

**FINAL
MINUTES - BUSINESS MEETING
NEW CASTLE COUNTY PLANNING BOARD
87 READS WAY, NEW CASTLE, DELAWARE
January 20, 2015**

The Business Meeting of the Planning Board of New Castle County was held on Tuesday, January 20, 2015 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 Sandra Anderson, Acting Chair, at 9:00 a.m.

The following Board members were present:

Sandra Anderson
Robert McDowell
David Sheppard
Ruth Visvardis

Leone Cahill
William McGlinchey
Robert Snowden
Arthur Wilson

The following Board member was absent:

Richard Killingsworth

Planning Board Attorney, Department of Law

Monica Horton

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

Eileen Fogarty
Valerie Cartolano
Antoni Sekowski

George Haggerty
Ken Bieri
Marco Boyce

Public in attendance:

John Tracey

MINUTES

On motion by Mr. Sheppard, seconded by Ms. Visvardis, the Board voted to approve the minutes of the December 16, 2014 business meeting as written. The motion passed by a vote of 6-0-2-1 (Yes: Anderson, Cahill, McDowell, Sheppard, Visvardis, Wilson; No: none; Abstain: McGlinchey, Snowden; Absent: Killingsworth).

DEFERRALS – None

BUSINESS

App. 2014-0748-D. South side of Brackenville Road, east of Limestone Road (SR 7). **To amend a Declaration of Restrictions dated March 28, 1991 by the Catholic Diocese Foundation** and subsequently amended November 8, 2001 that were associated with a rezoning of the property from R-2 to R-4 by Ord. 90-291 and adopted by County Council on April 9, 1991. The current amendment is to permit the continued use of the **Franciscan Eldercare Corporation skilled nursing facility and to change the current 100-bed limitation to the now state licensed 104-bed facility.** No other changes are proposed. S (Suburban) zoning. CD 3.

The Department of Land Use considered the Standards in Section 40.31.130.D of the *New Castle County Code* and other public comments. Based on this analysis the Department is of the opinion that the proposed changes are in the best interest of the parties to the restrictions and are consistent with the planning goals for the County. As a result, the Department recommended **APPROVAL** of the deed restriction change as proposed.

The Planning Board considered the recommendation offered by the Department of Land Use and comments made by the public and others. On an amended motion by Mr. McDowell and seconded by Mr. McGlinchey, the Board voted to recommend **APPROVAL** of the Declaration of Restrictions change application and to recommend that the Franciscan Eldercare Corporation strongly consider adding additional onsite parking to their facility. The motion was adopted by a vote of 8-0-1 (YES: Anderson, Cahill, McDowell, McGlinchey, Sheppard, Snowden, Visvardis, Wilson; NO: none; ABSENT: Killingsworth).

In discussion preceding the vote the Board offered the following comments:

Mr. Sheppard supported the application to amend the DR to coincide with the number of beds permitted by the State license, however, he is concerned over the lack of parking onsite and the impact this has had on the employees at the facility and to the residents of the neighborhood sharing access on St. Clair Drive. He suggests that the Board should be firm in their recommendation that the current owner of the facility should give serious consideration to adding more spaces onsite. While not wanting to condition the Board's approval to such a condition, he wants the applicant and ultimately County Council to understand the importance of doing whatever is necessary to add more spaces onsite. Mr. McGlinchey agreed that the 104 bed number is not an issue; however, he suggested that the issue of parking on St. Clair Drive is an enforcement issue that is only resolved or minimized at best by the facility owner.

Ms. Visvardis also supports the 104-bed change, but is concerned for the safety of the employees crossing Brackenville Road. She is in agreement with Mr. Sheppard that the Planning Board convey its concern through this report to the facility's owners and County Council regarding the lack of onsite parking and the owners resolve to create additional spaces onsite.

Mr. Wilson also commented to the issue of lack of onsite parking and agreed that this report should highlight the consensus of the Board to strongly encourage the owners to address the onsite parking deficiencies. He reminded Board members that if the UDC is amended to require additional onsite spaces for these types of uses that it won't be retroactive; and, as such, the

Board's recommendation should be strongly worded to encourage the owner to find new spaces onsite soon.

Based on the Board's discussion, Mr. Sheppard made a motion to amend the original motion to include language recommending that the Franciscan Eldercare Corporation strongly consider adding additional onsite parking to their facility. The motion was seconded by Mr. Wilson. The motion to amend the original motion was adopted by a vote of 8 in favor and none opposed. Following the approval of the amendment, the Board then voted 8 in favor and none opposed to recommend approval of the deed restriction change application.

Following the vote, the Board did concur with the Department that it is important for the County to consider an amendment to the UDC that is reflective of the State staffing requirements and the current UDC parking standards for nursing facilities.

OTHER BUSINESS

Presentation: Department of Land Use Action Plan and Work Program - Eileen Fogarty

Ms. Fogarty gave an overview of recent plan and process changes in the Department. She mentioned three studies have been undertaken and a fourth is in progress. The first examined processes and timing, the second focused on a work program and action strategy, and the third dealt with economic development strategies. Currently underway is an examination of the permits/inspections/enforcement processes. The greatest success in working with the Planning Board has been with context sensitive projects that add public benefit to projects, especially with rezoning applications.

Future planning studies embracing economic development will focus on the Route 9 Innovation Center, Pike Creek Valley, Newark/Route 273 area, Concord Pike, and Claymont. A study of Greenville in relation to the scenic byway is nearing completion. Planning for the Red Clay Valley Scenic Byway is just getting started.

She mentioned an approach for stimulating investment is to look at corridor revitalization and the obsolete commercial centers. Claymont is one such community where this approach will be taken. The creation of corporate and medical campus overlay districts will provide some flexibility in making minor revisions to a plan without going through the lengthy planning review process. A site readiness program is being initiated to identify sites that may have potential for economic development so the County can vet certain issues in advance and determine them ready for proposals.

The most notable area of improvement has been in working with DelDOT. Better coordination has been established. Transportation plans getting underway include a Route 40/Glasgow corridor study and Route 141 comprehensive transportation study. A study of Tri-State Mall, including issues related to multi-modal transportation will begin in the spring.

A project to revise the UDC is also beginning.

Marco Boyce, the Department's new Transportation Planner, was introduced.

REPORT OF COMMITTEES

No report.

REPORT OF GENERAL MANAGER

No report.

REPORT OF CHAIRMAN

No report.

OTHER BOARD MEMBER COMMENTS

None.

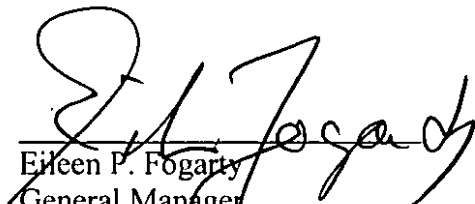
COMMENTS FROM THE PUBLIC

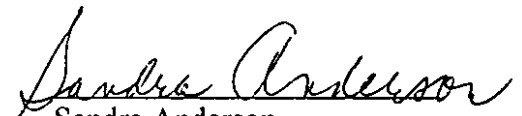
None.

ADJOURNMENT

The Board voted to adjourn the meeting at 9:54 a.m.

ATTEST:


Eileen P. Fogarty
General Manager
Department of Land Use


Sandra Anderson
Acting Chair
Planning Board