

City of Wilmington



MICHAEL S. PURZYCKI
Mayor

CITY PLANNING COMMISSION **MEETING BY VIDEO CONFERENCING WITH REMOTE PUBLIC PARTICIPATION**

AGENDA

Tuesday, May 18, 2021

6:00 P.M.


PUBLIC HEARING

1. **Resolution 3-21:** A proposal to rezone the property located at 3001 Bowers Street (tax parcel # 260-30.00-030) from M-1 Light Manufacturing to R-3 One Family Row Houses. Zoning Referral #556-21.
2. **Resolution 5-21:** Proposed amendments to Chapter 48 (Zoning Code) as follows: amend Section 48-316 (Definitions) to define drive-through facilities; amend Section 48-339 (W-4 Districts) to prohibit drive-through facilities, limit the size of printing plants, light manufacturing and other places of business, and prohibit exterior and outdoor wholesale storage uses; and Section 48-523 (Applicability of Landscaping Requirements) to address parking lot landscaping requirements in waterfront districts. Zoning Referral 557-21.

REGULAR MEETING

- A. Approval of the minutes of the April 20, 2021 Planning Commission Meeting.
- B. New Business
 1. **Resolution 2-21:** A proposal to amend the comprehensive development plan entitled "Wilmington 2028: A Comprehensive Development Plan for our City and Communities" to amend the Price's Run/Riverside/11th Street Bridge Future Land Use Map.
 2. **Resolution 3-21:** A proposal to rezone the property located at 3001 Bowers Street (tax parcel # 260-30.00-030) from M-1 Light Manufacturing to R-3 One Family Row Houses. Zoning Referral #556-21.
 3. **Resolution 4-21:** A proposal to remove Mendenhall Court from the Official City Map.

4. **Resolution 5-21:** Proposed amendments to Chapter 48 (Zoning Code) as follows: amend Section 48-316 (Definitions) to define drive-through facilities; amend Section 48-339 (W-4 Districts) to prohibit drive-through facilities, limit the size of printing plants, light manufacturing and other places of business, and prohibit exterior and outdoor wholesale storage uses; and Section 48-523 (Applicability of Landscaping Requirements) to address parking lot landscaping requirements in waterfront districts. Zoning Referral 557-21.

C. Adjournment. 

You are invited to a Zoom webinar:

When: May 18, 2021 06:00 PM Eastern Time (US and Canada)

Topic: May CPC Meeting

Please click the link below to join the webinar:

<https://wilmingtonde.zoom.us/j/86231183771>

Passcode: 000702

Or One tap mobile :

US: +13126266799,,86231183771#,,,,*000702# or
+16465588656,,86231183771#,,,,*000702#

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Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1
669 900 9128 or +1 253 215 8782

Webinar ID: 862 3118 3771

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City of Wilmington



MICHAEL S. PURZYCKI
Mayor

PUBLIC NOTICE

TO: Affected Property Owners, Community Groups and Interested Parties
FROM: Wilmington Department of Planning
DATE: May 5, 2021
RE: **Resolution 3-21:** A proposal to rezone the property located at 3001 Bowers Street (tax parcel # 260-30.00-030) from M-1 Light Manufacturing to R-3 One Family Row Houses. Zoning Referral #556-21.

The Wilmington City Planning Commission will hold a public hearing on **Tuesday, May 18, 2021 at 6:00 p.m.** via the teleconferencing software Zoom* regarding a proposal to rezone the property located at 3001 Bowers Street (tax parcel # 260-30.00-030) from M-1 Light Manufacturing to R-3 One Family Row Houses, as shown on the attached map. At that time, the Commission will receive public comment regarding this proposal.

This rezoning action was prompted by a request from the East Side Community Learning Center Foundation to rezone the single parcel of land located at 3001 Bowers Street so that it is consistent with the remainder of the block within which it is situated, bounded by Todd's Lane, Bowers and Claymont Streets, and the City's northern boundary, which is owned by the Foundation and leased to the East Side Charter School. The rezoning of the subject parcel brings the entire block under the R-3 zoning classification and will allow for the expansion of the school onto the site.

At this meeting, the Commission will also consider Resolution 2-21, which proposes to amend the comprehensive development plan entitled, "*Wilmington 2028: A Comprehensive Plan for our City and Communities*", for the purpose of changing the future land use map for the Price's Run/Riverside/11th Street Bridge neighborhood to update the land use for the subject parcel from "Mixed Commercial/Light Manufacturing" to "Institutions". Land uses permitted under the "Institutions" category include schools, libraries, hospitals, government buildings, cemeteries, community centers, and major religious meeting spaces, all of which are consistent with the proposed R-3 zoning.

Existing M-1 Light Manufacturing Zoning

The proposed rezoning site is currently zoned M-1 Light Manufacturing, which is designed to provide areas where scientific research, light manufacturing or fabrication, and wholesale storage or warehousing activities can take place, and are restricted to low-density developments on large sites with suitable landscaping, which can be operated in a clean, quiet manner. No new residential development is permitted.

Public Notice
Page Two

Uses permitted in the existing M-1 district include publishing; research, testing or experimental laboratory; light manufacturing, processing, fabricating or repair; wholesale sales or the warehousing or storage, including open storage, of any commodity except commercial explosives or highly flammable materials; office, only as an accessory use; retail store or shop; restaurant or lunch room; public utility and public service use; repair, rental and servicing use; antenna placed on accessory structures; sign, other than a billboard; dwelling or apartment for a caretaker, watchman or janitor employed on the premises; group day care home and day care center, accessory to the primary use; consumer recycling collection center; and indoor commercial horticultural operation.

Proposed R-3 One Family Row Houses Zoning

The proposed R-3 One Family Row Houses zoning is designed to conserve for one family use those areas developed with one-family row houses which have not been converted to use by two or more families. Uses permitted as matter of right include single family detached and semi-detached houses, one-family row houses; churches and other places of worship; public or parochial elementary, junior or senior high schools; public library; public or private museums and art galleries; parks, playgrounds and athletic fields; cemetery; low intensity home occupations; family day care homes; group day care homes and centers, with conditions; hospitals; and fire houses and neighborhood police stations.

The proposed R-3 zoning permit developments to a height of 3 stories and requires a minimum lot area of 1,600 square feet (row house), 2,500 square feet (one family semi-detached), and 4,000 square feet for all other uses. Development is not subject to a floor area ratio, but buildings are required to be set back a minimum of 15 feet.

Rezoning Impacts

No nonconforming uses will be created as the result of this zoning action. All future development will be required to conform to the R-3 regulations, once adopted.

Summary

The East Side Charter School is situated within the block bounded by Todd's Lane, Bowers and Claymont Streets and the City's northern boundary and is zoned R-3 One Family Row Houses. The remaining parcel within the block, 3001 Bowers Street, is zoned M-1 Light Manufacturing. The rezoning of this M-1 parcel will bring the entire block under the R-3 zoning classification and allow the school to expand its operations with development that is consistent and compatible with the existing use.

The Planning Commission reserves the right to recommend alternative zoning designations which may be more keeping with the proposed development and surrounding area.

Please contact Gwinneth Kaminsky, Planning Manager, at gkaminsky@wilmingtonde.gov if you have any questions or comments regarding this rezoning proposal. Instructions for accessing the City Planning Commission public hearing scheduled for May 18, 2021 can be found on the next page.

Public Notice
Page Three

***NOTE:** This meeting of the Planning Commission will be conducted using virtual video/teleconferencing technology that will permit the public and Commission Members to participate in the meeting while preventing the risk of exposure to the Coronavirus in pursuant to Governor Carney's Proclamation# 17-3292.

You are invited to join the May 18, 2021 CPC meeting at 06:00 PM Eastern Time via Zoom webinar. Please use the link below:

<https://wilmingtonde.zoom.us/j/86231183771>

Webinar ID: 862 3118 3771

Passcode: 000702

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Attachment

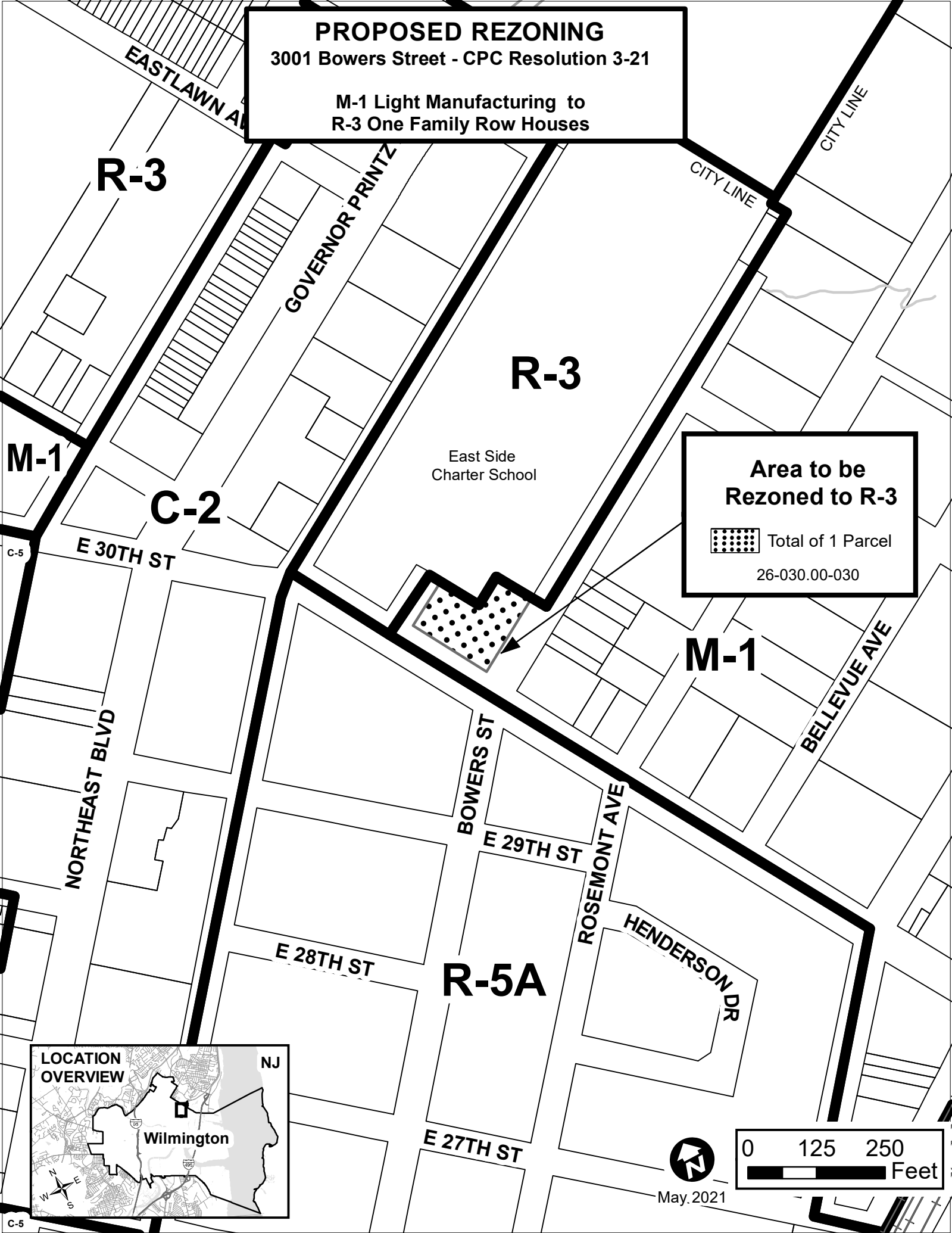
CC: Honorable Members of Wilmington City Council
Honorable Zanthia L. Oliver, 3rd District Council Member
Daniel T. Walker, City Council Chief of Staff
Tanya Washington, Mayor's Office, Chief of Staff
Robert Goff, City Solicitor

PROPOSED REZONING
3001 Bowers Street - CPC Resolution 3-21

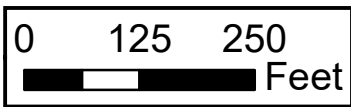
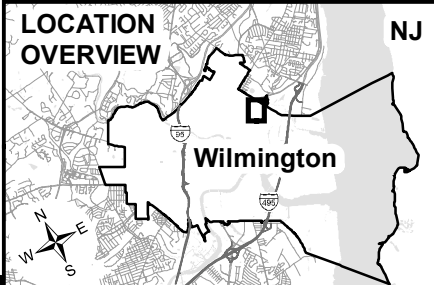
M-1 Light Manufacturing to
R-3 One Family Row Houses

**Area to be
Rezoned to R-3**

 Total of 1 Parcel
26-030.00-030



East Side
Charter School



May, 2021

City of Wilmington



MICHAEL S. PURZYCKI
Mayor

PUBLIC NOTICE

TO: Affected Property Owners, Community Groups and Interested Parties

FROM: Wilmington Department of Planning

DATE: May 10, 2021

RE: **Resolution 5-21:** Proposed amendments to Chapter 48 (Zoning Code) as follows: amend Section 48-316 (Definitions) to define drive-through facilities; amend Section 48-339 (W-4 Districts) to prohibit drive-through facilities, limit the size of printing plants, light manufacturing and other places of business, and prohibit exterior and outdoor wholesale storage uses; and Section 48-523 (Applicability of Landscaping Requirements) to address parking lot landscaping requirements in waterfront districts. Zoning Referral 557-21.

The Wilmington City Planning Commission will hold a public hearing on **Tuesday, May 18, 2021 at 6:00 p.m. via the teleconferencing software Zoom.** Due to the recent outbreak of the Covid-19 public meetings are currently being conducted virtually to maintain social distancing and to keep all constituents safe. Directions for accessing the meeting are included below. At that time, the Commission will receive public comment regarding Resolution 5-21, proposed amendments to Chapter 48 (Zoning Code) as follows: amend Section 48-316 (Definitions) to define drive-through facilities; amend Section 48-339 (W-4 Districts) to prohibit drive-through facilities, limit the size of printing plants, light manufacturing and other places of business, and prohibit exterior and outdoor wholesale storage uses; and Section 48-523 (Applicability of Landscaping Requirements) to address parking lot landscaping requirements in waterfront districts. Zoning Referral 557-21.

As part of a consistent effort to update the City of Wilmington Zoning Code by the Department of Planning the following amendments are being proposed for the Waterfront zoning districts.

Amend Section 48-316 to define drive-through facility. This amendment adds a formal definition of “drive through facility” to the list of definitions used in the waterfront section of the zoning code. This definition shall be used later in other sections to define prohibited use in the W-4 (Waterfront Residential) zoning district.

Amend Section 48-339 to prohibit drive through facilities in the W-4 Waterfront District. This amendment specifically identifies and amends the matter of right uses in the W-4 Waterfront Residential district in which drive through facilities are prohibited.

Public Notice

Page Two

Amend Section 48-339 to limit the size of light industrial uses to 5000 square feet in the W-4 Waterfront District. This amendment specifically identifies and amends the matter of right uses and uses permitted with Zoning Board of Adjustment approval to limit light industrial uses to 5000 square feet. This amendment does not prohibit the use of light industrial uses in the W-4 district, however, they should be limited in size as the primary purpose of district is the development of residential, commercial and office uses. While light industrial uses are permitted in the district the use should be limited in scale to further the primary purpose of the W-4 Residential commercial district.

Amend Section 48-339 to prohibit exterior and outdoor wholesale storage in the W-4 Waterfront District. This amends the uses permitted with Zoning Board of Adjustment approval to prohibit outdoor wholesale storage as a use permitted with Zoning Board of Adjustment approval. This amendment does not prohibit the use of indoor wholesale storage in W-4 district, however, outdoor storage will not be permitted.

Amend Section 48-523 to remove the exception of parking lot landscaping in all Waterfront districts including W-1, W-2, W-3 and W-4. Currently all waterfront Districts, W-1 (Manufacturing), W-2 (Manufacturing Commercial), W-3 (Low Intensity Manufacturing/Commercial Recreation District) and W-4 (Residential/Commercial) are exempt from parking lot landscaping requirements. This amendment will require all new parking lots in the waterfront districts to comply with parking lot landscaping requirements. Given that many waterfront districts border waterways parking lot landscaping will advance the cities resiliency goals such as stormwater capture, increasing tree canopy and reducing heat island effect associated with surface parking lots. New parking lots developed in any waterfront district will now be required to meet screening, street tree and interior landscaping requirements.

Please contact Matthew Harris of the Planning Department at mharris@wilmingtonde.gov if you have any questions or comments regarding Resolution 5-21 or would like to discuss any potential impacts that the proposed zoning amendments might have on your property.

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Public Notice
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CC: Honorable Members of Wilmington City Council
Honorable Michelle H. Harlee, 4th District Council Member, Sponsor
Daniel T. Walker, City Council Chief of Staff
Tanya Washington, Mayor's Office, Chief of Staff
Robert Goff, City Solicitor