

**MINUTES - BUSINESS MEETING
NEW CASTLE COUNTY PLANNING BOARD
87 READS WAY, NEW CASTLE, DELAWARE
April 17, 2018**

The Business Meeting of the Planning Board of New Castle County was held on Tuesday, April 17, 2018 in the New Castle Room of the Government Center Building, 87 Reads Way, Corporate Commons in New Castle, DE.

The meeting was called to order by Acting Chair Sandra Anderson at 9:10 a.m.

The following Board members were present:

Sandra Anderson
Leone Cahill
Joseph Montgomery
William McGlinchey

Linda Porras-Papili
Robert Snowden
Ruth Visvardis

The following Board members were absent:

(2 vacant positions)

Planning Board Attorney, Department of Law

Adam Singer

The following Department of Land Use employees were present at the meeting:

Richard Hall
George Haggerty
Antoni Sekowski

Matthew Rogers
Kate Clark
Brad Shockley

The following members of the public were in attendance:

Tom Driscoll

MINUTES

On motion by Mr. Montgomery, seconded by Ms. Visvardis, the minutes of the March 20, 2018 meeting were approved as written by a vote of 7-0-0-0 (YES: Anderson, Cahill, Montgomery , Papili, McGlinchey, Snowden, Visvardis; NO: none; Abstain: none ; ABSENT: none; VACANT POSITIONS: Two).

DEFERRALS

None

BUSINESS -

App. 2017-0577-Z. West side of North DuPont Highway (Rt. 13), north of Central Avenue and south of Lovelace Avenue, New Castle Hundred. This is a County Initiated rezoning at **2101 North DuPont highway** to change the zoning of the site to permit commercial uses on the property. **Ord. 17-117 will rezone 0.23 acre from NC6.5 (Neighborhood Conservation) to CR (Commercial Regional)** and to amend the 2012 Comprehensive Development Plan consistent therewith. CR Zoning. CD10.

The Department has considered the *Standards for Zoning Map Amendment* in Section 40.31.410. A through E, the proposed plan, and the comments received from agencies and the public. Based on this analysis the Department is of the opinion that the standards are met by this proposal. The Department of Land Use recommends **APPROVAL** of Ord. 17-117.

At its business meeting held April 17, 2018 the Planning Board considered the analysis and reasoning offered by the Department of Land Use in its recommendation. On a motion by Mr. Montgomery and seconded by Mr. McGlinchey, the Board voted to recommend **APPROVAL** of Ordinance 17-117. The motion was approved by a vote of 6-1-0 (Yes: *Anderson, Cahill, Montgomery, McGlinchey, Visvardis, Snowden*; No: *Porras-Papili*).

Preceding the vote the Board asked a number of questions concerning the County initiated rezoning process. McGlinchey inquired what could be done with the property if it were to be rezoned. He further questioned the rationale for proposing a rezoning without an underlying land development plan. Matthew Rogers, Planner for the Department of Land Use explained that if the property were to be rezoned, the existing structure could be used in a commercial capacity and explained that any proposed development would have to meet the requirements of the Unified Development Code and would be subject to all regulatory requirements at the time of plan submission.

Ms. Porras-Papili questioned whether notification of this proposed rezoning was sent to neighboring property owners and whether the rezoning was sought by an individual property owner or a commercial company. Mr. Rogers explained that any can initiate the

County initiated rezoning process by contacting County Council. He explained that the application was noticed in accordance with the requirements for rezoning in the Unified Development Code.

Ms. Visvardis asked how the County located properties in order to initiate rezoning. Mr. Rogers explained that this process is initiated by the property owner who then contact their Councilperson or the County.

Ms. Anderson inquired whether this was a County initiated rezoning due to a mistake or mislabeling in the 1997 rezoning of the Unified Development Code. Mr. Rogers responded that this was a County initiated process because the County was contacted by the Councilperson for the property owner. He explained that this site was not mistakenly zoned, as the residential zoning designation met the requirements of the Code at that time.

OTHER BUSINESS

New Castle County Capital Budget – At the April 17, 2018 Planning Board Business Meeting, Brian Maxwell, Chief Financial Office, New Castle County, presented the New Castle County Capital budget 2019-2024.

The Department reviewed the New Castle County Capital Budget and believes that the proposed Capital Program and Budget is based on sound land use planning principles and is in accordance with the 2012 Comprehensive Development Plan, and recommends that New Castle County Council approve the New Castle County Capital Program & Budget for Fiscal Years 2019-2024.

At the business meeting held on April 17, 2018, the Planning Board considered the recommendation and analysis offered by the Department of Land Use. On a motion made by Mr. Snowden and seconded by Mr. Montgomery, the Planning Board voted to recommend to County Council that the proposed Capital Budget & Program be approved, and the motion was adopted by a vote of 7-0-0 (*Yes: Anderson, Cahill-Krout, McGlinchey, Montgomery, Porrás-Papili, Snowden, Visvardis; No: none; Absent: none*).

In discussion preceding the vote, the following comments were offered:

Ms. Anderson asked Brian Maxwell, New Castle County Chief Financial Officer, to explain the difference between a completed and a deleted project on the page 8 of the supplied presentation document. Mr. Maxwell explained that the PulsePoint project was completed in full and that any remaining funds will rotate back to the general fund. The Westover Hills Trailer (a police trailer proposed for the area) did not move forward and will be removed from the County's books. Ms. Anderson also inquired about the PAL building renovations listed on sheet 7 of the presentation document, and if it hadn't been completed in 2017. Mr. Maxwell, explained that the renovations were for resurfacing parking areas and where the projects had received authorization in 2017, they won't be completed until 2020. Mr. Snowden asked about proposed improvements to the Christina force main, questioning if a long term full replacement is necessary and if part of the

funding would be used for planning and design. Mr. Maxwell spoke to the emergency repairs and funding needed to plan for future improvements to the force main. Ms. Papili asked about projects in southern New Castle County, and if there is a different tax base in that portion of the County. Mr. Maxwell discussed evaluating improvements such as libraries and infrastructure in the area. He also stated that areas that provide their own services have a lower tax obligation.

REPORT OF COMMITTEES

None.

REPORT OF GENERAL MANAGER

Richard Hall, General Manager for the Department of Land Use discussed the Part II amendments for the UDC, Ordinances 18-020 and 18-021 (Site Design and Process).

REPORT OF CHAIRPERSON

None.

OTHER BOARD MEMBER COMMENTS

None.

COMMENTS FROM THE PUBLIC

None.

ADJOURNMENT

The Board voted to adjourn the meeting at 10:36 a.m.

ATTEST:

Richard E. Hall, AICP
General Manager
Department of Land Use

Sandra Anderson
Acting Chair
Planning Board