

"A Historic Past"



"A Bright Future"

CITY OF DELAWARE CITY

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**MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF DELAWARE CITY
Monday, January 6, 2020 6:30 p.m.
City Council Chamber
407 Clinton Street**

CALL TO ORDER

Commissioner Snow called the regular meeting of the Planning Commission to order at 6:30 p.m. Commissioners Snow, Renoll, Wilkinson, Dilliplane, and Starrett were present. Also attending was City Manager Baylor and City Solicitor Walton.

ACTION UPON THE MINUTES OF THE PREVIOUS MEETING

A motion to accept the minutes of the October meeting was made by Commissioner Wilkinson and seconded by Commissioner Dilliplane. *All members were in favor and the minutes were accepted as written.*

The Agenda was taken out of sequence.

REVIEW ORDINANCE 20-0127-01 RELATING TO SITE PLAN REVIEW

City Solicitor Walton explained to the Commission that the reason for him being at tonight's meeting is to discuss the draft Site Plan Ordinance. He explained to the Commission that sometimes there are projects that are larger but don't require a Subdivision. This Site Plan is how we would work around the building permit / subdivision issue. The subdivision definition is if you create two or more lots or create a street, it can be a minor Subdivision or major Subdivision. Solicitor Walton explained to the Commission all the steps needed for a Subdivision. He says that by the time a major Subdivision gets to Council they can do one of 2 things send it back if it doesn't comply with the law, after a second time if it's found by the City Manager to meet the law they have to approve it or they can simply approve it. He says the Commission needs to

figure out what processes they want for the Site Plan Review and explained to them reasonable and unreasonable processes. He expressed that you want to have regulations so people can't get away with anything but not too many regulations that people don't want to do anything. The Solicitor's office has drafted this a few times but it hasn't been passed so they need some direction on what the City wants for the Site Plan Process.

Full power point presentation available.

Discussion Followed

Commissioner Snow asked if it would cost the developer more money. City Solicitor Walton said a lot of the costs would be handled in the Building permit process. Other than that it does not have to cost much more money, it depends on how you set up your Site Plan process.

City Manager Baylor said he feels we need to think about what we want in this because we are going to have to live by it.

City Solicitor Walton said this has come up mainly because of the new RV Park and explained that even though there was no Site Plan Process, The RV Park agreed to the Administrative Decision to follow a Site Plan Review.

Commissioner Wilkinson asked if when Delaware City fell under the County, did we follow their Jurisdiction. City Solicitor Walton said no, they issued the building permits but we handled the Subdivision, Site Plan didn't exist. He said Delaware City took this back over from the County because we got a small break on taxes and to have more control over what was approved and denied.

Commissioner Snow said we don't want it to cost too much to develop and negate the benefits of being in the Downtown Development District.

City Manager Baylor said at the next meeting they will have two things to discuss, the PLUS report for Commissions review and they will discuss the Site Plan Review process.

201 CLINTON ST -DAVE TURLEY- VARIANCES FOR 14x28 DETACHED GARAGE/SHED

Dave Turley said they bought their house in 2011 and it has been an ongoing project. He is trying to increase the usability of the property while not detracting from the historic character of the house. He wants to take the center bay of the house and remove the temporary structure that's been there for years, clean that end up and take what looks like the center of the house and put a Carriage house there. He said that with the easement it doesn't look crowded or like it is covering too much of the property. He is going to put down a cement slab and bring in a prefab building with a hardy board type of siding to match the house with a standard garage door. He plans to be able to put his truck in that space and out of the easement in front of the house. The current setbacks would not give him enough room for the project.

Commissioner Wilkinson asked if the neighbors have any objections, Mr. Turley said no.

Commissioner Starrett said everyone on those streets has consumed those alleys and they are not usable anyway.

Commissioner Renoll thinks that matching the two buildings will look very nice.

Commissioner Dilliplane made a motion to approve the Variances; the motion was seconded by Commissioner Starrett. All were in favor, *motion passed*.

Dave Turley asked if he needs any approval for the new asphalt going over the sidewalk easement. Everyone agreed that he does not.

132 CLINTON STREET-SPECIAL EXCEPTION & VARIANCE FOR A DAYCARE-TRINA HARRISON

Trina Harrison, owner of the proposed daycare said she just received an email this morning to be here at tonight's meeting. She plans to open a Daycare center in Town. She was under the impression that she needed to follow the rules of New Castle County but now she is being told Delaware City has their own rules.

City Manager Baylor explained to her that she needs to read Chapter 46 in the City Code because there are certain requirements for a daycare that will require her to get a special exemption and variance. She will need to come back before the Planning Commission and then the Board of Adjustments. The State requires that the daycare be in compliance with the local zoning codes. City Manager Baylor said he can meet with her to go over more and then she can come back next month. They put her on the agenda for tonight to just get the process started.

Commissioner Snow asked how many kids she plans on having. Ms. Harrison said that she plans to have about 30 but she has to add more toilets.

Commissioner Snow said the outdoor play space might be a problem. She said there is space on the property then space next to it that is owned by the city and she would like to ask to use that space to. City Manager Baylor said that is where her variance will come into place.

The commission agreed that it would be nice to have a daycare center in the City.

ADJOURNMENT

The motion to adjourn was made by Commissioner Dilliplane and seconded by Commissioner Wilkinson. All were in favor. *The Planning Commission Meeting was adjourned at 7:35 p.m.*

Respectively submitted,
Britney Loveland
City Secretary