

The New Castle City's Planning Commission Meeting took place on March 19, 2007 at 6:30 p.m. in the City of New Castle's Town Hall.

Members Present: Dr. Jack Norsworthy, Chairman
Thomas Wilson
Joe DiAngelo
Bill Simpson
David Bird

Members Absent: Jim Steele, Co-Chairman
Elliott Tatum
George Freebery

Staff Present: Douglas Lloyd, City Planner

Dr. Norsworthy called the meeting to order at 6:50 p.m. He introduced two new members to the Planning Commission: Bill Simpson and David Bird. Roll call was taken.

Approval of Minutes – A motion to approve the minutes of the January 29, 2007 meeting was made and seconded. The motion was passed by unanimous vote.

Trustees Re-Zoning Request – A summary of what the Trustees are requesting was presented to the Commission by Mr. Andy Taylor. Questions/answers followed concerning development of the intersection, financing of intersection work, how rezoning affects the Comprehensive Plan, signage, and buildings that don't currently meet zoning requirements for non-conforming uses. (*Discussion followed.*) Mr. Lloyd detailed concerns he has about the rezoning request (copies provided to Commission members and Mr. Taylor). Comments were received from the floor. The Mayor expressed concerns that no decision be made until further plans are viewed, i.e., WILMAPCO, before any changes are made. Mr. Wilson offered that the area at Hare's Corner is more attractive today than ten years ago. The Trustees also worked to get the tires and mound of salt removed from the Farmer's Market area and the Trustees have acted very responsibly. As a Trustee representative on the Planning Commission he will abstain from voting on this matter. Mr. John DiMondi spoke on general commercial properties and said it is open-ended. It gives control away to the property owner. The businesses that are currently operating can come to the Board of Adjustment if they are non-conforming. That is the procedure in place at this time. He urged Commission members to read what is allowed in general commercial before giving any recommendations and forget the Trustees own this property. It should be an independent decision. (*Discussion about current zoning of Trustee properties followed.*) Mr. D'Angelo recommends Burger King, Spalco and Castle Ford be rezoned to general commercial and that the Getty station and ferry cut-off be studied further because properties on Route 13 are already surrounded by industrial commercial and businesses already in existence there requires this zoning. Mr. Taylor suggested adding the Gambacorta dealership and the Shell gas station; Mr. D'Angelo agreed.

Mr. D'Angelo made a motion that the properties of Burger King, Spalco, Castle Ford, Gambacorta Motors and the Shell station be recommended to be rezoned general commercial, and that the other two parcels, Getty and ferry cut-off, be tabled for further study. The motion was seconded. Mr. Bird said he shares the concerns mentioned tonight and feels some classifications are too broad and the zoning code needs to be looked at and revised. **The motion was passed with Mr. Wilson abstaining from the vote due to conflict of interest.**

Subdivision of Parcel #21-015.00-194 Into Two Lots – A review of the project was presented. **Mr. Wilson made a motion to recommend to Council the approval of the subdivision as written, however, he would like to include in the recommendation that we did not receive this information until March 15th.** Dr. Norsworthy informed it had been submitted on time but the Planning Commission didn't receive it in a timely manner. **Mr. Bird seconded the motion. The motion was approved by unanimous vote.**

Riveredge Park Proposed Office Building PLUS Review – A review of the project was presented. Mr. David Sills informed that all PLUS comments pertinent to this project had been addressed and that all city codes have been met in the plan. *(Mr. Sills then fielded questions from the Commission and Mr. Lloyd.)* Mr. Bird expressed concern that the Planning Commission hasn't had adequate time to review this project and he would not be comfortable voting this evening. *(Additional discussion followed about what is being considered for approval followed between all parties.)* **Mr. Wilson made a motion to accept the plan as submitted. Mr. DiAngelo seconded the motion. Favorable votes were cast by Messrs. Wilson, DiAngelo, Simpson, and Dr. Norsworthy; Mr. Bird cast a dissenting vote. The motion carried with a 4-1 vote.**

Request From Newport Crossing LLC and/or HDC, Inc. Concerning A Request To Rezone Portions of the Twin Spans Business Park Property: One Section From OSR to I and One Section from I to OSR – Mr. Shawn Tucker presented several exhibits to the Commission explaining the project. They are proposing to rezone approximately 1.3 acres of the existing open space to industrial consistent with the rest of the park and proposing approximately 6 acres to open space. The reason for the rezoning request is to allow for the addition of approximately 10,000 square feet in the park and would allow for reconfiguration of one of the roads servicing the park. Messrs. Tucker and Sills then answered questions made by Commission members and Mr. Lloyd. **Mr. Bird made a motion to accept the rezoning as proposed. The motion was seconded. Commission members unanimously approved the request.**

(Brief intermission took place.)

General Discussion

Mr. Wilson distributed a copy of the city code to each member of the Planning Commission who does not currently have a version. He suggested that each member of the Commission be assigned a book while serving. If they leave the Planning Commission they would be required to return the book or pay for same. Mr. DiAngelo asked Mayor Klingmeyer to determine when the book will be updated.

Dr. Norsworthy reported that Cathie Thomas has informed him of several opportunities for training. Members who are not currently on the email distribution list need to get on that list. A conference hosted by the American Planning Association (APA) will be taking place April 14-15, 2007 in Philadelphia. Membership in the APA was briefly mentioned. Expenses relating to Planning Commission business are reimbursable by the city. Mr. Lloyd suggested making a member of this commission their representative with this organization thereby receiving their magazine and newsletters. That person would report back to the Planning Commission.

(Dr. Norsworthy informed the group of several other training opportunities.)

Action Plan Progress and Review

Mr. Bird feels it would be helpful to review the comprehensive plan to determine the status of items in the plan. Mr. Wilson informed we have a checklist that was submitted last year that can be used to go forward. He suggested scheduling a separate meeting to go through only the action plan. Mr. DiAngelo reminded that last year he recommended we consider appointing a committee to review the comprehensive plan and it did not receive support. We now have about nine months to complete our plan. He urged Commission members to take action.

(Lengthy discussion about the process, a consultant to work on the plan, community input, and grant money followed.) Dr. Norsworthy suggested meeting again in two weeks. He will get consultant and funding info from Cathie Thomas to report to Commission members. An Action Progress and Review Meeting will take place on Tuesday, April 3, 2007, at 6 p.m.

Mr. Bird commented that the Planning Commission should have a representative serving on the Historic Area Commission. City Council appoints that person. He is interested in serving as our liaison on HAC. Our former liaison, Jane Miller, is no longer a member of the Planning Commission. **Mr. Simpson made a motion to recommend David Bird as Planning Commission representative on HAC. The motion was seconded by Mr. Wilson and approved by unanimous vote.**

Mr. Bird asked Mr. Jeff Bergstrom if it is feasible to reverse the process where developers claim to have met all applicable codes. Concern was raised about possibly not having all pertinent information in a timely manner in order to make a recommendation or not to Council. Mr. Wilson feels that if we do not have all applicable materials on the date specified in our bylaws/rules it should not appear on that month's agenda. Dr. Norsworthy referred to the Planning Checklist.

Planning Checklist

Dr. Norsworthy reported that he, Messrs. Lloyd and Bergstrom met recently to review the checklist. This checklist will benefit the Planning Commission as well as every other aspect involved in the city planning process. He would like to go forward to finish this checklist to get a hard copy to review. (*Discussion about the Planner's duties with this Commission and our budget followed.*) Mr. Wilson suggested adding "budget review" to our monthly agenda in order to keep track of our budget. (*Further discussion followed.*)

Adjournment – **Mr. Wilson made a motion to adjourn the meeting;**

The motion was seconded and approved unanimously. The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Debbie Turner
Stenographer

(*Stenographer not present at meeting; transcribed from tape recording.*)