

# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Meeting Minutes August 20, 2014

### ATTENDANCE

#### Commissioners

Gary Tonge - absent  
Chester Johnson  
Diane Greenberg  
John Painter  
Bob Ricker

#### Staff

Jocelyn Godwin, Planning  
Tim Willard, Solicitor  
Jamie Craddock, Planning

#### 1. CALL MEETING TO ORDER

Vice Chair Commissioner Johnson called the meeting to order in the Town Hall at 6:00 p.m.

#### 2. APPROVAL OF JULY 16, 2014 MEETING MINUTES

Commissioner Ricker moved, seconded by Commissioner Greenberg, to approve the July 16, 2014 regular meeting minutes as presented. **APPROVED** (UNANIMOUS)

#### 3. PUBLIC HEARING: Rezone Application CASE #2014-10

*An application by Adams-Kemp Associates, Inc., on behalf of J. Everett Moore, Jr., for an official zoning map amendment from Medium Residential (UR2) to Professional Business (UB3). The property is located at 126 West Market Street, Georgetown, DE identified as Sussex County Tax District 135 Map 19.08 Parcel 89.00.*

The application was presented by Everett Moore, M & R Properties LLC, and in attendance was law partner David Rutt. Their firm will operate from this location. The firm's main office is located at 122 West Market Street (next door). Additional space is needed as they have grown from two attorneys to seven attorneys.

The intent is to use the downstairs as conference rooms and upstairs for storage and an office. One half of the deck will be removed in the back and a handicapped ramp will be put in. Parking will be added in the back. A reduction in the parking has been applied for with the Town Manager. The intent is not to meet with clients in this new location; it will be a work spillover area. There is no signage planned for out front. Employees will park in the new parking area, so that clients may park at the main building.

The Fire Marshal is requiring an exterior stairway to be put in on the east side of the building. Pat Ryan presented the site plan and improvements to be made to the property. To meet requirements of building code and the Fire Marshal, an extension will need to go into the non-conforming setback which will require an application for a variance. The building setback is ten feet, the building is currently setback at 7.1'. Approximately one additional foot will be needed. The stairway will be built out of salt treated wood.

The UB3 zoning is being asked for to keep it consistent with the neighboring properties. Charles Adams, of Adams Kemp Associates, stated that a walkway will connect the two properties, keeping the landscaping between the parking lots. The driveway entrance is 14 – 15' wide, similar to surrounding properties, and green technology will be used for stormwater runoff.

It was stressed by the Commission to maintain a residential look to the building. Concern was expressed regarding the exterior stairway and the looks of the stairway to each property. Landscaping and matching stain were recommendations.

Lighting was questioned for the parking areas. It was confirmed that a full site plan review will be done following the zoning decision.

The zoning was confirmed to be UB3 on either side of the property and across the street.

Commissioner Johnson opened the meeting for public comment. No public comment was made either for or against the application. One letter was received in support of the application from Brent Marsh, of 120 West Market Street.

**Commissioner Ricker moved, seconded by Commissioner Greenberg, to recommend approval of the rezoning of 135-19.08-89.00 from UR2 to UB3. APPROVED (Yeas 3, Nays 1 [Painter])**

**4. CASE #2014-09 Site Plan Review**

*An application by, Axiom Engineering, LLC, on behalf of St. Michael the Archangel Roman Catholic Church, for the conceptual site plan review for the construction of a 3600 square foot classroom building and a 3600 square foot office building to be located at 203 Edward Street, identified as Sussex County Tax District 135 Map 14.20 Parcel 134.00 zoned UR1 (Urban Residential).*

Bob Rosenberger, of Axiom Engineering, presented the application. The church has been in their location since 1956. The property of the rectory is in need of repairs across the street. Additional classrooms are needed due to the growing number of children in the congregation. The expansion is to address the existing congregation.

Proposed is a 3600 sq ft classroom building directly behind the existing church and to the far east of the property a new office building to replace the current offices. Parking has been a concern, a lot of on-street parking, and it will be addressed with this plan. The parking requirement is one space per four seats. The highest number of people in attendance is for Sunday mass with 600 people, which would require 150 spaces. Islands and lighting are being provided.

Comments have been received from the Town Engineer and responses provided.

The Commission questioned the use of the current office, the house across the street. The applicant stated it may be storage, as there are structural concerns, with the possibility of razing the building. It was confirmed that there will be no cooking facilities in the classroom building. The classrooms will be broken down by age groups. There is no additional signage being requested.

The Commission asked if the applicant knew if the utility easement for the 8" force main was ever recorded. The applicant did read an easement, did not have a copy with him, but it is also indicated on the Town's plans. The Commission stressed that the applicant should understand that if something happens to the force main, the repairs will be made by the Town and the church will be responsible for making repairs to the parking lot.

Sidewalks were indicated as a requirement of the Town. The applicant would prefer to wait until the Town pursues a project within that neighborhood. The Commission expressed concern for the safety of children and the number of pedestrians in that area. Sidewalks are required and wanted by the Commission. The applicant stated that the sidewalks will be added to the plan.

Drainage issues were reported on James Street both on the street side and on the grass side. Serious deterioration of the asphalt on some of the catch basins and on the grass side of the curb, there is a lot of erosion. Contact with Jeff Ward or Bill Bradley (from the Town) was suggested. The applicant stated that the way the site is being designed, it will eliminate all runoff from the site directly to the roadway.

As the property is zoned UR1, the Commission urged the applicant that the buildings take on a residential appearance. The applicant presented the architectural drawings that had been provided and stated the color palette will compliment the church. The applicant was asked to keep in mind the residential neighborhood as the lighting plan is prepared.

Based on the comments of the Town Engineer, the Commission discussed whether a church would be considered an institutional use. Mr. Willard read sections §230-25 & 26 and §230-156.C.3.. Mr. Willard's opinion is that a church is an institution, and would also be covered as a public or semi-public use allowing the additional buildings. Mrs. Godwin also pointed out that the newly adopted sign ordinance includes churches under the definition of institutional uses.

Elsa M. R. Trejo, a parishioner from the church and teacher of Sunday school classes, spoke on behalf of the church and of the need for more classroom space. The Sunday school classes are for 1<sup>st</sup> through 9<sup>th</sup> grade. The 8<sup>th</sup> and 9<sup>th</sup> grade are for confirmation classes.

The applicant was informed to review the comments provided and proceed with their Preliminary submittal.

**5. Planning Department Report**

The Planning Department informed the Commission that the meeting on the Pre-update Review of the Comprehensive Plan will take place on August 27, 2014 with the Office of State Planning. An update will be provided at the next Planning Commission meeting.

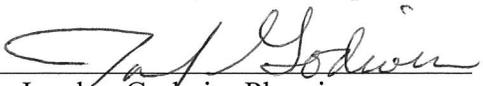
**6. ADJOURNMENT**

Commissioner Ricker moved, seconded by Commissioner Greenberg, to adjourn the meeting at 7:07 p.m. **APPROVED (UNANIMOUS)**

APPROVED:

  
Chet Johnson, Vice-Chairperson

ATTEST:

  
Jocelyn Godwin, Planning