

TOWN OF GEORGETOWN - BOARD OF ADJUSTMENT

Meeting Minutes July 3, 2013

ATTENDANCE

Board Members

Jane Hovington
Eric Evans
Bo Shockley - absent
Ray Hopkins
Bill Lecates

Staff

Jocelyn Godwin
Jamie Craddock
John Paradee, BOA Solicitor

1. **CALL MEETING TO ORDER**

Chairperson Hovington called the meeting to order in the Town Hall at 5:02 p.m.

2. **APPROVAL OF MAY 1, 2013 MEETING MINUTES**

Approval of the May 1, 2013 regular meeting minutes was deferred until the next meeting.

Chairperson Hovington asked the Planning Department if the cases to be addressed have been duly advertised and posted. Mrs. Godwin confirmed. No public comments have been received either for or against.

3. **Introduction of new Member(s)**

The two new members of the Board were introduced, Ray Hopkins and Bill Lecates.

4. **Selection of Chairman**

Chairperson Hovington asked for nominations for the next year's Chair position.

Member Evans moved, seconded by Member Hopkins, to keep Jane Hovington as Chair. APPROVED (UNANIMOUS)

5. **Selection of Vice Chairman**

Chairperson Hovington asked for nominations for the Vice Chair position.

Member Lecates moved, seconded by Member Hopkins, to elect Member Evans as Vice Chairman. APPROVED (UNANIMOUS)

6. **Selection of Secretary**

Member Evans moved, seconded by Member Lecates, to elect Jocelyn Godwin as Secretary to the Board. APPROVED (UNANIMOUS)

7. BOA CASE #2013-12 Shops at College Park - Retail

An application by College Park Retail, LLC, requesting a special exception from The Code of the Town of Georgetown §230-182 A (2), for a 30% reduction of the required 448 parking spaces to the proposed 314. The property is located at the Southwest corner of 113 and College Park Drive, identified as Sussex County Tax District 135 Map 14.00 Parcel 35.08 zoned HC (Highway Commercial).

Garth Jones, licensed professional engineer with Becker Morgan Group, presented the application. The request is for a special exception for a 30% parking reduction. The main building is the Redner's site with additional retail buildings. The Town Code requires 448 parking spaces; the site plan shows 327 parking spots. The 30% reduction would take the number down to 314. The difference allows for adjustments as the final review is completed.

The developer/owner, ONIX, has been developing commercial sites for many years and would not present a project without sufficient parking. Based on their experience with the proposed uses, 314 spaces is sufficient parking for the site. The area is also within the Chesapeake Bay Watershed which reducing the parking area reduces the impervious area which improves the water quality helping to meet the goals of the state, Georgetown and the surrounding area to improve the quality of the bay.

Given the significant amount of rain lately causing issues with flooding; reducing the parking and the impervious area will help reduce the impact to the area. The area is served by Delaware Transit Corporation with two bus routes. Improvements are being made to the overall pedestrian network, including entrance improvements to College Park Drive and Route 113 (with pedestrian signals and a new light) and the intersection of Carmean Way and Route 18 (with pedestrian signals and a new light).

The goal is not to create a sea of asphalt. The parking lot across the street tends to have a lot of parking that isn't used.

The loading spaces of Redner's were discussed to confirm no impact to the parking for the proposed restaurant. For the future outparcels along 113, it was confirmed that they will provide their incremental parking as needed.

It was confirmed with the applicant that the character or use of the buildings makes it unnecessary to provide full parking as required by the code.

Chairperson Hovington asked if anyone had comments from the public either for or against the application. No comments were given.

Member Hopkins moved, seconded by Member Evans, to approve the request for 314 spaces for the Shops of College Park project as it will allow for more landscaping and less blacktop. Member Lecates – Aye, It is imperative that there be more trees and landscaping and less blacktop. Seldom is the Walmart full. The applicant is in the business to make money and is not going to propose less parking than is needed.

Member Evans – Aye, Will reduce impervious material and will help to protect the Chesapeake Watershed. The parking is equivalent to the uses that they have anticipated for the buildings.

Chairperson Hovington – Aye, the numbers presented are based on the type of facilities they will have.

APPROVED (UNANIMOUS) Motion carries with the rationale adequately stated.

8. BOA CASE #2013-13 Bayside Health

An application by G Plus Properties, LLC, requesting a special exception from The Code of the Town of Georgetown §230-182 A (2), for a waiver of the required loading space. The property is located on US 113, identified as Sussex County Tax District 135 Map 19.00 Parcel 8.04 zoned HC (Highway Commercial).

Brad Gillis, representing G Plus Properties, presented the application. The developer has built about one million sq ft of medical and professional office space across Maryland and Delaware. In their experience it has been found with many of the codes of municipalities and counties that more parking is normally required for medical uses. Many times multiple cars are attending one appointment. Their plan has exceeded the required number of parking spaces.

In regards to the loading zone, with medical practices today, most deliveries are made by Fed Ex, UPS or USPS. With general family practices there are small scale deliveries at minimal frequencies. There is no need for large truck deliveries.

With parking being a commodity to the applicant, the business decision was made to ask for a variance to remove the loading zone requirement so that it does not take up any of their parking.

This same type of variance was asked for with the Nanticoke Memorial project.

This building is just over the 10,000 sf requirement for one loading space. Less than 10,000 sf does not require a loading space.

No correspondence was received either for or against the application. Chairperson Hovington asked for any public comment. No comments were made either for or against.

The applicant stated that no large equipment will be going into these offices. This will be a women's health facility. There are no immediate care tenants involved with the project.

An ambulance loading space was questioned.

The Planning Department recommended approval of the request.

Member Lecates moved, seconded by Member Hopkins , to approve the plans to remove the loading space based on the testimony given and the solicitor clarification that it is for patients rather than for heavy objects and they meet the requirement for that.

Member Hopkins – Aye, as recommended by Planning Commission and based on the specialty of the building and how it will be used.

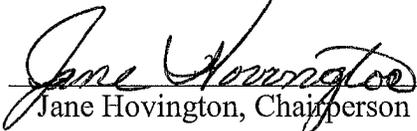
Member Evans – Aye, loading space may be removed as it won't be used in that aspect. Concerns were expressed regarding an ambulance spot that should be designated for easy loading. A comment on that effect was asked to be passed on to Planning and Zoning.

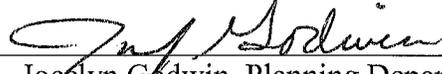
Chairperson Hovington - Aye, as it is unnecessary with the use. Agreement was given on the ambulance loading space comment.

APPROVED (UNANIMOUS) Application request granted.

9. ADJOURNMENT

Member Evans moved, seconded by Member Hopkins, to close the meeting at 5:34 p.m.
APPROVED (UNANIMOUS)

APPROVED:  _____
Jane Hovington, Chairperson

ATTEST:  _____
Joelynn Godwin, Planning Department