



**Meeting Minutes**  
**LAND USE COMMITTEE MEETING**  
**Tuesday July 16, 2019**

City County Building, 800 N. French Street, 8<sup>th</sup> Floor Conference Room

**1. Call to Order**

The meeting was called to order by Mr. Tackett at 3:01 pm Council Members present were

Mr. Smiley	Mr. Hollins
Mr. Woods	Ms. Diller
Mr. Carter	Mr. Cartier
Mr. Bell	Ms. Durham

Council members who did not attend were

Mr. Sheldon, Ms. Hartley-Nagle, Ms. Kilpatrick, and Mr. Street

**2. Review / Adoption of Minutes**

Motion to accept the minutes of the Land Use Meeting from June 18, 2019 was made by Mr. Smiley, seconded and unanimously approved by Council.

**3. Review/Discussion of Resolution(s)**

**Introduced By: Mr. Bell**

**PLAN OF BAYMONT FARMS; ST. GEORGES HUNDRED; NORTH AND SOUTH SIDES OF VANCE NECK ROAD; 1100 FEET EAST OF ASHLEIGH DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO EXTINGUISH THE PREVIOUSLY RECORDED SUBDIVISION AND EASEMENTS AND DEVELOP 289 SINGLE FAMILY LOTS; AND TO AMEND THE MAINTENANCE DECLARATION FOR BAYMONT FARMS; S ZONING; COUNCIL DISTRICT 12**

- Mr. Bell briefly described the plan and a presentation regarding the plan was given by, representative for the applicant, Shawn Tucker herein contained as Exhibit A
- Comments and questions from Councilmembers Bell, Durham, Carter, Smiley, and Cartier were answered by Dev Sitaram, John Mascari and Shawn Tucker
- No questions or comments from the public
- No vote was taken

**Introduced by: Mr. Bell**

**PLAN OF THE PRESERVE AT ROBINSON FARMS; APPOQUINIMINK HUNDRED; NORTH AND SOUTH SIDES OF FIELDSBORO ROAD; MAJOR RECORD PLAN THAT PROPOSES TO REVISE THE PREVIOUSLY RECORDED SUBDIVISION PLAN TO REVISE/REALIGN PREVIOUSLY RECORDED SUBDIVISION STREETS, TO ELIMINATE/REVISE PREVIOUSLY RECORDED SUBDIVISION LINES AND EASEMENTS, AND TO ELIMINATE 168 APARTMENT UNITS AND AN APARTMENT LOT AND REPLACE THE SAME WITH 168 SINGLE FAMILY LOTS; AND TO AMEND THE MAINTENANCE DECLARATION FOR THE PRESERVE AT ROBINSON FARMS; S ZONING; COUNCIL DISTRICT 12**

- Mr. Bell briefly described the plan and a presentation was given by, representative for the applicant, John Tracey herein contained as Exhibit B
- Comments and questions from Councilmembers Hollins, Bell, Carter, Cartier, Smiley, and Durham were responded to by Dev Sitaram from Karins and Associates and Rob Allen, representative for the applicant, Robinson Investments
- No questions or comments from the public
- No vote was taken

**Introduced by: Mr. Bell**

**PLAN OF MEADOWCREST AT MIDDLETOWN; ST. GEORGES HUNDRED; SOUTH SIDE OF MIDDLETOWN-ODESSA ROAD, EAST OF ROUTE 1; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO ELIMINATE SEVERAL LOT LINES, AS TO CONSTRUCT A 164,487 SQUARE FOOT SENIOR LIVING FACILITY; NC40 ZONING; COUNCIL DISTRICT 12**

- Mr. Bell briefly described the plan and a presentation regarding the plan was given by, representative for the applicant, Michael Hoffman herein contained as Exhibit C
- Comment from Councilmember Carter
- No questions or comments from the public
- No vote was taken

**Introduced by: Ms. Hartley-Nagle**

**PLAN OF FORWOOD COMMONS; BRANDYWINE HUNDRED; SOUTH SIDE OF SILVERSIDE ROAD, 862 FEET WEST OF MARSH ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES CONSTRUCTION OF A MIXED-USE DEVELOPMENT (SHOPPING CENTER AND RESIDENTIAL) ON 11.46 ACRES, CONSISTING OF 32,240 SQUARE FEET OF NON-RESIDENTIAL USE AND 38 TOWNHOUSE UNITS; CN ZONING; COUNCIL DISTRICT 2**

- Councilwoman Durham informed Council that the plan will be sponsored by Karen Hartley-Nagle and the presentation regarding the plan was given by Michael Hoffman contained herein as Exhibit D
- Comment and questions from Councilmembers Hollins, Durham, Bell, and Cartier were addressed by Mr. Hoffman, and the applicants Joe & Judy Setting who stated that they are hoping to move forward with the construction of the schoolhouse replica as soon as the plan is approved.
- No questions or comments from the public
- No vote was taken

#### **4. Review/Discussion of Ordinance(s)**

**19-008:**

**Introduced by: Mr. Woods**

**REVISE PREVIOUSLY APPROVED EXPLORATORY MINOR LAND DEVELOPMENT PLAN WITH REZONING FOR STANLAN 7 LLC; MILL CREEK HUNDRED; EAST SIDE OF STANTON CHRISTIANA ROAD (SR 4/7), SOUTH OF HONEYSUCKLE LANE AND OPPOSITE TELEGRAPH ROAD; TAX PARCEL NO. 08-050.00-013 (602 MAIN STREET) (The revised plan for **Distinctive Auto Care** proposes to revise the previously approved design of the exploratory minor land development plan by developing a 6,178 square foot car wash, a 3,099 square foot detail shop, a 2,360 square foot quick lube and a 238 square foot office instead of the 17,7833 square foot shopping center. This new plan will supersede the previously approved exploratory minor land development plan and rezoning. Section 40.31.113 of the *New Castle County Code* requires that the submitted record plan be in general conformance with the development on the approved exploratory plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 14-072 in March 2015. CN (Commercial Neighborhood) zoning district. App. 2018-0420-S/Z.)**

- Ordinance introduced briefly by Mr. Woods and Shawn Tucker introduced the applicant, Samuel Ferraro, and gave a presentation about the plan contained herein as Exhibit E
- Comments and questions from Councilmembers Cartier, Carter, Woods, Durham, and Hollins were addressed by Allen Hill of Hillcrest Associates and Land Use manager George Haggerty.
- No questions or comments from the public
- No vote was taken



COUNCIL

**°18-132:**

**Introduced by: Mr. Bell**

**REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR MERIDIAN CROSSING; NEW CASTLE HUNDRED, SOUTHWEST SIDE OF CHURCH ROAD, SOUTH OF THE CSX RAILROAD; TAX PARCEL NUMBERS 10-048.30-257 THROUGH 297 & 10-048.30-228 THROUGH 256; ADDRESSES 11 THROUGH 41 GRISSOM DRIVE, 1001 THROUGH 1033 EDWARD WHITE AVENUE, 1024 THROUGH 1042 EDWARD WHITE AVENUE, 761 THROUGH 775 OBSERVATORY DRIVE, 931 THROUGH 949 SHEPARD AVENUE, AND 1102 THROUGH 1116 GODDARD WAY** (The Exploratory Plan for **Meridian Crossing** proposes to develop a plan that will revise the previously approved and recorded lot widths, provide changes to open space, change rear loaded units to front load units, and eliminate lots. Section 40.31.113 of the *New Castle County Code* requires that all subsequent land development plans to a previously approved preliminary and rezoning plan be in general conformity with the development on the approved preliminary plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 02-021 in June 2002. ST (Suburban Transition) zoning district. App. 2018-0540-S/Z)

- Ordinance introduced, by Mr. Bell and a brief presentation was given by Gerome Heisler of the Reybold Group
- Comment from Councilmember Cartier
- No questions or comments from the public
- No vote was taken

**5. Other: None**

**6. Public comment** Members of the public Brad Siegfried, Henry Miller, and Sharon Scarmozzi all commented on the issues they are having with the property at 4185 Kirkwood St. Georges Road, Bear DE and the lack of community outreach. Councilmembers Bell, Tackett, Hollins, and Cartier responded

**7. Motion:** Councilman Tackett made a motion to suspend the rules in August to move the Land Use committee meeting to the night of the Council meeting if needed (August 27, 2019). The motion was seconded by Mr. Bell and unanimously passed by Council

**8. Adjournment: Motion to adjourn by:** Councilman Woods seconded and approved by all of Council. Adjournment at 5:06 pm

**Respectfully submitted by Valerie George, Legislative Aide to Councilman Tackett, Co-Chairman, Land Use Committee. The meeting also was recorded. The recording is incorporated herein by reference and is available by contacting the legislative aide to the Land Use Committee.**