

**Planning Commission Meeting for New Castle City took place on February 22, 2010 at 6:30 p.m. in the City of New Castle's Town Hall.**

Members Present: David Bird, Chair  
Joe DiAngelo  
Dorsey Fiske  
Florence Smith

Members Absent: Bill Simpson, Co-Chair  
Dr. Jack Norsworthy  
Dan Knox  
Vera Worthy

Staff Present: Marian Hull, URS, City Planner

City Personnel: Mayor John F. Klingmeyer  
Jeff Bergstrom, Building Inspector

Mr. Bird called the meeting to order at 6:40 p.m. Roll call was taken. In the absence of a quorum this meeting will be informational only. Hand outs were made available to those in attendance.

Approval of Minutes – Minutes for February will be addressed at the next meeting.

Budget Review – Mr. Bird reported there have not been any expenditures of training funds. Ms. Hull informed that an invoice is being prepared by URS for consulting services. Mr. Bird continued that all Planning Commission members would again receive membership in the American Planning Association (APA). The national APA meeting will be held in New Orleans. Mr. Bird plans on attending that conference to be held in New Orleans. He will personally pay for his transportation, hotel and food. He was successful in getting the registration fee reduced to a more manageable amount. It was reduced to \$160 that he would like to come from the Commission's training monies. This issue will be addressed at our next meeting.

Implementation of Comprehensive Plan Items – Using the hand outs distributed earlier, Ms. Hull first reviewed uses in the general/commercial district. Residential uses in general/commercial and pseudo-light industrial uses have been removed making it a more traditional general/commercial or 'highway commercial' kind of district. Mr. Bergstrom noted that the Trust has an interest in this because when the general/commercial district along Route 13 was annexed into the City it was agreed by Mayor and Council to keep the same zoning as that in New Castle County. He suggested making sure that suggested changes in language not create any legal issues with existing leases. *(Extensive discussion followed.)*

The next item discussed was the zoning amendment procedure. Current language on amendments has created issues over the years on how to handle amendments. The City of Newark procedure is being used as a model. Ms. Hull informed that it has been made clear in the draft that an amendment to zoning can be initiated by City Council, Planning Commission or by petition from a property owner(s) or property owner(s)' representative. *(Details of the process were provided.)* One item in this procedure addresses granting the Planning Commission authority to require and request information in order to be able to analyze plans and make recommendations. This language does not exist in the current language. *(Additional discussion.)* Mr. Bird requested clarification of the 'amendment initiated by petition' section saying 'the Council shall hear the petition and refer it to the Planning Commission for a report and recommendation as provided...' No details are provided as to what type of hearing or presentation is being referred to.

Ms. Hull informed she needs to do more work on the draft of the Environmental Protection Overlay District before presenting it for review. The purpose of the Environmental Protection Overlay District is to recognize that the City has a number of areas that are environmentally sensitive and many of them are zoned for development. *(Discussion followed about items that need to be expanded on or added to the draft.)*

Concerning development restrictions, the City does not currently have much in its current ordinance addressing flood plains. A flood plain is defined as 100 years. Ms. Hull said it would be reasonable to prohibit development in a 'flood way' which is where water is actually moving in a flooding event. She is not sure the City should discourage development in the flood plain. *(Lengthy discussion followed.)* Mr. Bergstrom said that the entire City needs to be looked at to develop a plan to be debated in public and then pass an ordinance that gives the City the most protection in these areas.

The public meeting will be held at the middle school at 7 p.m. on 3/16/10. This meeting will help guide the Planning Commission in the type of zoning recommendations it wants to make. Primary areas of focus will be the 7<sup>th</sup> and South Street and Ferry Cut-Off areas. Development densities, what uses, and fiscal improvements in terms of sidewalks, lighting and such will be subjects for discussion. This meeting will also be advertised in the Town Crier and local newspaper. The meeting will begin with a presentation informing how we got to where we are and update the Comprehensive Plan. We are very interested in making the 7<sup>th</sup> and South Street area an extension of the downtown area with mixed uses. We will lay the groundwork for what the kinds of uses could be, development density, financial impacts from the tax-base perspective, traffic impacts and other environmental impacts. It is important to educate the public on the options and results of decisions. Interactive display boards will be used once again. Members of the Planning Commission are asked to position themselves at these boards (3-4 stations) to field questions from the public.

Ms. Hull reviewed the hand-out containing streetscape improvements, development impacts, density and height, lot coverage and building location, 7<sup>th</sup> Street Redevelopment Area and Ferry Cut-Off Gateway Redevelopment Area. *(Discussion took place throughout her review.)*

Mr. Eric Mayer, owner of the Abex property located in the 7<sup>th</sup> Street area, is very interested in the zoning process and how it affects his property. The timeline from the public meeting through any recommended zoning changes was reviewed again.

Comments from Commissioners and the Public – At the January meeting Mr. Simpson was charged with preparing a draft letter to WILMAPCO concerning development of a rail line from Wilmington to the Middletown area. A copy of his draft letter was given to each Commission member. Several key points that were discussed were included in the letter; however, Ms. Smith thinks the wording in the letter should be stronger. Commission members will look at the letter closer and provide suggestions at the next Planning Commission Meeting. Mr. Bird questioned whether the letter should be sent from the Planning Commission or City Council in order to provide the maximum impact.

Mr. Bird will contact DeIDOT and request their attendance at the 3/22/10 Planning Commission Meeting.

Ms. Fiske informed that wireless capacity has been established in this building.

Next Meeting – The next meeting is scheduled for 3/22/10 at 6:30 p.m.

Adjournment – **A motion was made to adjourn the meeting. The motion was seconded and approved by unanimous vote. The meeting was adjourned at 8:10 p.m.**

Respectfully submitted,

Debbie Turner  
Stenographer