

**City of New Castle Delaware
Public Hearing at Town Hall
201 Delaware Street – New Castle
Tuesday, July 8, 2014, 6:30 p.m.**

Call to order: 6:30 pm

Roll Call:

Councilperson Megginson
Councilperson Cochran
Council President Ratchford
Councilperson Petty
Councilperson Vannucci

Also present:

William Barthel, City Administrator
Janet Carlin, City Treasurer
Daniel Losco, City Solicitor
Jeff Bergstrom, Building Official & Fire Marshall

Public Hearing concerning Ordinance 495 to amend Article 1 Section 230-1 of City Code regarding height restrictions in Downtown Gateway District.

President Ratchford stated the purpose of this ordinance is to amend the city code to clarify the definitions. There is no change in the maximum height of 45 feet. The ordinance will also clarify the height restriction relative to the flood zone.

President Ratchford asked for comments from Council. No comments given.

James Harker, Attorney, representing JH Fisher spoke in favor of the ordinance to clarify the height restrictions.

Ervin Thatcher of West 7th is against changing the height restrictions. There are already high buildings in Shawtown. The residents of West 7th will be surrounded and there will be more traffic on the streets. He believes apartments shouldn't be any higher than a house.

Bob Thomas of West 7th can't get out of his driveway now due to morning traffic and doesn't want more traffic from apartments.

President Ratchford asked for comments from Council:

Councilperson Megginson stated that Council is not considering apartments. This ordinance just establishes where to take measurements from. There will be no approval or disapproval of any buildings tonight.

Ervin Thatcher of West 7th commented that if Council is not talking about apartments, it must be an office building that is being considered.

Councilperson Megginson reiterated that there are no permits out for apartments and that there are too many rumors around. A company made a presentation and showed drawings of a concept for mixed retail and apartments at the last Council meeting. There is no action on it and Council is not trying to pull anything. The purpose of the ordinance is just to establish a grade line. What is built is a totally separate issue.

Bob Thomas of West 7th commented that he believes that contaminated dirt from an electric substation was moved to another property.

Councilperson Vannucci said the ordinance is to try to stop buildings like The Helm.

City Administrator Barthel reported that The Helm was approved before the height restriction was in effect. This restriction requires buildings to be lower.

City Solicitor Losco commented that the code currently gives no definitions for height. The purpose of the ordinance is to restate and clarify the code. The intention is not to raise the height but to restrict it. The only thing new is to clarify how to measure the height.

The motion to adjourn was made by Councilperson Megginson, seconded by Councilperson Petty and passed unanimously. Council adjourned at 6:46 pm.

Respectfully submitted,

Janet Wurtzel
Clerk of the City of New Castle