

MINUTES OF THE REGULAR MEETING OF FEBRUARY 8, 1996

The regular meeting of the Sussex County Planning and Zoning Commission was held Thursday evening, February 8, 1996, at 7:30 PM, in Room 115 of the Courthouse, Georgetown, Delaware, with the following present:

Mr. Allen, Mr. Lynch, Mr. Phillips, Mr. Ralph, Mr. Wheatley, Mr. Schrader - Assistant County Attorney, Mr. Lank - Director, and Mr. Abbott - Planner II. Joel Leidy, ex-officio member, representing DelDOT was also present.

Motion made by Mr. Phillips, seconded by Mr. Lynch, and carried unanimously to approve the minutes of January 25, 1996 as circulated.

II. PUBLIC HEARINGS

1. RE: C/U #1146--Sandra Gordon

Mr. Lank advised the Commission that this application was withdrawn February 8, 1996.

2. RE: C/Z #1274--Danny and Ellen Magee

Mr. Lank advised the Commission that this application was withdrawn February 6, 1996.

III. OTHER BUSINESS

1. RE: Rehoboth Beach Outlets Phase 2

Jay Herbert Fisher of Fisher Development, and Gordon Mead of Davis, Bowen, and Friedel were present as the Commission reviewed a commercial site plan for an expansion of retail stores located on Route One and Road 283.

Mr. Abbott advised the Commission that the site plan meets the minimum requirements of the zoning code, that there are some parking spaces located within the front yard setback along Route One, and that the only agency comment received to date is from the Sussex County Engineering Department stating that sewer capacity is available for 150,000 square feet of retail space.

Mr. Fisher advised the Commission that the expansion could have a maximum of thirty stores, that the expansion area is 100% leased, that they are ready to begin construction as soon as possible, that the sidewalks will be connected to Phase 1, that their company does in house feasibility studies to determine store types, and that landscaping and shrubbery will be placed around the stormwater management areas.

Mr. Mead advised the Commission that the site plan has been submitted to all agencies for approval, that they have had

discussions with DelDOT about the entrance locations, that a new plan will be submitted with a realigned entrance location, that a traffic impact study has been submitted to DelDOT for review and comments, that the stormwater management facilities will be similar to Phase 1, and that the bus stop location has been discussed with DAST and that they prefer the location to be along Route One.

Joel Leidy advised the Commission that the plans and traffic impact study have been received but they have not been reviewed as of yet.

Michael Tyler of the Citizens Coalition read and submitted testimony from Richard Anthony with concerns about the entrance location, stormwater management areas and traffic concerns.

Mabel Granke expressed concerns about public safety and the location of the bus pullover area on Route One not being safe.

Mr. Leidy advised the Commission that the bus pullover area is off of the shoulder of Route One.

Motion made by Mr. Phillips, seconded by Mr. Lynch, and carried unanimously to defer action until the traffic impact study is reviewed by DelDOT and to permit parking within the front yard setback.

2. RE: Samir Ghabra

Samir Ghabra was present as the Commission reviewed a commercial site plan for a six unit motel located on Rehoboth Avenue Extended.

Mr. Abbott advised the Commission that this is a revised site plan from the one that was denied on December 28, 1995, that the setbacks meet the minimum requirements of the zoning code, that the interior drive way is only twenty feet wide and that the zoning code requires a minimum of twenty five feet, and that a variance can be obtained from the Sussex Conservation District for disturbing less than 10,000 square feet of impervious material.

Mr. Ghabra advised the Commission that the units are 26' x 22' and that the entrance to the unite would be underneath the building.

Motion made by Mr. Lynch, seconded by Mr. Phillips, and carried unanimously to defer action.

3. RE: Dove Knoll Subdivision

The Commission reviewed a concept to revise Dove Knoll Subdivision.

Mr. Abbott advised the Commission that the developer wants to reduce the lot width on some lots because of sewer fees and that four lots would be deleted to create more open space and that there would not be an increase in lots.

Motion made by Mr. Lynch, seconded by Mr. Phillips, and carried unanimously to approve as a concept.

4. RE: S & W Partnership

The Commission reviewed a site plan for a 19 unit multi family site plan on the west side of Route One north of Fenwick Island.

Mr. Abbott advised the Commission that this site plan received preliminary approval on September 22, 1994, that preliminary approval is valid for one year, and that the developer is requesting that the site plan be reconsidered for preliminary approval since the site plan has not had any changes to it.

Motion made by Mr. Lynch, seconded by Mr. Ralph, and carried unanimously to approve the site plan as a preliminary.

5. RE: Florence Keith

Ken and Florence Keith were present as the Commission reviewed a concept to create a parcel on Route 13 near Seaford.

Mr. Abbott advised the Commission that the parcel is located on a major arterial roadway and that DelDOT has approved the entrance location.

Mrs. Keith advised the Commission that the site will be used for a used car sale and display area.

Motion made by Mr. Wheatley, seconded by Mr. Ralph, and carried unanimously to approve the subdivision.

6. RE: Paul Bennington

The Commission reviewed a concept to create a five acre parcel with access from a fifty foot right of way off of Road 467B.

Mr. Abbott advised the Commission that there is an existing road that the owner wants to widen to fifty feet and create a five acre parcel to build poultry houses.

Motion made by Mr. Ralph, seconded by Mr. Wheatley, and carried unanimously to approve as a concept.

IV. OLD BUSINESS

1. RE: Subd. #93-10--Byard B. Layton

No one was present on behalf of this application to consider the subdivision of land in an AR-1 Agricultural Residential Zoning District in Little Creek Hundred by dividing 32.98 acres into 27 lots, located on the north side of Road 496, 0.31 miles west of Road 493.

Mr. Abbott advised the Commission that the final plan has been reduced to 23 lots, that the record plan is in compliance with the subdivision and zoning codes, and that all required agency approvals and permits have been obtained.

Motion made by Mr. Ralph, seconded by Mr. Wheatley, and carried unanimously to approve as a final.

ADDITIONAL BUSINESS

1. Land Use Plan Workshops

Mr. Lank advised the Commission that there will be four public workshops coming up in the County relating to the proposed land use plan.

Meeting adjourned at 9:00 PM.