

MINUTES

CITY PLANNING COMMISSION

September 18, 2018

Present: Desmond Baker (Vice-Chair), Lloyd Budd, Patrick Carter, Joe Chickadel, Anthony J. Hill and Tanya Washington (Commission Members); and Gwinneth Kaminsky, Tim Lucas and Gemma Tierney (Planning).

Desmond Baker convened the meeting at 6:00 pm.

REGULAR MEETING

Approval of the minutes of the August 21, 2018 City Planning Commission Meeting

Mr. Baker asked the Commission to make a motion on the minutes of the August 21, 2018 City Planning Commission (CPC) meeting. Patrick Carter moved to approve the minutes, and AJ Hill seconded the motion. All members voted to approve the minutes.

New Business

Resolution 20-18; MS-18-04: Major Subdivision application from Viescot, LLC, which proposes to resubdivide three parcels into three parcels for the purpose of constructing an office, soundstage, and warehouse. The site is located at 601 Industrial Street, and 1145 and 1155 East 7th Streets.

Tim Lucas from the Department of Planning and Development presented the Department report for Resolution 20-18. His presentation was accompanied by a series of slides. Mr. Lucas said that the applicant's proposal was subject to CPC review because it is a major subdivision, and that it qualifies as a major subdivision because the site is larger than 2.5 acres and portions of the site fall within regulatory floodplain boundaries. He said that the site is generally bounded by Industrial Street, 7th Street, and the Brandywine Creek, is 17.88 acres and is in a W-3 (Low Intensity Waterfront Manufacturing/Commercial Recreation) zoning district.

Mr. Lucas said that the subdivision plan was circulated to City Departments for comment, and that the Department of Planning and Development provided the following comments:

- Note # 12: The area variances listed on the plan are not required to be approved by the City's Zoning Board of Adjustment prior to the completion and recordation of the subdivision plan. Therefore, the note may be removed entirely, or reworded into a comment stating the intent to apply for variances in relation to future construction only.
- Under the Subdivision Data matrix, remove "701" from both references to tax parcel number 12-045.00-013 because 601 Industrial Street is the official street address recognized by New Castle County data.

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- Remove the partially duplicated ghost image of the site outline from the right side of the location map.
- Note #11: Provide the missing date for the wetland investigation report. Alternatively, the note could be replaced by referencing the State of Delaware's Statewide Wetlands Mapping Project (SWMP) data, or the U.S. Fish & Wildlife Service's National Wetlands Inventory data.

Mr. Lucas concluded by stating that the Department of Planning and Development recommends approval of Resolution 20-18, and that the Departmental comments presented must be incorporated into the final plan submission prior to recordation.

Mr. Baker asked the Commissioners whether they had any questions or comments. Mr. Hill asked if the fact that only one of the proposed parcels borders a road has been considered. Mr. Lucas said that an access and utility easement is proposed on that parcel to provide road access for the other two parcels. Mr. Baker asked whether there was work being done on the site, as there appeared to be earthmoving occurring in the aerial photo in Mr. Lucas' slides. Mr. Lucas said that the image was likely taken in 2016 or 2017, and that he is not aware of what was occurring on the site prior to the present subdivision application. Mr. Baker then asked if the wetland analysis that was mentioned was required for the site. Mr. Lucas said that it is not required to mention it on the plan, but the applicant chose to do so, and the Department of Planning commented on it because the date is crossed out. Mr. Baker asked if there was a requirement to indicate on the subdivision plan that the site is in a wetland. Mr. Lucas affirmed that it is not a requirement and would instead be an issue to be resolved between the applicant, the State and the Federal government.

Mr. Baker asked John Dobraniecki, the project architect, to come up to the podium to address Mr. Baker's question about the earthmoving seen in the aerial image. Mr. Dobraniecki approached the podium and introduced himself as a principal of Design Collaborative, Inc., Architects. He then asked two other people in the audience if they could speak about the earthmoving. Shawn Tucker, a partner with Drinker Biddle & Reath LLP, approached the podium and introduced himself as a zoning attorney representing the applicant, Vicscot. He said that Vicscot took title of the property in the last year, and that the prior owner, Andy Aerenon, was moving earth as part of a "brownfields-type" site cleanup that was approved by the City pursuant to a lines and grades plan prepared by McBride & Ziegler, Inc., several years ago.

Mr. Baker asked if there were any additional questions or comments. As there were none, he called for a motion on the resolution. Mr. Hill moved to approve the resolution, and Mr. Carter seconded the motion. Mr. Chickadel abstained from the vote. All other members voted in favor of Resolution 20-18, which was therefore approved.

Adjournment

Mr. Baker called for a motion to adjourn the meeting. Mr. Carter moved to adjourn, and Mr. Hill seconded the motion. All members being in favor, the meeting was adjourned at 6:13 pm.