



CITY OF DELAWARE CITY

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**MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF DELAWARE CITY
NOVEMBER 7, 2016**

CALL TO ORDER

Commissioner Snow called to order the regular meeting of the Planning Commission at 7:00 p.m. Those present included Commissioners West, Hendry, Snow, Renoll and Williams. City Manager Cathcart was also in attendance.

ACTION ON THE PREVIOUS MINUTES

Commissioner West made a motion to accept the minutes of the September 12, 2016 Planning Commission meeting, as written. Commissioner Williams seconded the motion. There was no discussion. A vote was taken, all ayes, motion carried.

COMMISSIONER COMMENTS

Discussion ensued regarding two books that were recommended for the commissioners. They were Welcome to the Commission – A Guide to New Members, at a cost of \$12.00 and The Planning Commissioner Guide, at a cost of \$20.99. City Manager Cathcart said that the two books together would be helpful and covered different information. *Commissioner Williams made a motion for the City to purchase both books for each seat on the Commission, with the*

books being owned by the City. Commissioner West seconded the motion. There was no additional discussion. A vote was taken, all ayes, motion carried.

38, 60, 70 CLINTON STREET – KEVIN WHITTAKER – SPECIAL EXCEPTION TO ALLOW 1ST FLOOR RESIDENTIAL USE FOR 5 YEARS

Mr. Whittaker submitted a letter on August 23, 2016, asking to speak with the Planning Commission about converting some of the lower levels of his downtown units to residential. He said because there is so much information to digest, he wouldn't mind making the presentation this evening and returning to the December PC meeting for the vote. He said rather than have them vote tonight, he would prefer some good feedback. He said if they approved it in December, he could still meet with the Board of Adjustment in December.

He said he wanted to make sure the Board of Adjustment had the authority to approve this special exception. Mr. Whittaker said City Solicitor Walton's office prepared an Opinion (copy to Planning Commissioners) which said the Board does have that authority. He said he would prepare a request to the Board of Adjustment to look at the special exception in greater depth.

City Manager Cathcart pointed out, for clarification purposes, the next to the last paragraph of the Opinion which states, "if the applicant, as stated in the application, wants to have commercial space and residential space on the ground floor, and the 'condominium unit' special exception standard does not apply, a variance may likely be required as the Zoning Code does not appear to allow such a use in either C-1 or R-1 districts (mixed uses are allowed in C-1, but only with commercial used on the ground floor and residential uses on the upper floor). Consequently Mr. Whittaker would need a variance in addition to the special exception.

Mr. Whittaker made a presentation, showing where these properties are located on Clinton Street. He also gave a history of how and when he purchased these properties and what he did to improve them, including bathroom and kitchen descriptions. He explained how he would make changes to the structures so they could be used for residential purposes. He addressed the problems with renting commercial property in the downtown area and said there are a large number of vacancies. He said he would encourage a "live/work" arrangement in these units as it would make it easier and less expensive for a crafter or mom & pop business to rent one unit that could be used for two purposes. He explained that each property has off-street parking in the rear for the tenants. Mr. Whittaker expounded on the life style he tries to present to his tenants. He even suggested the possibility of short-term, up-scale leasing, such as Tony Gary has done. Mr. Whittaker said it's up to the property owners, Main Street, and the Planning Commission to see what direction commercial properties in Delaware City should take. He listed the different ways each of these properties had been used in the past. He said he would not change the facades at all.

Discussion followed as to the role of the Planning Commission and whether or not their role was to assist the landlords with their bottom line. The Planning Commissioners discussed their concerns. They explained that each property would need to be addressed separately. Additional discussion occurred.

Tim Konkus, president of Main Street Delaware City, said they just did three grant proposals which address this issue. In the last five years, there has been a tremendous upsurge in bicycling and outdoor healthy activity. This year, Main Street has adopted its economic restructuring initiative to be an active, outdoor, healthy lifestyle. He explained the different initiatives they have been working on, many of which could be possible due to the new trail. Discussion followed.

Mr. Whittaker reiterated what he would be trying to do with the live/work model and how he could implement it. Mr. Whittaker said he would return at the next meeting and make a clearer, better presentation pertaining to his plans. There was an interest in seeing what Mr. Whittaker's Counsel advised regarding his proposal. City Manager Cathcart said the Planning Commission could not proceed until they knew what was before them.

ADJOURNMENT

Commissioner Williams made a motion to adjourn the meeting. Commissioner West seconded the motion. A vote was taken, all ayes. Meeting adjourned at 8:00 pm.

Respectfully submitted,

Dawn K. Gwynn

City Secretary