

"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, August 6, 2018 – 7:00 p.m.
City Council Chamber**

CALL TO ORDER

Commissioner Snow called to order the regular meeting of the Planning Commission (PC) at 7:01 p.m. Commissioners Dilliplane, Smith, McKinley, and Renoll were in attendance. Also present were City Manager Houck, Danielle Metcalf and City Secretary Hanna.

ACTION ON THE PREVIOUS MINUTES

Commissioner McKinley made the motion to accept the minutes from the May 7, 2018 meeting as written. Commissioner Dilliplane seconded the motion. A vote was taken, all ayes, motion carried.

210 BAYARD STREET – SUBDIVISION & VARIANCES – 1 Lot 200' X 100' into 2 Additional lots 50' X 100 and VARIANCES: Lot #2 and Lot #3 – area from 6,000sq.ft. to 5,000 sq.ft.; Lot #2 and Lot #3 – Lot Frontage from 60' to 50'

Mr. Kevin Whittaker of Whittaker Brothers, Inc. made his presentation to the Commissioners. His intent is to subdivide this parcel into three (3) detached single family building lots. The current lot is 200 ft. across by 100 ft. deep. The current home on the parcel will remain on the larger lot and the two (2) proposed subdivisions will be 50 ft. by 100 ft. lots therefore necessitating the request for variances. Mr. Whittaker pointed out that many lots in the area are smaller than the normal 60 ft. x 100 ft.

Mr. Whittaker answered the Commissioners' questions about design and location and it is in keeping with the historic district. The proposed two (2) single family homes will have an elevated floor plan of single floor living, water-view front deck, be energy efficient, have maintenance free exteriors, two-car garages and professional landscaping. The target market is Active Adult(s) desiring to live in a waterfront community. Depending on price point, upgrades may be possible i.e. brick fronts; covered deck.

Commissioner Dilliplane made the motion to accept the subdivision as proposed. The motion was seconded by Commissioner McKinley and accepted by the remaining Commissioners. Commissioner Snow commented that the new home plans fit well into the Comprehensive Plan for the City's growth.

City Manager Houck told Mr. Whittaker the next step was to present the request for the variances to the Board of Adjustment; date to be determined, then onto Mayor & Council.

City Manager Houck also pointed out to Commissioner Snow the second page in the packet of information is the list of what is necessary for an applicant to submit before being placed on the agenda of any of the Commissions.

DISCUSSION & PRESENTATION OF COMPREHENSIVE PLAN UPDATE

City Manager Houck began with a brief background on how she found out the update in 2014 was an amendment (due to the annexation of Fort DuPont) to the 10-year plan which was actually due in November of 2018. She was able to get a one-year extension to complete the plan. She attended the Pre-Plus Planning meeting which gives assistance to every town in preparing their Comprehensive Plan and has the checklist from which to work.

In order to facilitate the preparation of the plan by the 15 month deadline, Danielle Metcalf from the U of D came onboard. She has had experience working on other town's comp plans and will be here July through August to get us off to a good start. She has gathered plans, studies, etc. and incorporated that information into the plan, chapter by chapter. She also prepared a survey that can be done online for both residents and nonresidents to gain their views and opinions on the future development of Delaware City. Ms. Metcalf gave a presentation of the survey to the Commissioners and ways residents can be contacted; Facebook, City News, meet and greet at the post office, etc.

It is City Manager Houck's recommendation to The Planning Commission to present chapter by chapter to work through each month. Commissioner Dilliplane asked what the purpose of a comp plan is and is there any penalty for not doing one. City Manager replied the State wants to know what each city/town is planning that will impact lifestyle: i.e. water, utilities, health & human

services, etc. The penalty for not doing one would have an impact on loans, grants, revolving loans and other areas that involve resources for growth.

City Manager Houck and Ms. Metcalf continued to dialogue with the Commissioners about the details of the Comprehensive Plan, the impact of Fort DuPont's annexation, the 2010 census and the upcoming one in 2020. The Commissioners agree doing it chapter by chapter each month is an expedient way to accomplish the task. City Manager Houck stated it may be necessary to pull in an engineer at some point for their assistance.

Commissioner Dilliplane made the motion to accept City Manager's proposal to go chapter by chapter/month by month. The motion was seconded by Commissioner Smith. The motion was accepted by all members.

Commissioner Smith asked if with the 8 bullet points is it possible to get the plan done. Ms. Metcalf assured the Commissioners tackling it in this proposed method they will accomplish it. They continued to discuss the procedure and their responsibility in working on the plan independently to be prepared for each month's meeting.

Commissioner Snow asked if Mayor & Council are aware of the plan and committed to what is involved. City Manager Houck said they have been kept informed and before they receive it, many hands will have worked on it and they will know it had been approved by the Planning Commission. Also they have been informed that at some point the future FY budgets will have to include money for doing the plan.

DISCUSSION OF AMENDMENTS TO THE SIGN ORDINANCE

City Manager Houck opened the discussion. She said City Solicitor Walton was away but Solicitor Griffiths had been assisting in bringing it forward for the meeting. The effort has been made to streamline the tracking of the revisions for discussion and can be noted by the highlighted texts and strikethroughs. The yellow highlights denote what is being omitted and the blue highlights denote the new language.

This ordinance has cause much concern and discussion. It is not in the best interest of Delaware City to not have a sign ordinance. Vice Mayor Malinowski and Council Member Konkus have met with City Manager to go over the ordinance and what is presented now is a compilation of those efforts and she sees this cooperation between them as a commitment to see a sign ordinance established. Council Member Dilliplane suggested that Mayor & Council turn it into a referendum at election time and have the residents vote.

City Manager suggests going through the recommended changes and for the Commissioners to add their comments/questions. City Manager Houck and the Commissioners worked through Article III Definitions and Article X Sign & Outdoor Advertising Regulations.

The Commissioners accepted the strikeouts and new additions. A few points were discussed to be changed or modified:

Definitions:

- Commissioner McKinley on Projecting Signs: the code has 7-foot height requirement for projecting signs but tree limbs are required to be 8-foot clearance over the public right of way. The decision was to change the projecting sign requirement to 8-feet to be consistent.
- Section 46-82 R-3 District (residential) – remove “mural signs” to be consistent with Central Commercial.

Allen Toby Williams, 403 Hamilton Street was permitted to address the Commissioners. His concern is over the ordinance being tabled at the last Mayor & Council meeting by two (2) Council Members who are business owners. His questions are should they 1.) Be required to recuse themselves on a vote or a motion to table and 2.) If they are required to recuse themselves would that invalidate the decision to table the sign code?

Commission Members engaged in discussion with Mr. Williams over his concerns. Commissioner Dilliplane asked Mr. Williams what is his suggestion? Mr. Williams would like to have the City Solicitor address his questions. City Manager Houck agreed to take the questions to City Solicitor and bring answers back to the Planning Commission and Mr. Williams.

City Manager Houck and the Commissioners returned to the line by line review and discussion of the sign code. Points of discussion were:

- Commissioner McKinley on portable and temporary signs not needing a permit. City Manager said by definitions they do not need a permit.
- Grandfathering: have to go back into old pictures and/or records to prove signs were there prior to a sign code. If a sign was up before the new sign code they can keep it. If, however they remove it to put up a new sign they would have to abide by the new code.

Commissioner Dilliplane made the motion accept the changes as amended so City Manager Houck can move forward. The motion was seconded by Commissioner Smith and all were in favor. Motion carried.

Commissioner Dilliplane made a second motion to submit the amended changes as presented to Mayor & Council. Commissioner Smith seconded the motion and all were in favor. Motion carried.

ADJOURNMENT

Commissioner Dilliplane made a motion to adjourn the meeting. Commissioner Renoll seconded the motion. A vote was taken, all ayes. Meeting adjourned at 9:01 pm.

Respectfully submitted,

Bonnie Lynn Hanna

City Secretary