

*MILFORD CITY COUNCIL
MINUTES OF MEETING
August 20, 2012*

A Meeting of the Annexation Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, August 20, 2012.

PRESIDING: Chairwoman Katrina Wilson

IN ATTENDANCE: Committee Members:

Councilman Douglas Morrow, Councilman S. Allen Pikus and Planning Commission Chairman Chuck Rini

City Clerk/Recorder Terri Hudson

Chairwoman Wilson called the Annexation Committee Meeting to order at 5:40 p.m. to review the following request submitted by the City Manager Richard Carmean dated September 21, 2011:

Dear Council Members,

The City of Milford has acquired two parcels of land, one inside City limits and the other outside of City limits, for the purpose of constructing an electric substation.

The City Planner is in the process of updating our Comprehensive Plan to include the "Calhoun" in our urban growth boundary and once complete will have the amended Comp Plan certified by the State. In the meantime, I respectfully request you consider annexation of the parcel contingent upon certification and waive the utility agreement requirement due to the property being owned by the City.

The property is described as tax map and parcel number 1-30-6.00-99.02 P/O, located on South DuPont Boulevard, consisting of 3.23 acres (4.23 acres for the entire parcel) in Sussex County, Delaware. Currently the property is zoned AR-1 in Sussex County and we are seeking it be zoned C-3, Highway Commercial, in the City of Milford.*

The property is contiguous to the City of Milford corporate boundaries as indicated on the included survey. Also included, please find a copy of the most current recorded deed and a legal description for the property.

City Planner Gary Norris recalled the city purchasing this land for the purpose of constructing an electric substation. At the time, a portion of the property was outside city limits. In order to construct the substation, the electric department needed the property annexed to prevent dealing with zoning issues through Sussex County.

It was later determined by the planning department the site was outside Milford's Comprehensive Plan growth boundary and the comp plan would need to be amended. Though we are still in the process of updating the comp plan, the annexation process was started to prevent additional delays. Once we receive final approval from the Office of State Planning, the parcel will be conforming. Council can then adopt the annexation resolution and the zoning ordinance will become effective.

Mr. Norris then read Section 230-9 (R-1 Residential District) which states that Subsection B(3) states municipal and public service and facilities including city hall, water storage, water reservoirs, water pumping stations, sewage pumping stages, street rights-of-way, utility transmission and distribution lines and public transportation are permitted uses.

He further stated that because this use is permitted in the R-1 zone, it is permitted in other zones including all commercial districts. Therefore, the C-3 zone being requested is appropriate.

He also noted the zoning of the adjacent Solid Waste Transfer Station is Highway Commercial or C-3.

With no further business, the Annexation Committee Meeting adjourned at 5:48 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Terri K. Hudson". The signature is written in a cursive style with a large, looping initial "T".

Terri K. Hudson, MMC
City Clerk/ Recorder

*Parcel Number Changed to 1-30-6.00-099.02 (Sussex County)