

TOWN OF GEORGETOWN - PLANNING COMMISSION

Meeting Minutes April 18, 2018

ATTENDANCE

Commissioners

Gary Tonge
Linda Dennis - absent
Penuel Barrett
Michael Barlow
Gordon Mariner

Staff

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

1. CALL MEETING TO ORDER

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

2. APPROVAL OF FEBRUARY 21, 2018 MEETING MINUTES

Commissioner Barrett moved, seconded by Commissioner Mariner, to approve the February 21, 2018 regular meeting minutes as presented. **APPROVED** (UNANIMOUS)

3. CASE #2018-01

The Oaks of Georgetown

An application by George, Miles & Buhr, LLC., on behalf of Developer, Jack Lingo Asset Management, for an amendment to an approved RPC site plan located off of South Bedford Street, identified as Sussex County Tax District 135 Map 20.00 Parcel 6.00 zoned MRI (Multi Family Residential) and Parcels 894.00.00 and 895.00 zoned MRI/RPC (Multi Family Residential with RPC (Residential Planned Community) overlay.

Chairman Tonge addressed the audience informing the audience that the meeting is not a public hearing. The audience was asked if they were in attendance because of concerns about a street connecting their development with the proposed project. The project to be discussed has nothing to do with any street or connection between the proposed development and their community. In 2008 there was a paper street approved for utility right of way between the two communities. Discussion tonight will have nothing to do with that paper street or any future connection.

Mrs. Godwin stated that the Oaks is a subdivision that received final approval on 2/26/08 and was stamped by the Recorder of Deeds on 3/6/08.

No. of lots	533
SF detached	58
Townhouse	337
Condominium	138 (six 23 unit bldgs.)

An amended site plan has been submitted for Phase 1, including:

Apartments	138 (five - 24 unit bldgs., 1 - 18 unit bldg.)
Amenity area	
Rerouted sewer to the South Bedford Street pump station (Phase 1 only as approved by the Town Manager following review by Town Engineer.)	

The Town Engineer has conducted an initial review, providing comments dated 3/16/18. Modification of an approved plan requires Planning Commission approval. No public hearing shall be required to be held so long as the intent of the original subdivision, as determined by Planning Commission, is not substantially changed. The Planning Commission will make that determination.

Mr. Willard added that the final site plan has been recorded for some time and the applicant is asking for modifications just on phase one. The RPC statute refers to the Subdivision statute which gives the Planning Commission authority to hear the modifications and if they are not substantial, they may be granted without a public hearing.

Michael Kobin, of George, Miles & Buhr, LLC, presented the application, asking for an amendment from the previously approved RPC. There are no changes to the layout and no changes to the density. The only real change being made is a change from condominiums to apartments. The number of units are the same.

The Commission asked for a clarification between condominiums and apartments. The applicant stated that the units would be for rent rather than individually owned. Mr. Willard shared the definition of apartment in the Town code of a group of dwelling units sharing common elements which may include common outside access. The dwelling units share common lot area which is the sum of the required lot areas of all dwelling units within the building. Apartments shall contain three or more dwellings in a single structure with no more than 20 dwelling units. The State Code would have a whole section on how condominiums are owned and the requirements of them. In this case the apartments would be owned by one owner and leased.

Mr. Kobin presented the area on the plan showing six buildings. Amenities will be associated with this phase and will be brought back with a specific plan later.

The Commission asked for the phasing plan and timeline as requested by the Town Engineer in his comments. The applicant presented Doug Motley, their developer, to address timing. A plan was presented showing areas numbered one through five with the caveat that market forces could impact the order.

Sharon Pitcher, of 16 Elderberry Street, asked if a public hearing could be held as there is concern about the apartments.

Mr. Willard stated that the Town Code for an RPC and for a Subdivision would dictate. Within RPC, any material change to an approved RPC concept plan shall require amendments to the concept plan and approval by the Planning Commission. One defined material change is if the proposed use of any portion of the land. If the Commission considers changing condominiums to apartments a material change, obviously they have to approve it. If the change is considered substantial, then the Commission should give the application a public hearing. The subdivision code says no public hearing shall be required as long as the intent of the original subdivision, as determined by the Planning Commission, is not substantially changed.

The Commission questioned why the change was made to apartments. Mr. Motley informed the Commission that one reason is market conditions. There is no change to the three story walk up, garden style buildings. It would not be economically feasible to build these and sell them for what would be needed to break even as condominiums. If the owners turn around and rent the units, you could have 138 different owners renting to people with very little control. There is a need for market rate apartments, for everyday people who are working, looking for a place to rent. The existing offerings in and around the town are occupied. One single unit was found available.

The applicant does not have any current market rate apartments now. They have developed quite a few 'for sale' projects and have a brokerage arm that manages rentals throughout the County. A similar project would be Beach Plum Dunes, near the Crooked Hammock. Those are three story, walk up apartments similar to their design. Their goal is to provide the 'best in class' facility in this market while keeping it appropriate to hit the price point that they want.

The Commission questioned the amenities, such as the pool shown. The applicant stated that a pool and clubhouse will be built, and they will be coming back to the Commission for approval. It is their intention to provide those amenities and the tot lot. In the original proposal, the amenity was to be for the entire project, now the amenity is just to serve this phase. On-site management will be provided as well as cameras for the police department to have access to.

The applicant will come back with elevations once finalized for approval.

Commissioner Barlow moved, seconded by Commissioner Barrett, to declare the application to have substantial alteration from the original proposal and to schedule a public hearing.

Poll vote:

Commissioner Barlow –Yes, there is considerable public opinion that this is a substantial change and everyone should have an opportunity to state their case and review should not occur in a rushed fashion and hopefully we will have additional information that would allay some people’s fears.

Commissioner Mariner – Yes, as stated.

Commissioner Barrett – Yes, as stated.

Commission Chairman Tonge - Mixed feelings. Feel it is a good project. Do not agree that all apartments are bad. There is a need for good market priced rental housing in Georgetown. Concern when there are no young people present. Housing is needed in the community that will allow young people to stay and grow within this community. It is a viable project. Yes, we should have the public hearing. It is a very good project and a very needed project. **APPROVED (UNANIMOUS)**

Bill Hitchens, 1 Huckleberry – Expressed concern for the traffic to be generated.

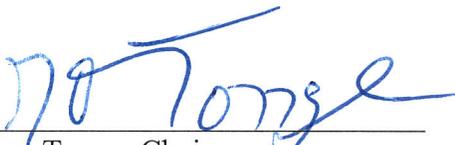
4. Planning Department Report

The Planning Department had nothing to report.

5. ADJOURNMENT

Commissioner Barlow moved, seconded by Commissioner Barrett, to adjourn the meeting at 6:29 p.m. **APPROVED (UNANIMOUS)**

APPROVED:



Gary Tonge, Chairperson

ATTEST:



Jocelyn Godwin, Planning