

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on June 23, 2014 at 4:00 p.m. with Chairman Hutchison presiding. Members present were Mr. Dixon, Mr. Perza (arrived at 4:12 p.m. and departed at 4:22 p.m.), and Mr. Keller.

AGENDA ADDITIONS/DELETIONS

Mr. Dixon moved for approval of the agenda as presented, seconded by Mr. Keller and unanimously carried.

Concerns Related to Permit Parking in Front of Wesley Pre-School and Education Building

During the Committee meeting of May 12, 2014, members considered concerns of the tenants of the Wesley Church Education Building and the Wesley Pre-School regarding the allocation of permit parking in the “A-Street Lot”, which was previously free two (2) hour parking. After much discussion, the Committee remanded the matter back to staff to meet with Wesley Church to consider the needs and assessments that need to be factored in regarding the Church, its school, and its mission and that staff be authorized to proceed with intermediate permit spot adjustments.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a map of the Public Parking Plan - A-Street Lot (*Attachment #1*), explaining that the lot consists of 20 parking spaces: 13 designated for permit parking, six (6) for two (2) hour free parking, and one (1) for handicapped parking; and four (4) additional two (2) hour free parallel spots on the Loockerman Street side of the median. She reminded members that the original plan was to designate 13 parallel parking spaces on Loockerman Street between State and Federal Streets as permit parking, noting that there were on-street parking spaces further west on Loockerman Street adjacent to the building owned by Barros, McNamara, Malkiewicz, and Taylor, P.A. and that five (5) to eight (8) of the permit spaces could be shifted to that area. However, she stated that Barros, McNamara, Malkiewicz, and Taylor were not in favor of such a plan, explaining that their parking permit area had changed several times during the past few years. Originally, it was located in the parking lot where the new Dover Public Library is now situated, then moved to the North Street Parking Lot, then to Bradford Street, and then to their current location in front of the Wesley Education Building. It was her sense that the law firm was also concerned that no one had included them in the discussions of parking changes.

Mrs. Townshend stated that she had met with Mr. Dave Casto, Chair of Trustees, Wesley United Methodist Church (UMC), and discussed the possibility of adding three (3) more permit parking spaces to be located on Loockerman Street, on the southeast corner of State and Loockerman Streets, and to allow Wesley UMC to have three (3) additional permits, which would result in a total of 16 permit parking spaces, all to be considered A-Street Lot permits. She stated that she had attempted to contact Mr. Malkiewicz’s office regarding this possibility but was unsuccessful; however, she assured members that she would be meeting with them later in the week.

Mrs. Townshend explained that the allocation of these parking areas would be “a temporary fix” through the end of the calendar year and recommended that the City request that the Downtown Dover Partnership (DDP) find additional parking spaces to add to the inventory by expanding or

leasing parking lots. She stated that the City could then absorb the permit parking spaces back into the main inventory and allow the A-Street Lot to become public, on-street parking, as it had been in the past.

Responding to Mr. Hutchison, Mrs. Townshend stated that Barros, McNamara, Malkiewicz, and Taylor, P.A. had 13 parking permits and, after talking with Mr. Casto, she felt that the three (3) parking permits would be sufficient for the Church.

Mr. Mike Malkiewicz, Barros, McNamara, Malkiewicz, and Taylor, P.A., 2 W. Lookerman Street, indicated that his paralegal had always handled parking permits for the law firm and he was aware that the City had contacted the firm last week; however, he had not discussed that conversation with his paralegal. He stated that several changes had been made to their permit parking over the last few years and it was their understanding that the last designation was to be permanent, which was relayed to the employees of the firm. Mr. Malkiewicz advised members that there were safety issues involved, explaining that several employees work late in the evening, after dark, and that the street lights were not in operation for a period of time. He requested that the City make no changes to the current parking permits provided for his law firm, noting that the current location was convenient and provided safety, and asked that Wesley Church's needs also be accommodated. Mr. Malkiewicz noted that he had observed that there were several available parking spots on the southeast corner of State and Lookerman Streets that are vacant during the day.

Mr. Casto reminded members that several programs operate out of Wesley Church's Education Building, including the Capital School District's Student Transition to Adult Readiness (STAR) program, The Arc of Delaware program, a clothing closet, Wesley Preschool, etc. He stated that three (3) permit parking spaces would help temporarily until the matter could be resolved, particularly since there will be another program from the Church's District Office moving into the Education Building. He noted that the church had lost 13 spots that they previously had access to.

In response to Mr. Hutchison regarding the possibility of resolving the problem at this time rather than having to make another change in January, Mr. Scott Koenig, City Manager, explained the need to react to changing parking conditions downtown. He did not feel confident that the City could provide a solution at this time that would guarantee that changes would not have to be made on January 1st, unless all involved were pleased with the temporary solution, in which case City Council could request that no further changes be made. Mr. Koenig stated that any additional parking lots or leased parking was likely to be developed west of State Street, since that is where private lots are located that might be available. He explained that staff's proposal was always meant to be temporary and that staff had been working on a reasonable solution; however, he did not feel that all businesses would be able to park exactly where they hoped. Mr. Koenig stated that the building of a central garage was being considered by the DDP. He indicated that staff would continue to move forward with the anticipation that the parking proposal would be a temporary solution, unless, once school begins in September, the businesses affected were to approach the City and indicate that their parking situation and concerns had been resolved.

Mrs. Townshend reminded members that the problem originated in December 2013 when permit sales began for 2014 and it was determined that there were not enough spaces available to renew all the permits. Staff had to act relatively quickly to accommodate long-term permit holders and did not have time to consider leasing other areas.

Mr. Dixon moved to recommend that staff be authorized to add three (3) additional permit parking spaces on East Loockerman Street and to provide three (3) parking permits to Wesley Church, with parking in this area to be re-evaluated in October and, in the meantime, to work with the DDP to expand the parking inventory. The motion was seconded by Mr. Keller and carried by a vote of three (3) yes (Hutchison, Dixon, and Keller) and one (1) no (Perza).

Request for Waiver of Public Street Frontage Requirement - Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section E - Lots (Dover Mall)

During the Committee meeting of May 27, 2014, members considered a request of Simon Property Group, owner of the Dover Mall, L.P. at 1365 North DuPont Highway, for a waiver of the public street frontage requirement. The owner proposed to create three (3) parcels of land from the existing 149.3225+/- acre parcel of the Dover Mall. The property is zoned SC-3 (Regional Shopping Center Zone), and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 3 – Excellent Recharge Area and is located on the east side of North DuPont Highway and south of but not adjacent to Rustic Lane. Members were advised that the Planning Commission recommended approval of the requested waiver, subject to inclusion of the necessary easements listed in the Development Advisory Committee Report. The Committee noted that the applicant was not present, and deferred action on the request until the applicant could be present to answer questions.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that, as proposed, Lots 1 and 2 would not have frontage on a public street; therefore, in order to create lots, without frontage on a public street, which is required by the Zoning Ordinance, a waiver by City Council would be required in accordance with Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section E - Lots.

Responding to Mr. Hutchison, Mrs. Townshend stated that Lot 1 would consist of 53.1704 acres and Lot 2 would consist of 30.7046 acres, and that both lots were owned by the Dover Mall.

Mr. John Paradee, Prickett, Jones, & Elliott, emphasized for the record that the owners were not proposing any residential use as part of this project.

Mr. Gregg Moore, Becker Morgan Group, explained that the plan was to create the two (2) lots to allow consideration of development options. The current proposal was to develop approximately 289,000 sq. ft. of retail expansion in the areas to the rear of the Dover Mall property. He assured members that these subdivisions would be for commercial entities, which would be allowable by the zoning code. Mr. Moore stated that two (2) other lots in the area were previously created through the same type of action by former members of City Council, and explained that these lots were

currently occupied by Boscov's and JCPenney and do not have road frontage. It was his feeling that those requests were approved because the loop road around the Dover Mall is effectively a public access way for the Mall and is protected by easements of the owners that allow that roadway to be maintained as a public access way. Mr. Moore stated that the two (2) new lots would gain a portion of their access from the loop road and approval of the request would not set a precedent, since the precedent had already been set by allowing the Boscov's and JCPenney stores.

Responding to Mr. Keller, Mr. Moore stated that the City would not incur costs for providing public utilities, explaining that sewer options had been discussed with the City and installation of sewers would be developer driven. He advised members that the actual details of the sewer would be shown on any development plan submitted; however, at the City's urging, the studies had been conducted to ensure that there would be no issues with providing sewer to the parcels. Mr. Moore reiterated that all costs involved with the project would be assumed by the developer.

Mr. Keller moved to recommend approval of the requested waiver, subject to inclusion of the necessary easements listed in the DAC Report, as recommended by the Planning Commission. The motion was seconded by Mr. Dixon and unanimously carried.

Update - Dover High School Construction

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that she had written a letter to the Capital School District (CSD), to make sure that construction of the new Dover High School was proceeding quickly and that there was a clear plan to complete all work by the time school starts. Since that letter was sent, she stated that several meetings had been held, including a meeting between the CSD and the Delaware Department of Transportation (DelDOT) regarding the east entrance, west entrance, sidewalks, and High-Intensity Activated CrossWalk (HAWK) signal. Mrs. Townshend stated that the day following that meeting, there was a meeting with CSD and EDiS staff. She also attended an on-site meeting to coordinate the activities of the sidewalk project and the east entrance with the contractors, which was very productive. DelDOT had indicated that each of these projects was equally important and needed to be completed before school starts; therefore, all parties involved need to work together.

Mrs. Townshend stated that the Dover High monthly coordination meeting was held and that the CSD was working with the Delaware Department of Natural Resources and Environmental Control (DNREC) on a "punch list" in regard to sediment and stormwater. Mrs. Townshend indicated that the building was in good shape and the site was coming together and, although there was a lot more work to be done, she had been provided with construction schedules and was being included in updates. In addition, she stated that she and Dr. Michael Thomas, CSD Superintendent, were having a weekly phone conversation so that if any issues arise, they can be resolved immediately. It was her belief that construction would be completed before school is scheduled to open, although she indicated that "it will be close."

Mr. Keller commended Mrs. Townshend for the thorough job she had done regarding this project.

Mr. Keller moved for adjournment, seconded by Mr. Dixon and unanimously carried.

Meeting adjourned at 4:33 p.m.

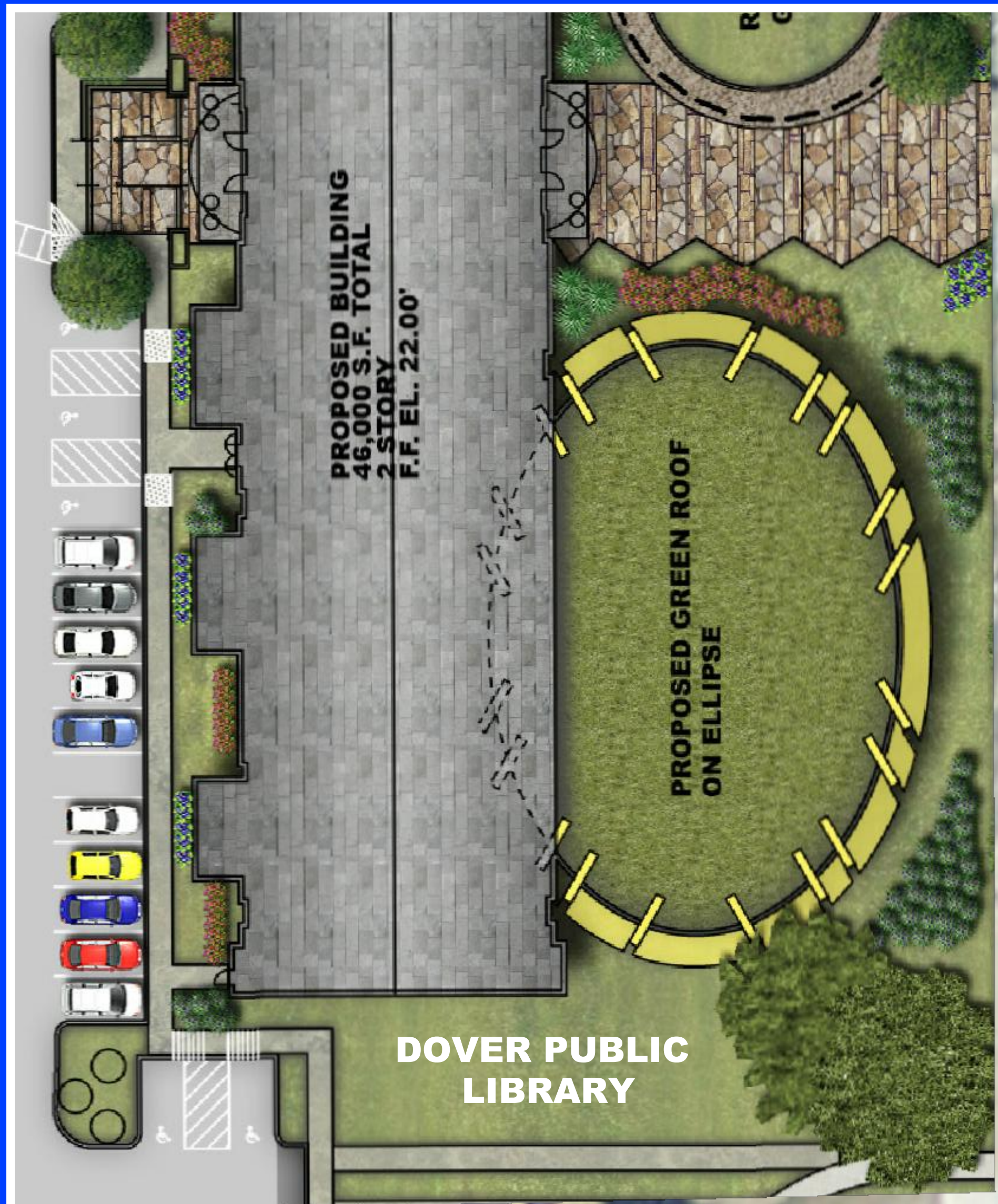
James L. Hutchison, Sr.
Chairman

JLH/JS/jg/dd/tm

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Attachment

Attachment #1 - Map - A-Street Lot Public Parking Plan



A STREET LOT:
 TOTAL PARKING SPACES: 20
 PERMITS PARKING: 13 SPACES
 2 HOUR PARKING: 6 SPACES
 ADA PARKING: 1 SPACE



PUBLIC PARKING PLAN - A STREET LOT

FEBRUARY 2014

PARKING PERMITS CAN BE PURCHASED AT THE CITY OF DOVER, DEPARTMENT OF PLANNING AND INSPECTIONS LOCATED IN CITY HALL AT 15 LOCKERMAN WAY.

*A LIMITED NUMBER OF PERMITS ARE AVAILABLE AND THE CITY OF DOVER CAN NOT GUARANTEE THE AVAILABILITY OF PARKING PERMITS FOR ANY CITY LOTS.