

MINUTES
CITY PLANNING COMMISSION
April 7, 2020

Present: Anthony J. Hill (Acting Chair), Jennifer Adkins, Desmond Baker, Lloyd Budd, Joseph Chickadel, Brett Taylor, and Tanya Washington (Commission Members); Herb Inden, Gwinneth Kaminsky, Tim Lucas, and Jessica Molina (Planning).

In following Governor Carney's Proclamation #17-3292, due to the recent outbreak of the COVID-19, the City Planning Commission Special Meeting was conducted virtually to maintain social distancing and to keep all constituents safe. Members of the public were invited to join the City Planning Commission Special Meeting by accessing the meeting through the website zoom.us.

The virtual meeting was convened at 6:07 p.m. by Mr. Hill.

SPECIAL MEETING

A. NEW BUSINESS

- 1. Resolution 7-20; MS-20-05: A proposal by the Riverfront Development Corporation to subdivide and remove from the Official City Map a 0.5112-acre portion of an unnamed City street, located at 0 South Walnut Street, and add it to an existing parcel, located at 610 South Market Street.**

Mr. Tim Lucas from the Department of Planning and Development presented the report for Resolution 7-20; MS-20-05: A proposal by the Riverfront Development Corporation to subdivide and remove from the Official City Map a 0.5112-acre portion of an unnamed City street, located at 0 South Walnut Street, and add it to an existing parcel, located at 610 South Market Street. This presentation was accompanied by a series of slides.

Mr. Lucas explained that the applicant's proposal is considered a major subdivision and is subject to review by the Planning Commission because the site is partially located in a regulatory floodplain. He clarified that no construction is proposed by the plan.

Mr. Lucas described the location of the site and noted that it is in an M-1 Light Manufacturing zoning district. He mentioned that in October 2018, the City Planning Commission approved Resolution 21-18 recommending City Council dedication the subject parcel as a public right-of-way for a new City street, and that Council approved Ordinance 18-050 dedicating the right-of-way in December of the same year. He stated that since then, the public street has been built but remains unnamed.

Mr. Lucas said that the major subdivision plan was submitted concurrently with a second subdivision plan entitled "Salvation Army Redevelopment Parcel 2" which would be address in the next presentation. He disclosed that although no proposed construction is shown on either the Salvation Army Parcel 1 or 2, the overall purpose of both subdivisions is to create a parcel large enough to construct a multi-building complex for the Salvation Army.

Mr. Lucas stated that the Law Department reviewed the proposal and determined that the narrowing of the right-of-way does not constitute a street removal, as the proposed subdivision does not change public access, close the street, or move the existing street bed. Therefore, Resolution 7-20 would not need to include a recommendation to City Council regarding the right-

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of-way. He stated that no amendment to the Official City Map was required.

Mr. Lucas said that the Law Department also stated that because the City entered into a “Lease and Purchase and Sale Agreement” with the current owner of the land in question in 2015, any potential City ownership interests in the parcel must be resolved prior to the recordation of the final subdivision plan.

Mr. Lucas noted that the preliminary plan was circulated to City departments for comment. He discussed the following comments as presented in the slide presentation:

The Department of Public Works Division of Transportation reviewed the plan and stated that, if approved, this subdivision would yield only a small strip of area that could accommodate a public sidewalk on the northern side of the existing unnamed street. Therefore, approval of this plan should be made conditional upon the applicant including a sidewalk along the northern side of the roadway, even if it is provided via an access easement. The development of the Salvation Army site, as Public Works understands it, will not only have a retail store but also a residential component. It is reasonable to expect that both customers and residents will need a pedestrian sidewalk along this road for safety reasons. It has been said that the future residents will be not permitted to keep a car on site, so pedestrian access for reaching public transportation bus stops will be of critical importance.

The Department of Planning and Development reviewed the plan and requires the following revisions:

1. Change the label of “New Sweden Street to “Unnamed City Street”. A name was proposed for the unnamed street by City Planning Commission Resolution 16-19, but legislation for this naming has not yet been approved by City Council. Therefore, no reference to a proposed name should appear on the plan.
2. Add the existing acreage of the subject parcel 26-057.00-053 to the General Notes.
3. Correct the typos in General Notes #3 and #5.
4. Add the owner’s address to the General Notes #5.
5. List the current address for tax parcel 26-057.00-053 (the subject parcel) in General Notes #6.

Mr. Lucas concluded his presentation by stating that the Department of Planning and Development found that, provided that the developer provides pedestrian access recommended by the Division of Transportation, the narrowing of the public right-of-way will not cause any detriment to the general public. The Department therefore recommended that the preliminary major subdivision plan for 0 South Walnut Street, entitled, “Salvation Army Redevelopment Parcel 1” be approved.

Mr. Lucas clarified that the final approval and recordation of the plan is contingent upon the applicant addressing any issues and comments listed in the Planning Department subdivision report.

Mr. Hill asked the Commission Members if they had any questions or comments for Mr. Lucas.

Ms. Washington told Mr. Lucas that she noticed that the developer was trying to obtain the right-of-way on Walnut Street. She asked Mr. Lucas if this would impact the project. Mr. Lucas replied that it would impact the layout of the buildings. Mr. Lucas did not know if this would be a crucial component, so he did not suggest that the resolution be approved contingent upon the developer acquiring the piece of land. He restated that no construction is shown on either subdivision plan.

Mr. Hill asked Mr. Lucas to confirm that the northern portion of what is proposed to be New Sweden Street is what is going to be subdivided. Mr. Lucas agreed and confirmed that it is north from where the current street was constructed.

Mr. Hill asked the Commission Members if they had any additional comments or questions for Mr. Lucas. There being none, Mr. Hill asked for a motion on Resolution 7-20; MS-20-05: A proposal by the Riverfront Development Corporation to subdivide and remove from the Official City Map a 0.5112-acre portion of an unnamed City street, located at 0 South Walnut Street, and add it to an existing parcel, located at 610 South Market Street. Ms. Washington made a motion to approve Resolution 7-20; MS-20-05. Mr. Taylor second the motion. With all in favor, Resolution 7-20; MS-20-05 was approved.

2. Resolution 8-20; MS-20-06: Major Subdivision application from the Riverfront Development Corporation, which proposes to subdivide a 0.4418-acre portion of 0 Garasches Lane and add it to an existing parcel, located at 610 South Market Street.

Mr. Tim Lucas from the Department of Planning and Development presented the report for Resolution 8-20; MS-20-06: Major Subdivision application from the Riverfront Development Corporation, which proposes to subdivide a 0.4418-acre portion of 0 Garasches Lane and add it to an existing parcel, located at 610 South Market Street. This presentation was accompanied by a series of slides.

Mr. Lucas explained that the proposal is considered a major subdivision, and is subject to review by the Planning Commission, because the site is partially located in a regulatory floodplain. He noted that no construction is proposed by the plan.

Mr. Lucas described the site's location and noted that the entire site is located in an M-1 Light Manufacturing zoning district. He said that the major subdivision plan was submitted concurrently with a second subdivision plan entitled "Salvation Army Redevelopment Parcel 1", which he had just presented. Mr. Lucas restated that the purpose of both subdivisions is to create a parcel large enough to construct a multi-building complex for the Salvation Army.

Mr. Lucas noted that the preliminary plan was circulated to City departments for comment. He discussed the following comments as presented in the slide presentation:

The Department of Public Works Division of Transportation reviewed the plan and provided the following statement:

The original concept for the unnamed city street (adjacent to the west, commonly referred to as the “northern connector”) was for it to extend to the east as part of the “Church Street Connector” to improve traffic circulation and allow for multi-modal transportation alternatives in South Wilmington. Depending on the future development plans for the portion of the subject parcel to be subdivided and consolidated with 610 South Market Street, the extension of the road may no longer be possible unless an easement were provided, and/or the subdivision of the land were modified to allow future cross access as originally intended.

Department of Planning and Development reviewed the plan and requires the following revisions:

1. As the parcel consists of a drainage ditch/swale, indicate on the plan any existing or proposed easements or drainage rights-of-way, as described in the Subdivision Regulations, Sec. 103.3(c).
2. Change the label of “New Sweden Street to “Unnamed City Street”. A name was proposed for the unnamed street by City Planning Commission Resolution 16-19, but legislation for this naming has not yet been approved by City Council. Therefore, no reference to a proposed name should appear on the plan.
3. Add identifying information for the bordering parcels to the east and northeast (501 Garasches Lane and 502 South Walnut Street).
4. Add the owner’s address to the General Notes #5.

Mr. Lucas concluded his presentation by stating that the Department of Planning and Development recommended that the preliminary major subdivision plan for 0 Garasches Lane be approved. He clarified that the final approval and recordation of the plan is contingent upon the applicant addressing any issues and comments listed in the Planning Department subdivision report.

Mr. Hill asked the Commission Members if they had any questions or comments for Mr. Lucas.

Ms. Adkins asked Mr. Lucas if the subdivision was creating a flag shaped parcel or if the parcel was going to be attached to the parcel described in the previous presentation. Mr. Lucas confirmed that the parcel would be added to the parcels discussed in the previous presentation.

Mr. Hill asked Mr. Lucas if there was going to be any road construction in the parcels. Mr. Lucas stated that the road construction is away from the subdivision.

Mr. Hill asked the Commission Members if they had any additional comments or questions for Mr. Lucas. There being none, Mr. Hill asked for a motion for Resolution 8-20; MS-20-06: Major Subdivision application from the Riverfront Development Corporation, which proposes to subdivide a 0.4418-acre portion of 0 Garasches Lane and add it to an existing parcel, located at 610 South Market Street. Ms. Washington made a motion to approve Resolution 8-20; MS-20-06. This motion was second by Mr. Taylor. With all Commission Members in favor, Resolution 8-20; MS-20-06 was approved.

B. ADJOURNMENT 

Mr. Hill called for a motion to adjourn the meeting. Mr. Taylor moved to adjourn, and Ms. Washington second the motion. All members being in favor, the meeting was adjourned at 6:29 p.m.