

**Minutes of Meeting  
Dagsboro Planning & Zoning Commission  
Bethel Center  
January 9, 2025**

**I. Call Meeting to Order**

Commissioner Theresa Ulrich called the meeting to order at 6:00 p.m.

Those in attendance were: Commissioner Theresa Ulrich, Commissioner Cindy Gallimore, Commissioner Will Labor, Commissioner Armando Graziosi, Town Administrator Cynthia Brought, and Engineering Consultant Kyle Gulbranson. Commissioner Brad Connor was absent. Please see the sign-in sheet for others in attendance.

**II. Reorganization of P & Z Commission – Nominations and Vote**

- a. P & Z Chair
- b. P & Z Vice Chair

**Commission appointment:**

<b>Armando Graziosi</b>	<b>Replacing Cathy Flowers</b>
<b>Theresa Ulrich</b>	<b>Replacing Janice Kolbeck</b>

Tabled until February since Chairman Brad Connor was absent.

**III. Public Comment**

There was no public comment.

**IV. Approval of Minutes  
December 5, 2024 Minutes**

Commissioner Labor made a motion to approve the meeting minutes as presented. Commissioner Gallimore seconded the motion. All were in favor.

**V. New Business**  
**a. Zoning Application**  
**2-33-11.00-251.00 & 2-33-11.00-251.01**

Ray Blakeney, of Plitko Engineering stated that they were proposing the rezoning of parcels 2-33-11.00-251 & 251.01. He added that the current zoning of parcel 251.01 and the front of parcel 251.00 is TC/R and the rear of parcel 251.00 is zoned residential. He stated that they propose to rezone the entire parcel to MR for a multi-family development. He stated there is a large tax ditch that runs down the middle of the property and across the side and across the rear. As part of the development, they plan to work with DNREC Tax Ditch to pipe the tax ditch that is on the property and put it into a permanent 25 ft. easement and have a street on the east side of the tax ditch and more development on the west side. He added that they want to have it rezoned to medium MR because by adding a street they would be able to develop on both sides of the street.

Engineering Consultant Gulbranson asked for confirmation that town home units were being proposed. Ray Blakeney replied, "That is correct." Engineering Consultant Gulbranson stated that MR is the only district that allows town houses.

Commissioner Labor asked what the current zoning of the property was. Ray Blakeney stated that the front of the parcel is zoned TC, and the rear is zoned R. Commissioner Labor asked what the depth difference was. Ray Blakeney stated that it would be 150 ft. for R and 125 ft. for medium density. Commissioner Labor asked if the Town had any

other MR besides Chapel Crossing and Cea Dag. Engineering Consultant Gulbranson replied, "The Woodlands of Peppers Creek."

Gary Wesner, Real Estate Developer, stated that he took the recommendations from the last P&Z meeting and would consider having a bus stop in front of the property, trails and other items discussed to make it look more attractive for the Town.

Engineering Consultant Gulbranson stated that the property was split zoned and if the Planning Commission decided to make a recommendation to the Town Council and if Town Council approved the rezoning, they would have to complete a map change in the Comp Plan, which would have to be approved through the Office of State Planning. He added that they may be able to get a waiver for it because typically if the Town is happy with what is being proposed, sometimes a waiver would be offered.

Commissioner Labor asked for confirmation that MR property consists of about 10% of the Town currently. Engineering Consultant Gulbranson stated that was correct and that this property would increase it to about 15%. Commissioner Labor asked how TC differs in regard to building homes. Engineering Consultant Gulbranson stated that the TC only allows single family homes and apartments/condos above commercial space. He added that TC consists of a mixed-use small-town type of zoning code that allows mixed use development, restaurants and shops along with the residential component. Commissioner Labor asked for confirmation that the residential component allows town homes if they meet the 150-lot depth. Engineering Consultant Gulbranson stated that they were referring to single-family homes. He added that a town home requires 18 or 25 feet and without the rezoning, they would not be able to build town homes.

Commissioner Graziosi stated that he wasn't sure where the houses would be located and asked if there were plans to look at. Ray Blakeley shared a concept plan with Commissioner Graziosi and stated that they are present for the rezoning at this time.

Commissioner Gallimore asked how many more town homes can be built vs. single family homes. Engineering Consultant Gulbranson stated that if it was developed in R, there would be about 50 single family homes and with MR there would be around 100 homes with town houses.

Commissioner Labor made a motion to recommend Rezoning of Parcels 2-33-11.00-251.00 and 2-33-11.00-251.01 to MR to the Town Council. Commissioner Ulrich seconded the motion. All were in favor. The vote was 4-0. Commissioner Connor was absent.

Engineering Consultant Gulbranson stated that the process would be that this would go to Town Council and if approved, then would go to the Office of State Planning for map amendment approval. He added that once approved, the Town Council would have a Public Hearing regarding the rezoning because it is an Ordinance in the zoning change and if approved, it would be adopted. Once that is completed, they will come back to P&Z Commission for Preliminary Site Plan Approval.

#### **b. Dagsboro Café**

Ken Christenbury, of Axiom Engineering, stated the property at 33225 Main Street, was approved for a pet grooming shop and was put back on the market. He added that the current owners were interested in having a small café there, and asked what the DelDOT, Stormwater and Town requirements would be. He added that they put together a plan for the café that doesn't adversely affect the prior approvals already given but also know that they must get written approval from the state agencies before final approval. He stated that the amount of parking spaces duplicated the old plans that were approved before. He added that they could do a modest increase on the runoff and get what is called a standard plan. He felt that this is a very straightforward small impact simple project that would benefit the town.

Commissioner Ulrich asked if they would be keeping the garage that is on the property. Ken Christenbury replied, "Yes, that is the plan." He introduced the contractors from Harvey Construction and the proposed café owners.

Ken Christenbury stated that he received comments from Engineering Consultant Gulbranson about the need for trees along the property line in the back, which is not a problem for them to add. He added that after reading Mr. Gulbranson's letter, once they receive approvals from DelDOT, Stormwater Management and the Fire Marshal that they should be able to move forward with the project.

Engineering Consultant Gulbranson stated that the site plan is compliant with the Town Code regarding the number of parking spaces and setbacks. He added that the issue with landscaping could be fixed at the final plan stage.

Commissioner Labor asked for confirmation that they were looking at the site plan that evening, and the business aspect would come back before P&Z later. Engineering Consultant Gulbranson stated that they would be making a recommendation on the Preliminary Site Plan. Commissioner Labor asked if there would be more information on the business aspect at Final Approval. Engineering Consultant Gulbranson stated that a café is a permitted use in Town Center and that the owners would be able to answer any questions about their business plan.

Commissioner Ulrich asked if serving alcohol is allowed in Town Center. Engineering Consultant Gulbranson stated that it can be, but it is restricted.

Commissioner Labor asked if this would be a breakfast café or would other foods be served. The proposed café owner stated that they plan to serve lunch and dinner and that all the food would be made from scratch. Commissioner Gallimore asked what the café would be like. The owner stated that it would be just him and his brother and that they make fabulous food. Commissioner Gallimore asked how many people the café would be able to seat at a time. Logan Harvey, of Harvey Construction, stated that they were anticipating being able to seat 10 people at this time. Commissioner Ulrich asked if they would just be using the shed or would they be expanding it. Engineering Consultant Gulbranson stated that they would be expanding it. Logan Harvey added that they would be keeping the shed, but are still considering different floor plans/kitchen layouts and are considering a small addition to the shed.

Commissioner Ulrich asked if everything met all requirements. Engineering Consultant Gulbranson stated that everything meets the requirements for restaurant use based on the size of the building. Commissioner Ulrich asked if the entrance would be directly across from Clayton Theatre. Engineering Consultant Gulbranson replied, "No." Ken Christenbury stated that it is offset some and DelDOT asked them to jack hammer out about 5 ft. of curb and widen it. Commissioner Labor stated that the entrance is almost directly across from the quilt shop. Engineering Consultant Gulbranson stated that on street parking is allowed on that section of Main St.

Commissioner Labor made a motion to recommend Preliminary Approval of the Dagsboro Café. Commissioner Gallimore seconded the motion. All were in favor. The vote was 4-0. Commissioner Connor was absent.

Town Administrator Brought asked the owners if they would be using the name Dagsboro Café. The owner stated that they were planning to name it Thyme to Grow.

Commissioner Graziosi stated that he was concerned that there was only one handicapped parking space. Logan Harvey showed Commissioner Graziosi the parking space plan. Commissioner Graziosi stated that he doesn't feel one handicapped parking space is sufficient. Engineering Consultant Gulbranson and Commissioner Ulrich stated that one space is all that is required. Commissioner Graziosi replied, "By who." Logan Harvey replied, "The American Disability Act." He added that it depends on how many parking spaces there are in total as to how many of them need to be handicapped. He stated that they could voluntarily add one extra if the Town feels that it would be needed but the Federal Code only requires one space. Commissioner Graziosi asked if the size of the parking lot had been determined yet. Mr. Gulbranson stated that it would be 10 ft. x 20 ft., which is required by the Town Code.

## **VI. Old Business**

There was no old business.

**VII. Public Comment**

No public comment was made.

**VIII. Adjournment**

Commissioner Labor made a motion to adjourn. Commissioner Ulrich seconded the motion. All were in favor.

Meeting was adjourned at 6:28 p.m.

Respectfully Submitted,  
Wendy Rayne, Finance Clerk