

TOWN OF GEORGETOWN - PLANNING COMMISSION

Meeting Minutes September 21, 2016

ATTENDANCE

Commissioners

Gary Tonge
Sue Barlow
Linda Dennis
John Painter
Bob Ricker

Staff

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

1. CALL MEETING TO ORDER

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

2. APPROVAL OF JULY 20, 2016 MEETING MINUTES

Commissioner Ricker moved, seconded by Commissioner Dennis, to approve the July 20, 2016 regular meeting minutes as presented. **APPROVED** (4-years, 1-abstain)

3. PUBLIC HEARING: **Rezone Application** CASE #2016-05

An application by Alan Perry, with Montchanin Development Group, on behalf of Georgetown Crossing, LLC, for an official zoning map amendment from Urban Business (UB1) to Highway Commercial (HC). The properties are located at the Northwest corner of Routes 113 and Route 9, Georgetown, DE identified as Sussex County Tax District 135 Map 19.00 Parcel 12.02 & 12.03.

Gary Cuppels presented the application, on behalf of the applicant. Also in attendance is Alan Perry and Ken Kullman. The applicant is requesting rezoning for two parcels from UB1 to HC. The parcels were pointed out on the Town's Zoning Map. The Comprehensive Plan mentions a demand for commercial services, ability of the Town to provide water and sewer. The plan states it is looking for large scale commercial development along Rte 404, Rte 9 and Rte 113. The property is on the corner of Rte 9 and Rte 113. The Marketplace plan is a mixed use commercial facility.

The applicant stated that the HC zoning allows for more flexibility. Some of the uses within Highway Commercial were reviewed. The surrounding parcels along Rte 113 are zoned HC. The applicant's intention is to be a retail commercial facility. It is the right location for commercial development in this nature in accordance with the Comprehensive Plan. They are very close to getting their approval from DelDOT for the project. The rezone would eliminate the reverse spot zoning. The entire corridor is HC except for three parcels. It would provide equity of zoning to the applicant.

The Commission discussed the history of the parcel and why the zoning was UB1. The current zoning would have been determined at the time the property was annexed, as requested.

Mr. Willard addressed questions from the Commission regarding a letter received from an adjoining property owner. If the applicant for the change of zone owns the property, then the adjacent property owner should have a legal reason to cause the Commission to not make a decision. If there is some separate contractual relationship between them, the Town does not have a dog in that fight. The application tonight is for change of zone, to determine whether it is consistent with the Comp Plan and fits the purpose of the zoning.

The Commission asked the applicant to address the need for the expansion of permitted uses in HC. The applicant stated that it would be easier to state what isn't in their project. The applicant has preliminary plan approval, working on final approval for Georgetown Marketplace. It will not be a rooming house. It will be a commercial center. It will not be a hospital or school. The flexibility is wanted.

Concern was expressed regarding the applicant's past requests for adjustments to their plan and the impact of cost efficiency over safety.

Chairman Tonge opened the public hearing for comments. No one in attendance had comments either for or against the application.

A letter was received from Clarmar Realty, owners of adjoining properties, and read into the record. The issue referenced in the letter was addressed at the Planning Commission meeting reviewing the preliminary plan. The situation is a legal issue between the property owners.

Chairman Tonge closed the public hearing.

Commissioner Barlow moved, seconded by Commissioner Dennis, to recommend APPROVAL of the application to Town Council. APPROVED (YEAS – 4, NAY – 1)

Commissioner Painter – No, as expressed previously.

Commissioner Dennis – Yes,

Commissioner Ricker – Yes, One of properties with concerns is not in Town limits, trusting that the applicant will resolve their issue regarding a deed restriction and the project is a good one.

Commissioner Barlow – Yes, agree with Bob it will be a good project and does not like spot zoning.

Chairman Tonge – Yes, the zoning change is appropriate based on the HC being all the way down Rte. 113, the property is located on a major east/west and north/south corridor, it agrees with our Comp Plan and the adjacent properties are zoned HC.

4. CASE #2016-06 Historic Review

An application by, for the approval of a 640 square foot addition to be located at 8 North Race Street, identified as Sussex County Tax District 135 Map 14.20 Parcel 209.00 zoned HD (Historic District).

Annette Shuler presented the application for the owners. The office has been open about a year, and would like to provide onsite x-ray capability. Only issue for the project is sufficient power, which is being addressed. Sliding doors at the back of the house will be removed and the structure extended. The project meets all of the setbacks and the materials will be consistent with the current structure. The door on the back will match the door on the front. No additional employees will be added, causing no impact on parking needed.

Commissioner Dennis moved, seconded by Commissioner Barlow, to APPROVE the application as presented. APPROVED (UNANIMOUS)

5. CASE #2007-08—06 Site Plan Review

An application by Larson Engineering Group, Inc., on behalf of College Park Retail, LLC., for the preliminary site plan review and approval for the construction of a 93,175 square foot Behavioral Health Hospital. Located on Biden Avenue at the Shops of College Park, identified as Sussex County Tax District 135 Map 14.00 Parcels 197.00, 198.00, 200.00 & 201.00 zoned HC (Highway Commercial).

Doug Liberman, of Larsen Engineering, presented the application. The project will employ approximately 100 people, 30 medical professionals and 70 support staff. It will be a 24 hour hospital, providing inpatient psychiatric and substance abuse treatment, partial hospitalization programs, intensive outpatient programs, 24 hour assessments and crisis stabilization. The facility will be the only one of it's kind for Delaware and the Eastern Shore.

The site has three different parking areas. The staff will use the east and west side lots, and the visitor/inpatient parking will be in the front. Extensive landscaping is proposed for the site. The two story building is a mix of limestone, brick, metal panels and contoured metal panels. There are cast stone pieces in the areas of brick to highlight the window areas. There are different shades of gray to break it up. There are floor to ceiling windows in the front and large windows throughout.

There is a one way patient drop off area and an area designated for ambulance loading towards the back. The backup generator and trash dumpsters will all be screened. Amenities of picnic tables and bike racks have been added.

The Commission expressed concerns regarding parking lot layout and access by fire engines. The applicant confirmed the Fire Marshal has reviewed and is satisfied with the plan.

The building matches the Kentucky building which was an evolution of the one in Houston. The corporate architect is Ben Lee out of New Jersey for the overall plan and a local architect is handling code compliance for the site and for local agency approvals.

The number of rooms will be 89, as set by the state. It will be a secure facility. The mezzanine area increased the square footage from the PLUS review to current. The Commission questioned the security features and the appearance of those features. It was confirmed the security features will not be visible from the exterior.

It was suggested that the applicant look into acoustic screening for the generator.

Commissioner Painter moved, seconded by Commissioner Dennis, to APPROVE the application contingent upon the receipt of State agency approvals and satisfaction of the Town Engineer's comments. APPROVED (UNANIMOUS)

6. Planning Department Report

Comprehensive Plan – Survey open until November 1, 2016. The results are to be presented to the Commission in November.

Predevelopment meetings this week regarding a Cheer expansion and Royal Farms adding additional diesel gas pumps.

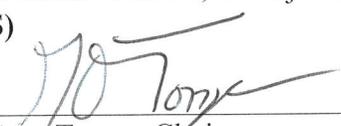
The revised boundary of the Downtown Development District will be presented to the Cabinet Committee on October 5, 2016.

Commissioner Ricker moved, seconded by Commissioner Barlow, to discuss a recommendation for a moratorium to zoning changes at the next meeting. APPROVED (UNANIMOUS)

7. ADJOURNMENT

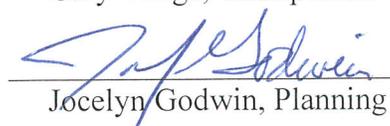
Commissioner Ricker moved, seconded by Commissioner Barlow, to adjourn the meeting at 7:43 p.m. APPROVED (UNANIMOUS)

APPROVED:



Gary Tonge, Chairperson

ATTEST:



Jocelyn Godwin, Planning