

New Castle City Planning Commission Meeting
Minutes
January 25, 2016 -- 6:30 p.m.
City of New Castle Town Hall

Members Present: Michael Quaranta, Chair
David Baldini, Vice Chair
Joseph DiAngelo
Jonathan Justice*
Josephine Moore
Gail Seitz
Florence Smith

Members Absent: David Bird
Vera Worthy

Also present: Debbie Pfeil, Planner
Deborah Turner, Stenographer

*joined meeting at 7:35 p.m.

The meeting was called to order at 6:30 p.m. Roll call followed.

Ms. Pfeil announced she is participating in tonight's discussions as an independent. She is no longer affiliated with AECOM. She is attempting to finish the project she started.

Minutes – A motion was made and seconded to approve the 10/26/15 minutes.
Motion approved.

Site Plan: New Castle Foundry Apartments, West 7th Street, Tax Parcel #21-017.00-126 – Mark Ziegler, McBride and Ziegler, presented. McBride and Ziegler prepared the site plan for the New Castle Foundry Apartments. The property is located to the south of West 7th Street (Route 9) on the site of a former factory. The owner, Eric Mayer, is proposing to develop a multi-family, four-story apartment building with 27 apartments and structured parking. City Code requires 41 parking stalls. They are providing 51 parking stalls; handicap parking is included in the count. The project cannot exceed more than 49 stalls (120% of what is required by Code) and will reduce two parking stalls. They plan 26 parking stalls on the ground floor and 25 parking stalls outside the building. The building's front will face West 7th Street while the rear of the building faces the river.

Tim Kaiser, Bernard and Associates, spoke about the architectural views of the project. Parking entrances are underneath the building. They have secured approvals from fire officials and trash disposal personnel. Elevator access will be in the lobby, or center, of the building. Stairwells will be on each end of the building. They plan six (6) two-bedroom units and 21 one-bedroom units, all with views of the river and Battery Park. No retail space is planned. No storage is planned for the ground floor because the property is situated in the 100-year flood plain. The plan will be pedestrian oriented.

Ms. Seitz asked where sidewalks and a bike path would be located. There will be a sidewalk in front of the building. They are discussing ways to connect with Battery Park. Mr. Kaiser said they and the state Department of Transportation (DelDOT) are discussing a

path from the building to the park. The Trustees of New Castle Common own the land and will need to be included in those discussions. Without the path a sidewalk could be extended down West 7th Street. Mr. Ziegler said a 10 ft. wide sidewalk will be proposed for the front of the building.

Ms. Pfeil said the applicant will reduce the number of parking stalls from 51 to 49 stalls, the maximum permitted by Code. Mr. Quaranta asked about the possibility of a special exception to grant the additional parking. Ms. Pfeil said it would be in the applicant's best interest to reduce parking by two (2) spaces rather than incur legal expenses associated with a special exception. Other things to consume those spaces include putting in a dumpster, doing some landscaping or expand handicap stalls.

Ms. Moore asked about a play area for children, landscaping and acreage involved. Mr. Ziegler indicated they have complied with Code as it pertains to landscaping. Open space on the property is at 24%. The project is a little less than one (1) acre. No designated play area is planned given the proximity to Battery Park.

Mr. Baldini asked about step back compliance and the state right of way. Ms. Pfeil said that once the application gets through the DelDOT stage we will be able to see if the applicant has met compliance. The project has been through the PLUS portion according to Mr. Ziegler. Ms. Pfeil has not received a copy of their review letter or PLUS findings. She would like to tweak a couple of the contingencies.

Mr. DiAngelo asked about building entrances. Mr. Kaiser said there is direct access to both stairwells (both ends of the building) and the lobby and elevator from both the street and rear parking area, a total of three (3) entrances.

Mr. Baldini asked about compliance with trees. Ms. Pfeil cannot respond until she reviews their review letter. He asked about access/egress difficulties from the complex to 7th Street. DelDOT said the site does not warrant a traffic impact study, according to Mr. Ziegler. There will be gaps in traffic flow adding there are 17 peak hour trips during the morning. DelDOT reviews all access and egress points. A right turn lane will be installed if necessary. An apartment complex will generate less traffic than an office complex.

In summary, Ms. Pfeil reviewed the letter from AECOM to the City dated 11/30/15 and the process for approval for commissioners. This project does meet Code requirements. The application has to go through several stages and all comments will be reviewed by Ms. Pfeil. Several items that need to be approved before moving forward include the right-of-way, streetscape, reduction in parking, landscape plan, the applicant is aware the property is a 100-year flood plain and they are aware of the sea level rise map. Ms. Pfeil requested and received a resubmittal of the building elevation. Based on the review she has, Planning Commission comments, minor changes as well as State agency approvals, minor Code-compliant issues that she believes can be met, and reviewing the PLUS letter, it would be her recommendation to grant approval contingent on items in the letter dated 11/30/15 as well as the PLUS letter.

The DelDOT process will take 3-5 months with construction possibly starting mid to late summer 2016. The project is anticipated to take about one (1) year to complete once permits are secured.

Mr. Mayer, owner, thinks the design is good and fits in well with other buildings in the area. Ms. Pfeil made it clear that if there are any changes to the project considered to be major by the Planning Commission, the applicant would need to return to the Planning Commission for approval(s).

Mr. Baldini made a motion to accept the plan with the contingencies outlined in the letter as well as PLUS comments and securing agency approvals. Ms. Seitz seconded the motion. The motion was approved with four (4) in favor and one (1) against the motion (Moore).

Downtown Gateway (DG) District Discussion/Considerations for the Future – An extensive report was presented at the October 2015 meeting for Commissioners to give thought about any changes to current DG language. Commissioners were asked to consider what other projects could still come to the DG Code as multi-family. The intent of the DG was to have mixed use. Maps were provided to Commissioners showing high density projects on small amounts of property. Ms. Pfeil reviewed the applications meeting the Code that have come before the Planning Commission. She said this body can require a true mixed use and cap the density of units per acre. In addition, she noted that the calculations on the maps do not include parking, storm water, wetlands, sidewalks, setbacks, rights of way, and playground. However, she noted these suggestions make the buildable acreage smaller. Finally, she described that all of the DG properties are in the flood plain and, therefore, cost more money than any building to construct, insure and maintain. Ms. Pfeil suggested a committee comprised of stakeholders to discuss options.

Ms. Pfeil spoke of the density of the projects that have already been approved and the project presented tonight. Three (3) projects have been approved to date and all are at maximum density with less amenities, and increased traffic.

The gap between compliance and intent needs to be addressed and Mr. Baldini questions the role of this body in making that change. The Planning Commission is part of the Comprehensive Plan and Ms. Pfeil noted that City Council has not had the 'hands on' that the Planning Commission has had. She recommends the Planning Commission spearhead the research/review and bring it to City Council. The stakeholders need to discuss whether it should be mixed use and to cap density.

Ms. Pfeil noted the biggest change would be to indicate the intent of the plan is mixed use. She is responsible for advising Commissioners what meets City Code and what does not. Ms. Pfeil suggested organizing a committee comprised of 1-2 commissioners, stakeholders, and a realtor to discuss what is working and what is not working before deciding on a cap. Once a plan is approved it may not come into play.

Mr. Quaranta thinks a committee is a good path forward. He does not want to make any recommendations to City Council on density changes. He is more comfortable with a committee approach to gain more insight. He asked if the Planning Commission's recommendations would be helpful for the 2019 Comprehensive Plan Update. Ms. Pfeil said that having discussions with the committee and stakeholders could be used for the update. There are three (3) projects already approved making the DG attractive to investors. The changes we are looking at doing with density could be minor. She estimates four (4) meetings of the stakeholders could be used towards Comprehensive Plan research. Ms. Pfeil clarified that the intent of the Comprehensive Plan is what we would like to see; what you have to do is in the zoning code.

Mr. Baldini agrees with the committee approach. He considers the number of empty buildings in the City to be a disincentive. We need something here to attract visitors.

Mr. Quaranta will draft a committee option to be presented at the February meeting for Commissioners' consideration. It will identify stakeholders and when the committee will meet. Commissioners agreed with the committee concept.

Parking Committee Report -- The committee is still working on signage and wayfinding. They will be meeting quarterly or as needed. They plan on doing another count this summer. Ms. Pfeil said that a survey was distributed recently from the Downtown Development District Project. The survey incorporated some parking questions. Ms. Pfeil hopes to get information about parking-related issues from the survey to provide to the Commission.

Commissioner's Comments

None.

Comments from the Public

Alice Riehl of the *New Castle Weekly* informed that City Council (mid-year budget meeting) has allotted \$140,000 in their budget for a parking lot in the City. Most want the lot situated next to the bank parking lot and could work together with the Trustees. Chris Castagno, Trustees of the New Castle Common, was in the audience and confirmed they are looking at Battery Park. The Trustees are spending a lot of money to make improvements in the area, including the potential for a new parking lot. As Trustee Finance Committee Chairman he will be working with City government to identify how to best to proceed. A parking lot would support Battery Park and the downtown area together. The location was one of the areas proposed for parking by the Parking Subcommittee. Ms. Moore questioned the need for more parking saying there are typically 10-12 empty parking spaces behind the bank.

Glenn Rill, City resident, said the traffic count that was done gave information on where problems exist and places for visitors to park. But the count was not broad enough, missing several areas. He questioned the overflow in residential areas. As for residential stickers, some of that information is available from the current count. Going a block or two

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inward from Delaware Street, on side streets, there is parking availability. Behind the bank is the only option that will benefit businesses in the downtown area.

The Planning Commission's next meeting is 2/22/16. A Downtown Development District update will be on the agenda for this meeting. There being no further business the meeting was adjourned 7:50 p.m.