

**MINUTES OF THE MEETING
OF THE CITY OF SEAFORD
PLANNING AND ZONING COMMISSION**

7:00 p.m.

September 6, 2018

Chairman Wayne Sammons called the meeting to order with the following Commission members in attendance: Al Temple, John Leverage, E.B. Peterson and Matt Shaffer. Building Official, Mike Bailey and Chief Jack Wilson were also present.

Chairman Sammons closed the regular meeting of Planning and Zoning at 7:01 p.m. and opened the Public Hearing. He then turned the meeting over to the Building Official, Mike Bailey.

Mr. Bailey presented New Business #1, McDonald's, 23500 Sussex Highway, TMP # 331-5.00-54.00, are seeking a final site plan review for a proposed McDonald's restaurant with associated parking and access driveways.

Mr. Bailey stated that this a final site plan review for a one story 5,421 square foot building with an occupancy load of 107 seats. There will be 63 paved parking space provided; 52 parking spaces are required by code. The zoning for this property is C-2 Highway Commercial.

Mr. Bailey added that there are two existing parcels that will be combined into one parcel. There is on site storm water management to be provided. They have received approvals from State Fire Marshall, Sussex Conservation District, Delaware Department of Transportation, Office of Drinking Water and DNREC.

Chairman Sammons asked if the entrances and exists would be located in the same place? Mr. Bailey stated that they would be; there was a redesign completed to have a full access off of Sussex Highway. Chairman Sammons asked if the traffic flow around the building would remain the same. It was stated that it would.

Mr. Leverage stated that during the previous review of this project, it was discussed in length about the access routes to the drive thru. He asked if it has been corrected or improved from how it currently is on site. Mr. Meoli, representing McDonalds's stated that he agreed that the plan that is currently in place for the drive thru at this location was not perfect. For the new layout, it will be improved by having the two lines start up earlier on the side of the building. It was asked if they would have cones to divide the two lanes. Mr. Meoli stated that there is not a need for those at this location.

Chairman Sammons called for any questions from the public; there were none.

With no further questions or comments from the commission members or public, Chairman Sammons closed the public hearing at 7:09 p.m. and re-opened the regular meeting of Planning and Zoning.

Building Official, Mike Bailey then presented finding of facts.

Agenda item #1

Findings of Facts:

- Project: McDonalds Restaurant
- Owners: McDonalds Real Estate Company
- Property is located at 23500 Sussex Highway
- Tax Map & Parcel 331-5.00-54.00
- Zoning: C-2 Highway Commercial
- Final site plan review for a 5,421 sf single story building with site improvements.
- Parking spaces provided: 63 paved parking spaces
- Project received approvals from:
 - Sussex Conservation District
 - Office of the State Fire Marshal
 - Delaware Department of Transportation
 - Office of Drinking Water
 - DNREC
 - Planning and Zoning to make a recommendation to Council.

Chairman Sammons called for a motion.

Mr. Peterson made the motion to recommend approval of the final site plan review for a proposed McDonald's restaurant. Mr. Temple seconded the motion.

Chairman Sammons called for a roll call vote:

ROLL CALL VOTE:

Al Temple stated he approved based on the Findings of Facts;
John Leverage stated he approved based on the Findings of Facts;
E. B. (Rick) Peterson stated he approved based on the Findings of Facts;
Matthew Shaffer stated he approved based on the Findings of Facts;

Chairman Sammons stated the motion so passed with all present voting in favor. The Council will review the Commission's recommendations.

Chairman Sammons reopened the Public Hearing at 7:10 p.m.

Mr. Bailey presented New Business #2, City of Seaford and Better Homes of Seaford, Inc. are seeking a final site plan review for Herring Ridge, a 35-unit Townhouse Development with community building and various site improvements, to be located west of Bridgeville Highway east of Hampton Circle, TMP #331-5.00-4.24.

Mr. Bailey stated that these will be one-bedroom apartments for senior housing. He then showed pictures of what they are proposed to look like. He added that these will be similar to the ones located at Hampton Circle, however, these will all be first floor apartments.

Chairman Sammons asked if there are any existing now? Mr. Bailey stated that there was not; it is a currently an open field where they will be located off of Independence Drive. He added that they do meet all of the requirements for zoning and setbacks.

Chief Wilson stated that this is the first time that he has seen these plans for this project. He added that he will need to review the plans for fire hydrant placement. Mr. Roupp, representing Better Homes of Seaford stated that they received their fire marshal approved about a month ago.

Chairman Sammons called for any questions from the public; there were none.

With no further questions or comments from the commission members or public, Chairman Sammons closed the public hearing at 7:17 p.m. and re-opened the regular meeting of Planning and Zoning.

Agenda item #2

Findings of Facts:

- Project: Herring Ridge
- Current land owners: City of Seaford
- Land purchasers: Better Homes of Seaford, Inc.
- Zoning: R-3 High Density Residential
- Final site plan review for a senior housing complex consisting of 35 – 1 bedroom apartments; community center
- Parking spaces provided: 68 as required by Code
- Tax Map & Parcel 331-5.00-4.24
- Property is located on Bridgeville Highway
- This project will comply with the area and bulk requirements of the zoning district.
- Project received approvals from:
 - Sussex Conservation District
 - Office of the State Fire Marshal
 - City's Engineer for Stormwater Management review
- Planning and Zoning to make a recommendation to Council.

Chairman Sammons called for a motion.

Mr. Peterson made the motion to recommend approval of the final site plan review for Herring Ridge, a 35-unit Townhouse Development with community building and various site improvements. Mr. Leverage seconded the motion.

Chairman Sammons called for a roll call vote:

ROLL CALL VOTE:

Al Temple stated he approved based on the Findings of Facts;
John Leverage stated he approved based on the Findings of Facts;
E. B. (Rick) Peterson stated he approved based on the Findings of Facts;
Matthew Shaffer stated he approved based on the Findings of Facts;

Chairman Sammons stated the motion so passed with all present voting in favor. The Council will review the Commission's recommendations.

Chairman Sammons reopened the Public Hearing at 7:18 p.m.

Mr. Bailey presented New Business #3, Harim Millsboro, LLC, 126 N Shipley Street are seeking a subdivision of TMP # 531-13.10-17.00, 531-13.10-19.00 and 531-13.10-120.00 into eleven (11) new parcels.

Minutes of the Meeting of the
City of Seaford Planning and Zoning Commission
September 6, 2018

4

Mr. Bailey stated that they would like to re-subdivide the existing property to create 11 individual parcels. He added that parcels 1,2,3,4,6,8,9,10 and 11 are residential building lots. Parcel 7 obtained a Special Use Exception at the September 5 Board of Adjustment meeting for a daycare. Parcel 5 which is the existing hatchery is the only parcel to remain non-conforming use. He added that all proposed lots meet area and bulk requirements for R-1 zoning.

Chairman Sammons asked if lot 7 was zoned as residential. Mr. Bailey stated that it is; it received a variance yesterday for a daycare to be located there. Chairman Sammons asked about the traffic impact that the daycare would create. Mr. Bailey stated that they would do drop off and pick up in the circle located in the front of the building. He added that they do have a back-parking lot for the staff.

Mr. Leverage asked if the daycare has been approved by the State. Ms. Schieber who was representing the daycare stated that they are currently in the process of getting approval. Their next step is with the fire marshal, however, this all has be done prior than going to them.

Chairman Sammons asked how many children they would have at this location. Ms. Schieber stated that they currently have 124 children at their location on Stein Highway, however, they are looking to increase that number.

Chairman Sammons expressed some concerns with lot 5 with the traffic flow. He added that there is little traffic now, however if it stays R-1 with non-conforming use, something could come there that could bring a lot of traffic to the area. He added that Rust Street needs to be addressed and we need to be mindful of what we allow to go in there. Chairman Sammons also stated that we should be mindful of the residential houses in the area as well.

Mr. Leverage asked if there were any plans for the other lots. Mr. Bailey stated that they are currently working with a company to market them.

Chairman Sammons called for any questions from the public; there were none.

With no further questions or comments from the commission members or public, Chairman Sammons closed the public hearing at 7:35 p.m. and re-opened the regular meeting of Planning and Zoning.

Agenda item #3

Findings of Facts:

- Project: Allen Harim Property Subdivision
- Current land owners: Allen-Harim LLC
- Zoning: R-1 Low Density Residential
- Re-subdivide existing property to create 11 individual parcels
- Parcels 1,2,3,4,6,8,9,10, and 11 are residential building lots.
- Parcel 7 obtained a Special Use Exception at the Sept 5 Board of Adjustment meeting for a Daycare.
- Parcel 5 which is the existing hatchery is the only parcel to remain non-conforming use.
- All proposed lots meet area and bulk requirements for R1 zone.
- Planning and Zoning to make a recommendation to Council.

Chairman Sammons called for a motion.

Minutes of the Meeting of the
City of Seaford Planning and Zoning Commission
September 6, 2018

5

Mr. Peterson made the motion to recommend approval of the subdivision of TMP # 531-13.10-17.00, 531-13.10-19.00 and 531-13.10-20.00. Mr. Temple seconded the motion.

Chairman Sammons called for a roll call vote:

ROLL CALL VOTE:

Al Temple stated he approved based on the Findings of Facts;
John Leverage stated he approved based on the Findings of Facts;
E. B. (Rick) Peterson stated he approved based on the Findings of Facts;
Matthew Shaffer stated he approved based on the Findings of Facts;

Chairman Sammons stated the motion so passed with all present voting in favor. The Council will review the Commission's recommendations.

With no further agenda items to discuss, Chairman Sammons called for a motion to adjourn the meeting of Planning and Zoning. Mr. Peterson so moved; Mr. Shaffer seconded the motion. Motion was unanimous to adjourn.

Chairman Sammons adjourned the meeting at 7:38 p.m.

By: _____
Wayne Sammons
Chairman Planning and Zoning Commission

/tnt