffered bike lanes, and bike-friendly streets.

Finally, Ms. Tierney discussed how the Planning staff, in conjunction with the bike plan update process, selected five corridors for which more detailed design concepts were developed for low-stress bike facilities. She said that the concepts will soon be available on the Bike Wilmington webpage.

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Mr. Harris introduced himself to the Commission Members. Mr. Harris described how the City of Wilmington's Bike Plan was coordinated with various planning efforts including the "Blueprint for a Bicycle-Friendly Delaware: A Statewide Policy Plan" and the updated New Castle County Bike Plan. Mr. Harris described how this effort was coordinated with WILMAPCO, who is leading the update of the New Castle County Bike Plan. He said that the City's bike planning effort incorporated the project prioritization process that is outlined in the Statewide Plan. Mr. Harris stated that the project prioritization and funding process outlined in that Plan consists of municipalities submitting projects to WILMAPCO, which prioritizes the projects based on several criteria and then submits them to DelDOT to be funded through the Statewide Bicycle and Pedestrian Program.

Mr. Harris listed the Blueprint's prioritization factors as follows:

1. Connects people to destinations
 - a. Public transportation and transit centers
 - b. Employment
 - c. Existing parks and trails
 - d. Schools
 - e. Community Center
2. Provides separation from traffic
3. Turns a stressful route into a comfortable route

Mr. Harris further stated that many of the City's bicycle routes would connect people to the institutions listed under Factor #1. Mr. Harris described separation from traffic as an arrangement where bicycles have dedicated space to travel in, so that they are physically separated from motor vehicles.

Mr. Harris showed a map of the network of State-maintained streets in the City of Wilmington and said that many of these State-maintained roadways are barriers to bicycling. He said that DelDOT maintains and controls these streets and that the City should coordinate with DelDOT to make these streets safer for cyclists. Mr. Harris further stated that projects on these State-maintained roadways will be submitted to WILMAPCO to be prioritized for funding through the Statewide Bicycle and Pedestrian Program.

Mr. Harris showed a chart from the bike plan, which he described as outlining the plan's proposed prioritization for submitting projects on State-maintained streets for funding through the Statewide Bicycle and Pedestrian program. He noted that the first project listed is Walnut Street due to its connectivity to the Wilmington Train Station and the new transit center that is currently under construction.

Mr. Harris showed another chart from the bike plan, which he described as outlining implementation priorities for City-maintained roadways. Mr. Harris stated that the prioritization list was developed through working with the Department of Public Works, Community Partners, and the Department of Planning and Development. He said that the first project on the list is the installation of bike lanes on the west side of the City and bike parking on Union Street and Market

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Street. He noted that the bike parking will be important as the City explores the Bike Share Program. Mr. Harris stated that the proposed bike parking is to be installed in the public right-of-way.

In conclusion, Mr. Harris reviewed some of the plan's policy recommendations, which include the adoption of a Complete Streets policy; exploring the benefits of adopting a Vision Zero policy; policies to encourage the installation of more bike parking; a coordination policy; a public outreach policy; and a policy for maintaining bike facilities.

Mr. Baker asked the Commission Members whether they had any questions or comments. Mr. Chickadel asked whether the bike facility that the plan proposes on Delaware Avenue would be an actual bike lane and require parking modifications, or if it would be a designated bike path. Mr. Harris said that Delaware Avenue is designated as a bicycle route on the Statewide Bicycle Route Map. He further stated that Delaware Avenue was identified as a potential connection in the City network that should be further investigated. He also noted that a lot of project proposals would be postponed due to the I-95 project.

Ms. Washington asked whether adding a bike lane on Delaware Avenue would require the removal of traffic lanes. Mr. Harris said that this was a possibility, and that traffic lanes are often removed to accommodate bike lanes, but that any decision relating to Delaware Avenue would be coordinated with the Mayor's administration and studied by DelDOT to determine potential traffic impacts. Mr. Harris said there would be a sacrifice for cars, but it would provide space for bikes.

Ms. Tierney explained that Delaware Avenue and a portion of Pennsylvania Avenue were selected for the development of the more detailed corridor concepts that were developed in conjunction with the bike plan update. She said that these streets, unlike the outer portion of Pennsylvania Avenue, were determined to be less feasible for near-term improvements. She said that this is why the bike plan's network map includes the extra "proposed" category, to show how the network could one day be improved.

Ms. Washington asked if the State will install bike lanes on State-maintained streets before the City installs them on City-maintained streets. Mr. Harris stated that this would be a political determination, but that DelDOT would coordinate with the Planning Department.

Mr. Budd asked if a bike lane will be installed on Baynard Boulevard and how will it affect the traffic pattern. Mr. Harris stated that Baynard Boulevard was also one of the corridors for which a corridor concept was created, and that national standards for traffic volume indicate that it could have one lane of traffic in each direction with bus pull-offs in the bike lane so that buses would not stop in the travel lane. Mr. Harris reported that he and Ms. Tierney conducted studies on Baynard Boulevard regarding parking and developed solutions that would maintain the parking on the 1800 and 1900 blocks for the churches. He said that, above 20th Street, every house has a driveway or off-street parking, so the removal of parking on these blocks would not be a major sacrifice. He said that Baynard Boulevard could be a great connection that could connect people from the northern part of the City to downtown and Brandywine Park. Ms. Tierney added that the

traffic volumes on all the corridors for which corridor concepts were developed were appropriate for the proposed concepts according to national standards.

Ms. Washington asked whether Planning staff had looked closely at the area of Baynard Boulevard between Concord Avenue and Miller Road because of the parking on both sides. Mr. Harris stated that the plan proposed a shared space for cars and bikes north of Concord Avenue, because a bike lane could not be installed due to the bumpouts. He also noted that the parking is much more heavily used on this portion of Baynard Boulevard and that this area is much less stressful because so much traffic leaves Baynard Boulevard at Concord Avenue.

Mr. Baker asked about the time frame for implementation. Mr. Harris stated that the schedule that the City can control is for projects that would be implemented by the Department of Public Works, and that a lot of the projects proposed on State-maintained streets will be postponed until the I-95 project is completed. He said that this is because there will be too much happening during the I-95 project, and that they do not want to install facilities that wouldn't be used or would annoy people during the I-95 project. Mr. Harris also said that the plan does outline fiscal years for the implementation of projects on City-maintained streets and the installation of bike parking. He noted that the Department of Public Works does not currently develop or implement bike infrastructure, so the plan proposes small steps for them to implement. Ms. Tierney explained that they decided to prioritize the installation of bike facilities in areas of the City that had higher rates of bike crashes because they were viewed as in greater need of safety measures. Mr. Harris said that if the City stays on track with the plan's timeline, they would complete the projects to be implemented by the Department of Public Works by Fiscal Year 2024. Ms. Tierney said that the bike plan also proposes progress measures, one of which includes the goal of submitting a couple of projects every year to the "Blueprint" prioritization process. Mr. Baker noted that the architecture community may be interested in providing bike facilities because it can help them gain LEED certification, and suggested to the presenters that they share this plan with the architecture community. Mr. Chickadel concurred, and stated that it would be very worthwhile to reach out to local developers to discuss adding bike parking in new development projects.

D. ADJOURNMENT

Mr. Baker called for a motion to adjourn the meeting. Mr. Hill moved to adjourn, and Ms. Washington second the motion. All members being in favor, the meeting was adjourned at 6:45 p.m.