

Minutes of Meeting
Dagsboro Planning & Zoning Commission
Bethel Center-28307 Clayton Street
February 6, 2020

I. Call Meeting to Order:

Chairman Connor called the meeting to order at 6:00 p.m.

Those in attendance were: Chairman Brad Connor, Co-Chairperson Cathy Flowers, Commissioner Audrey Miller, Town Administrator Cindi Brought, and Town Engineer Kyle Gulbranson. Commissioner Cindy Gallimore and Commissioner Earl Savage were absent. Please see the sign in sheet for others in attendance.

II. Reorganization of the Committee:

Co-Chairperson Cathy Flowers nominated Brad Connor for Chairman. Commissioner Audrey Miller seconded the nomination. All were in favor.

Chairman Brad Connor nominated Cathy Flowers for Co-Chairman. Commissioner Audrey Miller seconded the nomination. All were in favor.

Chairman Brad Connor nominated Audrey Miller for Secretary. Co-Chairperson Cathy Flowers seconded the nomination. All were in favor.

III. Public Comment:

No public comment was made.

IV. Approval of Agenda:

Commissioner Miller made a motion to approve the agenda. Co-Chairperson Flowers seconded the motion. All were in favor.

V. Approval of Minutes:

A. December 5, 2019

Commissioner Miller made a motion to approve the agenda. Co-Chairperson Flowers seconded the motion. All were in favor.

VI. New Business:

A. Khaleel Thajudeen (KJ) – Lot between Bodies and Heathmans

KJ was not present for the meeting.

B. Clayton Theatre – Ice Cream Parlor

Joanne Howe, owner of Clayton Theatre, and Sky Brady, a local DJ and entrepreneur presented a plan to the Committee in regard to opening an ice cream parlor in the old video store of the Clayton Theatre. Joanne stated that it would be locally owned. They would like to do hand dipped ice cream and soda fountain style desserts and beverages with a 50's style to compliment the historic atmosphere of the theatre. Joanne stated that the plan is to bring in someone local for the ice cream, for example, Hopkins, Vanderwende, or Hershey's. Joanne stated that the desserts they would be offering would possibly be Sweet Dispositions and Dagsboro Days products. The name Gigi's Cinema Scoop is being named after Sky's granddaughter, Gigi. Joanne stated that they plan to have storefront signage, advertise through social media and have cross promotions with the theatre. They will also have special events and discount couponing.

The renovations would consist of re-doing the walls, floors and painting. They would upgrade and renovate the bathroom, replace the HVAC, install counters and ice cream cases as well as all things that are needed for the shop. They will also need refrigerators, freezers and inventory space. They plan on booths and tables, display racks, and placement of decor and artwork. Joanne stated that the staff, at this point, would be Sky and herself and eventually hire a manager and maybe up to ten part time employees for serving the tables and the counter. Co-Chairperson Flowers stated that it used to be an ice cream parlor. Joanne stated that it was a pharmacy and a soda fountain and it was called The Cut Rate. Joanne stated that the theatre is grandfathered and they are unsure of how that affects the store. She asked if renovations to the store would affect the movie theatre in regard to being grandfathered.

Town Engineer Gulbranson stated that as far as the permitted use, you are going from retail to retail and therefore he doesn't believe that they would need any approvals from the town other than the tenant fit out for the interior design. Mr. Gulbranson stated that they would need agency approvals (health department, food service, and fire marshal). Chairman Connor stated that they could use the same parking lot as the theatre and that would exclude DelDot. Joanne stated that they would like to do additional parking on that side and would just need to blacktop.

Joanne inquired about the possibility of constructing a deck with tables for outdoor use. Town Engineer Gulbranson stated that is a permitted use as well. Chairman Connor stated that he doesn't recall any residents around that area that would object and he thinks nothing would prohibit that. Joanne stated that there are residents behind the theatre but they were going to put up Evergreens as screening. Joanne stated that she would also like to install a handicap bathroom in the theatre. In the past, since it was grandfathered in, they were not required to have handicap accessibility. She inquired as to remaining grandfathered if they were to break through the wall of the theatre to install a handicapped bathroom. Town Engineer Gulbranson advised to be very careful with that because once you make changes to the building you have to become compliant with everything. His suggestion was to talk with an Engineer first. Town Engineer Gulbranson suggested speaking to the Fire Marshal regarding the structure being grandfathered and what would the requirements be if they broke through the wall between the Theatre and the Ice Cream Parlor.

C. Delmarva Billiards – Outdoor Corn hole Area

Leo, owner of Delmarva Billiards, presented the Committee with the idea of an outdoor corn hole competition area. Leo stated that he went to the Liquor Board for Delaware and they stated that they would approve it pending Town approval. Leo stated that it would be a roped or fenced-in area and a responsible individual such as himself or his wife would monitor the area. Leo stated that customers can take out liquor or beer, obtained from Delmarva Billiards, to this area but cannot be brought to the area from their vehicles. Chairman Connor asked for confirmation that the ABCC would approve this if the Town does and Leo stated that yes this was correct. Town Engineer Gulbranson asked if this would be considered a beer garden license. Leo stated that he would have to comply with the taproom regulations. No one under the age of 21 would be permitted in the area. Leo stated that this would be for special events only on weekends and during daytime hours. Leo also stated that it would not be permanent and it would be removed each day after the tournament. Town Engineer Gulbranson stated that he knows outdoor alcohol consumption is allowed in the Town Center District and suspects that it is allowed in the Highway Commercial District as well. Outdoor amusements and sports facilities are permitted uses. Town Engineer Gulbranson stated that the use is ok, but the alcohol will probably be the issue. He stated that he would look at the highway regulations for restaurants and bars in terms of outdoor alcohol service.

Town Engineer Gulbranson suggested a recommendation to Town Council for approval contingent upon the restaurant and alcohol regulations for the Highway Commercial District. Co-Chairperson Flowers motioned the recommendation to Town Council for approval contingent upon the restaurant and alcohol regulations for the Highway Commercial District. Commissioner Miller seconded the motion. All were in favor.

VII. Old Business:
A. Update on Comprehensive Plan

Town Engineer Gulbranson stated that the Comprehensive Plan was sent to Dover for the Governor's signature.

VIII. Public Comment:

No public comment was made.

IX. Adjournment:

Co-Chairperson Flowers made a motion to adjourn. Commissioner Miller seconded the motion. All in favor. Meeting adjourned at 6:40 p.m.

Respectfully Submitted,

Stacy West, Town Clerk