ROBERT C. WHEATLEY, CHAIRMAN KIM HOEY STEVENSON, VICE CHAIRMAN R. KELLER HOPKINS J. BRUCE MEARS HOLLY WINGATE



2 THE CIRCLE I PO BOX 417 GEORGETOWN, DE 19947 (302) 855-7878 T (302) 854-5079 F sussexcountyde.gov

Sussex County Planning & Zoning Commission

AGENDA

August 22, 2019

6:00 P.M

Call to Order

Approval of Agenda

Approval of Minutes - July 25, 2019

Old Business

2019-5 Chase Oaks KS

A cluster/Coastal Area subdivision to divide 145.3 acres +/- into 253 single-family lots to be located on certain parcels of land lying and being in Indian River Hundred, Sussex County. The property is located on the north and south sides of Robinsonville Rd., approximately 320 ft. northeast of the intersection of Robinsonville Rd. and Webb Landing Rd. Tax Parcels: 234-6.00-96.00, 97.00, and 98.00. Zoning District. AR-1 (Agricultural Residential District).

<u>2019-14 – Steven Eugene Allen</u>

KΗ

A standard subdivision to divide 4.0269 acres +/- into 1 single-family lot to be located on a certain parcel of land lying and being in Seaford Hundred, Sussex County. The property is located on the north side of Matts Rd. (SCR. 77), approximately 577 ft. east of Bowman Rd. Tax Parcel: 531-17.00-2.09. Zoning District. AR-1 (Agricultural Residential District).

C/U 2176 - KH Sussex, LLC

BM

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a convenience store with fueling station to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 3.51 acres, more or less. the property is lying on the south side of John J. Williams Hwy. (Rt. 24), approximately 954 ft. west of Angola Rd., and also being at the southwest corner of John J. Williams Hwy. (Rt. 24) and Angola Rd., and being on the west side of Angola Rd., approximately 250 ft. south of John J. Williams Hwy. (Rt. 24). 911 Address: N/A. Tax Parcel: 234-11.00-56.02 (portion of) 56.03, 56.06, and 56.09.

C/U 2182 - Samuel G. Thomas

KH

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a small automotive repair and dealer to be located on a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 2.87 acres, more or less. The property is lying on the north side of Springfield Rd., approximately 336 ft. east of



Park Ave. 911 Address: 23371 Springfield Rd., Georgetown. Tax Parcel: 135-20.00-159.01.

C/Z 1889 - Air Fish Automotive

HW

An Ordinance to amend the Comprehensive Zoning Map of Sussex County from an AR-1 Agricultural Residential District to a C-3 Heavy Commercial District) for a certain parcel of land lying and being in Little Creek Hundred, Sussex County, containing 5.771 acres, more or less. The property is lying on the southwest corner of Trussum Pond Rd. and Sussex Hwy. (Rt. 13). 911 Address: 11125 National Blvd., Laurel. Tax Parcel: 332-1.00-72.00 (portion of).

Public Hearings

C/U 2183 - Brent & Lisa Hershey

KS

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for a storage facility with outdoor storage to be located on a certain parcel of land lying and being in Broadkill Hundred, Sussex County, containing 9.167 acres, more or less. The property is lying on the south side of Broadkill Rd. (Rt. 16), approximately 0.33 mile west of Reynolds Rd. 911 Address: 14374 Clyde's Dr., Milton. Tax Parcel: 235-15.00-26.07.

C/U 2184 Linda Ann Yupco-Connors

KS

An Ordinance to grant a Conditional Use of land in a GR General Residential District for equipment storage to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 0.91 acre, more or less. The property is lying on the west side of Jimtown Rd., approximately 0.32 mile south of Beaver Dam Rd. 911 Address: 32260 Jimtown Rd., Lewes. Tax Parcel: 334-11.00-15.00.

C/U 2185 Vincent Kinack

KH

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for multi-family (2 units) to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 3.4516 acres, more or less. The property is lying on the northeast corner of Short Rd. and Anderson Corner Rd. 911 Address: 21167 Short Rd., Harbeson. Tax Parcel: 234-4.00-42.00.

C/U 2187 Daniel Ostinvil

HW

An Ordinance to grant a Conditional Use of land in an AR-1 Agricultural Residential District for motor vehicle sales to be located on a certain parcel of land lying and being in Broad Creek Hundred, Sussex County, containing 0.1657 acre, more or less. The property is lying on the southwest corner of North Poplar St. and Old Sailor Rd. 911 Address: 31016 North Poplar St., Laurel. Tax Parcel: 232-12.18-51.00.

Other Business

2018-11 Hawthorne Subdivision Phase 6

KS

Final Subdivision Plan

S-19-32 Ray Richardson

KS

Preliminary Site Plan

Milo's Haven (FKA Lakelynns) RPC (C/Z 1881) Preliminary Site Plan	HW
S-18-50 Hyatt Hotel (FKA Lewes Hotel) Revised Site Plan	KS
2018-31 Stagg Run Subdivision Request for Clarification of Conditions of Approval	KS

Planning and Zoning Commission meetings can be monitored on the internet at www.sussexcountyde.gov.

In accordance with 29 Del. C. \$10004(e)(2), this Agenda was posted on August 15, 2019, at 3:00 p.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting.

Agenda items listed may be considered out of sequence.

####

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN KIM HOEY STEVENSON, VICE-CHAIRMAN R. KELLER HOPKINS J. BRUCE MEARS HOLLY J. WINGATE





DELAWARE sussexcountyde.gov 302-855-7878 T 302-854-5079 F JANELLE CORNWELL, AICP DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 22, 2019

Application: CU 2183 Brent & Lisa Hershey

Applicant/Owner: Brent & Lisa Hershey

824 Mugger Rd. Mount Joy, PA 17552

Site Location: 14374 Clyde's Drive, Milton. South side of Broadkill Road, approximately 0.33

mile west of Reynolds Road.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Storage Facility with Outdoor Storage

Comprehensive Land

Use Plan Reference: Low Density Area

Councilmatic

District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Milton Fire District

Sewer: Private, On-Site

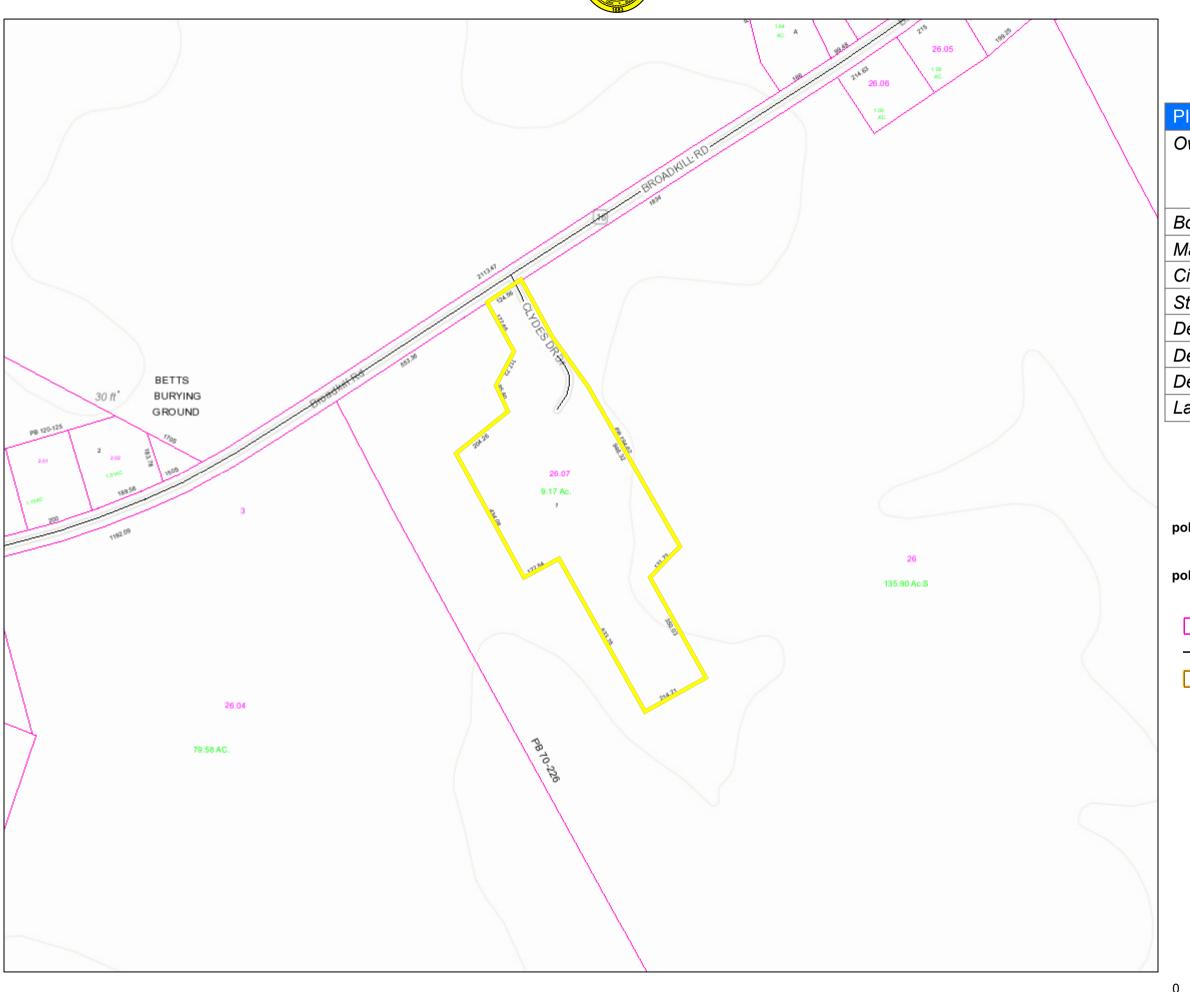
Water: Private, On-Site

Site Area: 9.167 ac. +/-

Tax Map ID.: 235-15.00-26.07



Sussex County



PIN:	235-15.00-26.07
Owner Name	HERSHEY BRENT L
Book	4551
Mailing Address	824 MUSSER RD
City	MOUNT JOY
State	PA
Description	S/RT 16
Description 2	W/RT 233
Description 3	LOT 1
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

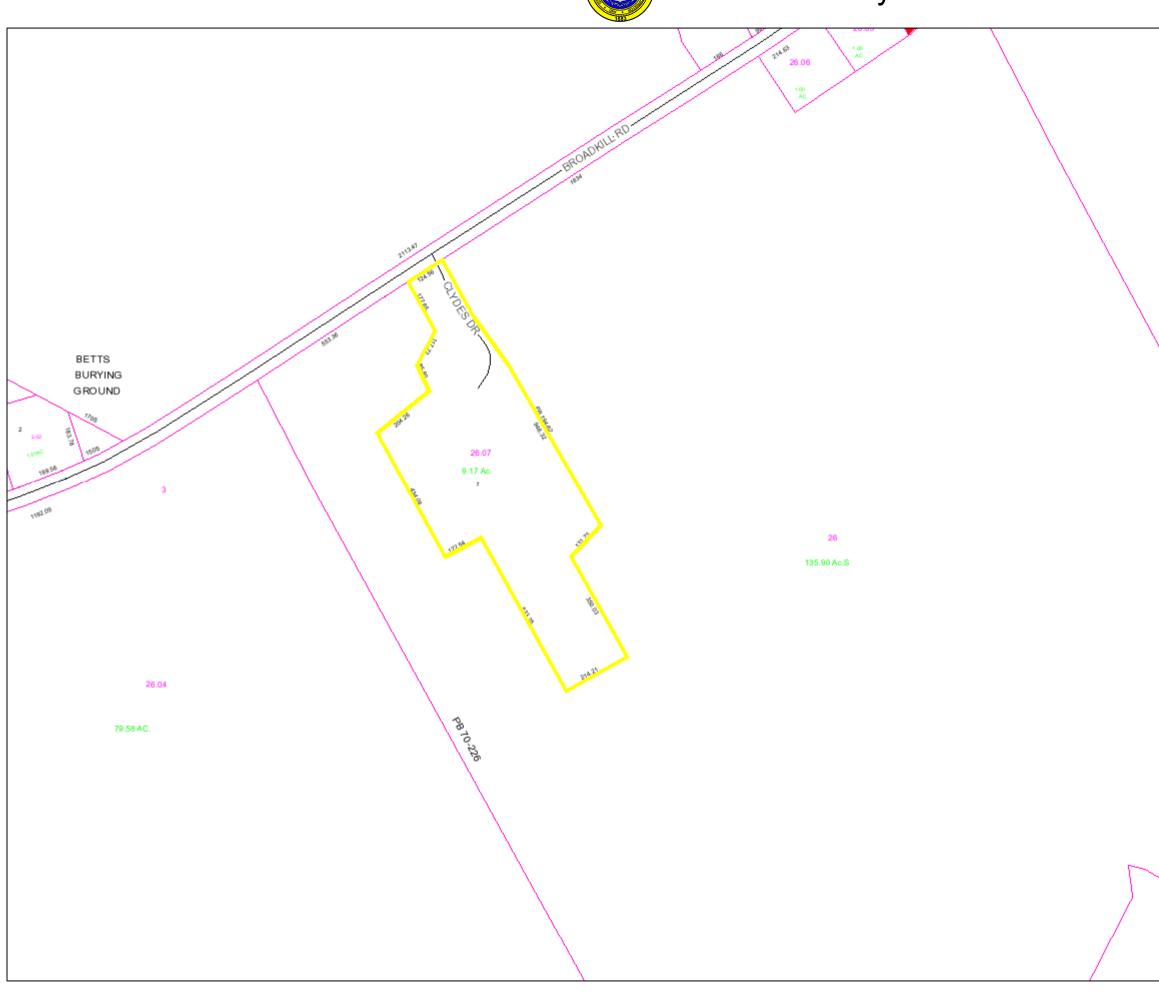
Tax Parcels

Streets

County Boundaries

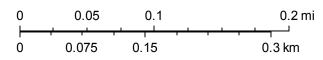
0 0.05 0.1 0.2 mi 0 0.075 0.15 0.3 km

1:4,514



PIN:	235-15.00-26.07
Owner Name	HERSHEY BRENT L
Book	4551
Mailing Address	824 MUSSER RD
City	MOUNT JOY
State	PA
Description	S/RT 16
Description 2	W/RT 233
Description 3	LOT 1
Land Code	







PIN:	235-15.00-26.07
Owner Name	HERSHEY BRENT L
Book	4551
Mailing Address	824 MUSSER RD
City	MOUNT JOY
State	PA
Description	S/RT 16
Description 2	W/RT 233
Description 3	LOT 1
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

0.05

0.075

Streets

County Boundaries

0.1 0.2 mi 0.15 0.3 km

1:4,514

July 29, 2019

PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

> (302) 855-7878 T (302) 854-5079 F





Memorandum

To: Sussex County Planning Commission Members

From: Jennifer Norwood

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 8, 2019

RE: Staff Analysis for CU 2183 Brent and Lisa Hershey

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2183 Brent and Lisa Hershey to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be permitted during the public hearing.

The request is for a Conditional Use for parcel 235-15.00-26.07 to grant a Conditional Use of land in a AR-1 Agricultural Residential Zoning District for a storage facility with outdoor storage on the south side of Broadkill Road, approximately 0.33 mile west of Reynolds Road. The size of the property is 9.167 acres +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the Plan indicates that the property has the land use designation of Low-Density Areas.

The primary uses envisioned in Low-Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agri-business uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location size and hours of operation. More intense commercial uses should be avoided in these areas. Institutional and commercial uses may be appropriate depending on surrounding areas.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining properties are all zoned AR-1 (Agricultural Residential Zoning District). There are four parcels approximately 0.47 miles to the east that are zoned C-1 (General Commercial Zoning District) and CR-1 (Commercial Residential Zoning District).



There has been one Conditional Use application within a 1-mile radius of the site. This is CU 2163 for an event venue on Tax Parcel: 235-15.00-4.01. The Conditional Use was denied on April 30, 2019.

Based on the analysis of the land use, surrounding zoning and uses, the proposed Conditional Use for a storage facility with outdoor storage, to serve nearby residents, could be considered consistent with the land use, area zoning and adjoining uses.



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

July 19, 2018

Ms. Janelle M. Cornwell Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Brent & Lisa Hershey** conditional use application, which we received on June 20, 2018. This application is for a 9.17-acre parcel (Tax Parcel 235-15.00-26.07). The subject land is located on the south side of Delaware Route 16, approximately 2,000 feet west of Reynolds Road (Sussex Road 233). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize an 8,200 square-foot portion of the existing facility for storage — adaptive re-use of existing farm buildings.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Delaware Route 16 where the subject land is located, which is from Delaware Route 5 to Delaware Route 1, are 6,488 and 8,537 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Ms. Janelle M. Cornwell Page 2 of 2 July 19, 2018

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

T. William Brockenbrough, Jr.

J. William Broshonbrough, &

County Coordinator

Development Coordination

TWB:cim

Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues cc: Brent & Lisa Hershey, Applicant

J. Marc Coté, Assistant Director, Development Coordination

Gemez Norwood, South District Public Works Manager, Maintenance and

Operations

Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

Susanne Laws, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination

PLANNING & ZONING COMMISSION

MARTIN L. ROSS, CHAIRMAN KIM HOEY STEVENSON, VICE CHAIRMAN R. KELLER HOPKINS DOUGLAS B. HUDSON ROBERT C. WHEATLEY



Sussex County

DELAWARE sussexcountyde.gov 302-855-7878 T 302-854-5079 F JANELLE M. CORNWELL, AICP DIRECTOR

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: June 19, 2018
Site Information:
Site Address/Location: 14374 Clyde's drive, Milton, DE 19968
Tax Parcel Number: 2-35-15.00-26.07
Current Zoning: Ag
Proposed Zoning: Ag
Land Use Classification:
farm buildings Square footage of any proposed buildings or number of units: existing buildings 8200 sq ft
Applicant Information:
Applicant's Name: Brent & Lisa Hershey
Applicant's Address: 824 Musser road
City: Mount Joy State: Pa Zip Code: 17552
Applicant's Phone Number: 717-575-0076
Applicant's e-mail address: brent@hersheyag.com



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

860 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

July 19, 2018

Ms. Janelle M. Cornwell Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Brent & Lisa Hershey** conditional use application, which we received on June 20, 2018. This application is for a 9.17-acre parcel (Tax Parcel 235-15.00-26.07). The subject land is located on the south side of Delaware Route 16, approximately 2,000 feet west of Reynolds Road (Sussex Road 233). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize an 8,200 square-foot portion of the existing facility for storage — adaptive re-use of existing farm buildings.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Delaware Route 16 where the subject land is located, which is from Delaware Route 5 to Delaware Route 1, are 6,488 and 8,537 vehicles per day, respectively.

Based on our review, we estimate that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Ms. Janelle M. Cornwell Page 2 of 2 July 19, 2018

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

T. William Brockenbrough, Jr.

J. William Bookenbourgh, J.

County Coordinator

Development Coordination

TWB:cim

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Brent & Lisa Hershey, Applicant

J. Marc Coté, Assistant Director, Development Coordination

Gemez Norwood, South District Public Works Manager, Maintenance and

Operations

Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

Susanne Laws, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination

Re: Hershey - Conditional Use request for Clyde's Drive, Milton DE

Sussex County Zoning Board, Georgetown, De,

This is a narrative of the proposed conditional use. I have attached a survey view of the farm property at clyde's drive, Milton DE

. First, there is an existing older hog barn that was built in the 70 t's that is referenced, (barn #4).

I am proposing to remove the roof of this barn and the 4 ft side walls down to the 4 ft high block walls that are the perimeter foundation of this barn. This foundation is in very good shape.

I then plan to re-build new 12 ft wood frame walls on top of the existing block and put a new roof on this structure. This is rebuilding existing barn on current foundation, with no increase in footprint or square footage

Specific plan is to install (3) 14 x 14 doors on the west side and (1) 14 x 20 door on the end wall facing north the entrance driveway. Then rebuild current partitions to divide building into (3) three area's... (2) two area's (42 x 28) with one 14 x 14 door and (1) personal access door each, then 1 area 84 x 28 with a Gable end door 14 x 20 and a sidewall door 14 x 14, plus 1 personal access door. A copy of this plan for Barn 4 is part of the application.

Second, there is a old dairy barn that was built in the 30 's or 40's, this barn has collapsed, referenced barn # 5 I propose to rebuild it on the same existing perimeter foundation which is 51 x 62 ft.

Plan is to erect 16 ft sidewalls with new roof and copulas that will resemble the old barn that collapsed. I would then install 3 or 4 doors on the south side. 12 x 14. A copy of this plan for barn 5 is part of application.

I plan to use one (1) of the area's for my storage needs. I propose to rent other area's for use for "passive" business storage to store equipment, tools etc, such as a lawn mowing service, landscape business, building contractor or a agricultural service business. Could also be a personal hobby shop.or could also be used to store boats, RV's

There would be rules associated with hrs to access bays, storage of fuels in bays, no outside storage, etc There would be no customers allowed to come to storage bays. No offices allowed, There would be a 4 - 6 cubic yd dumpster on site and a outdoor porti-potty would be provided.

The first of the state of the s

This is not a public storage similar to storage units commonly found. for personal items furniture etc...really focused to the business community, and passive storage

Thank you for consideration of this request

Brent & Lisa Hershey 138 Airport rd Marietta, Pa 17547

TAX MAP NO.: 2-35-15.00-26.07 DALPF Project I.D.#: S-98-08-045B Prepared By & Return To: Parkowski, Guerke & Swayze, P.A. P.O. Box 598 Dover, Delaware 19903

DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION ACKNOWLEDGMENT PURSUANT TO 3 Del. C. § 909(a)(2)

WHEREAS, RAMAKRISHNA TATINENI and RAMA TATINENI ("Transferors") were the owners of agricultural lands comprised of approximately 9.167 acres located at Broadkill Hundred, said lands lying in Sussex County, State of Delaware, and described in and subject to an Agricultural Preservation Easement, dated April 10, 2001, of record in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware in Deed Book 2581, Page 45, and as amended by Amendment to Agricultural Lands Preservation Easement recorded September 9, 2014 in the aforementioned Office of the Recorder of Deeds in Deed Book 4305, Page 19; and

WHEREAS, Transferors transferred all of the subject lands to BRENT L. HERSHEY and LISA HERSHEY, as tenants by the entirety unto the survivor of them, ("Transferees"), said lands being tax parcel 2-35-15.00-26.07, being of record in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware in Deed Book 4551, Page 131.

NOW, THEREFORE, in accordance with the requirements of 3 Del. C. § 909(a)(2)c.[71 Del. Laws, C. 257], Transferees acknowledge their understanding of the acreage allowed for dwelling housing, and the restrictions which apply to the real property about to be conveyed, and that said lands are subject to the referenced Preservation Easement, as amended, the provisions of 3 Del. C. ch. 9 and the regulations adopted pursuant thereto. Transferors and Transferees agree to be bound by same. Transferees shall be allowed one (1) acre for dwelling housing and only one (1) residential dwelling shall be allowed on said one (1) acre.

IN WITNESS WHEREOF, the Transferees have executed this Acknowledgment this day of October , 2016.
Transferees:
Witness Brent T. Weinlasseat.) Brent L. Hershey Brent L. Hershey Lisa Hershey (SEAL) Lisa Hershey
STATE OF Rennsylvania: : SS.: COUNTY OF Lancaster:
BE IT REMEMBERED that on this 30 day of October, A.D. 2016 personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Brent L. Hershey and Lisa Hershey, parties to this Indenture, known to me personally to be such, and they acknowledged this Indenture to be their act and deed.
GIVEN under my Hand and Seal of office the day and year aforesaid. Notary Public Signature Deborah K. Culley Notary Name – Printed or Typed My Commission Expires: 12 2116
COMMONWEALTH OF PENNSYLVANIA Notarial Seal Deborah K. Culley, Notary Public East Donegal Twp., Lancaster County My Commission Expires Dec. 8, 2016 MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

SUSSEX COUNTY ENGINEERING DEPARTMENT UTILITY PLANNING DIVISION C/U & C/Z COMMENTS

	TO:		Janelle Cornwell		
REVIEWER:		EWER:	Chris Calio		
DATE:		i:	7/31/2019		
	APPL	ICATION:	CU 2183 Brent & Lisa Hershey		
	APPL	ICANT:	Brent & Lisa Hershey		
	FILE	NO:	NCPA-5.03		
TAX MAP & PARCEL(S): 235-15.00-26.07		235-15.00-26.07			
LOCATION:		ATION:	14374 Clyde's Drive, Milton. South side of Broadkill Road, approximately 0.33 mile west of Reynolds Road		
NO. OF UNITS: Storage		OF UNITS:	Storage facility with outdoor storage		
GROSS ACREAGE: 9.167		9.167			
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2					
	SEWI	ER:			
	(1).	Is the project	t in a County operated and maintained sanitary sewer and/or water		
		Yes □ No ⊠			
		a. If yes, see question (2).b. If no, see question (7).			
	(2).	Which County Tier Area is project in? Tier 3			
	(3).	Is wastewater capacity available for the project? N/A If not, what capacity is available? N/A .			
	(4).	Is a Construction Agreement required? No If yes, contact Utility Engineering at (302) 855-7717.			
	(5).	Are there any System Connection Charge (SCC) credits for the project? No If yes, how many? N/A . Is it likely that additional SCCs will be required? N/A			

If yes, the current System Connection Charge Rate is Click or tap to enter a fee per EDU. Please contact N/A at 302-855-7719 for additional information on

charges.

- Is the project capable of being annexed into a Sussex County sanitary sewer (6).district? No
 - ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7).Is project adjacent to the Unified Sewer District? No
- (8).Comments: The proposed CU is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service. The proposed CU is within the Growth and Annexation area of the Town of Milton.
- (9).Is a Sewer System Concept Evaluation required? No
- (10).Is a Use of Existing Infrastructure Agreement Required? No

UTILITY PLANNING APPROVAL:

John J. Ashman

Director of Utility Planning

Xc: Hans M. Medlarz, P.E. Jayne Dickerson

No Permit Tech Assigned

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN KIM HOEY STEVENSON, VICE-CHAIRMAN R. KELLER HOPKINS J. BRUCE MEARS HOLLY J. WINGATE





DELAWARE sussexcountyde.gov 302-855-7878 T 302-854-5079 F JANELLE CORNWELL, AICP DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 22, 2019

Application: CU 2184 Linda Ann Yupco-Connors

Applicant/Owner: Linda Ann Yupco-Connors

32312 Jimtown Rd. Lewes, DE 19958

Site Location: 32260 Jimtown Road, Lewes. West side of Jimtown Road, approximately 0.32

mile south of Beaver Dam Road.

Current Zoning: GR (General Residential District)

Proposed Use: Equipment Storage

Comprehensive Land

Use Plan Reference: Coastal Area

Councilmatic

District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Private, On-Site

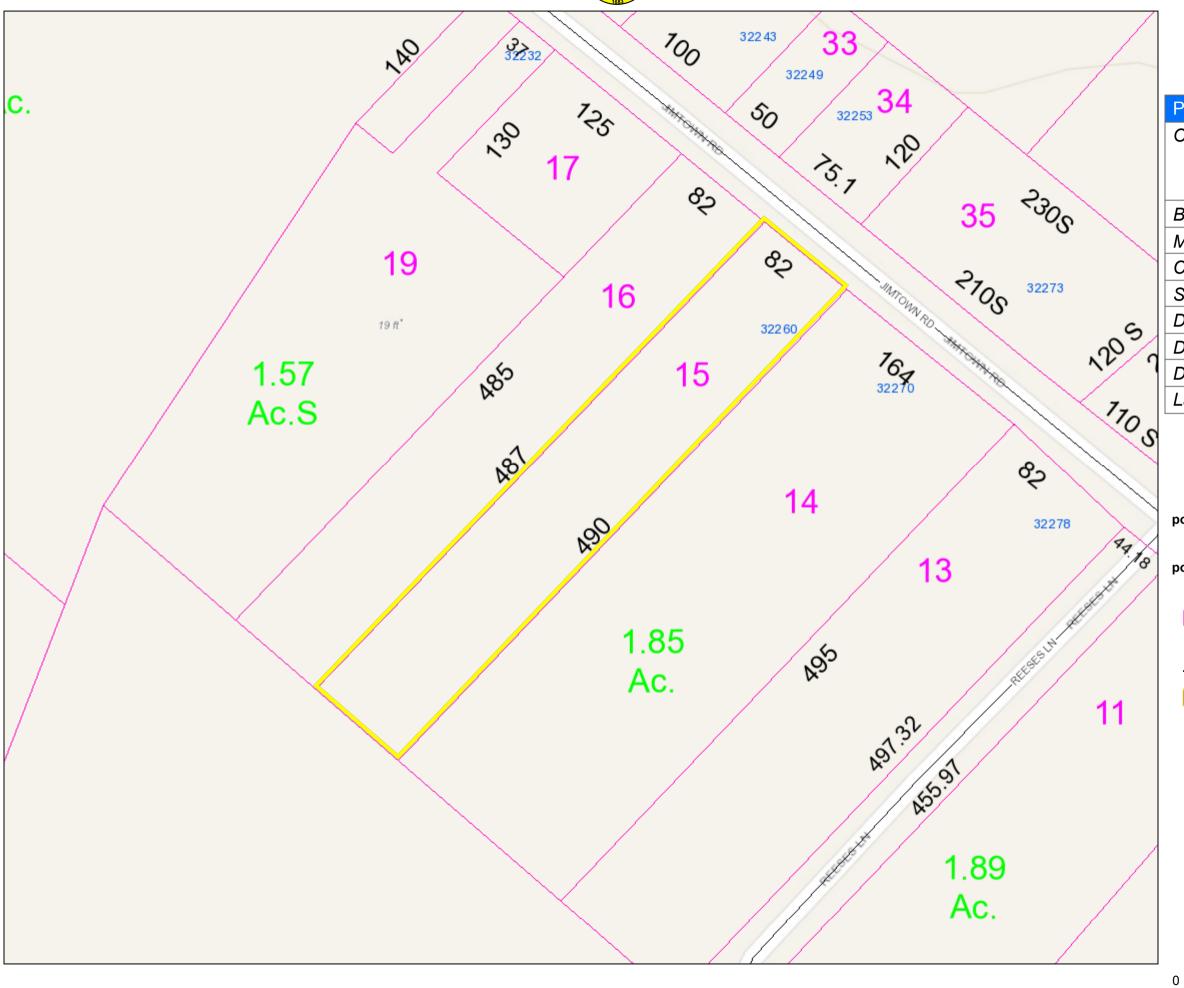
Water: Private, On-Site

Site Area: 0.91 ac. +/-

Tax Map ID.: 334-11.00-15.00



Sussex County



PIN:	334-11.00-15.00
Owner Name	YUPCO-CONNORS LINDA ANN
Book	3629
Mailing Address	6 CRIPPLE CREEK RUN
City	MILTON
State	DE
Description	SW/RD 285A
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

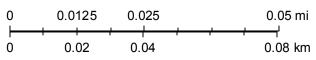
Tax Parcels

911 Address

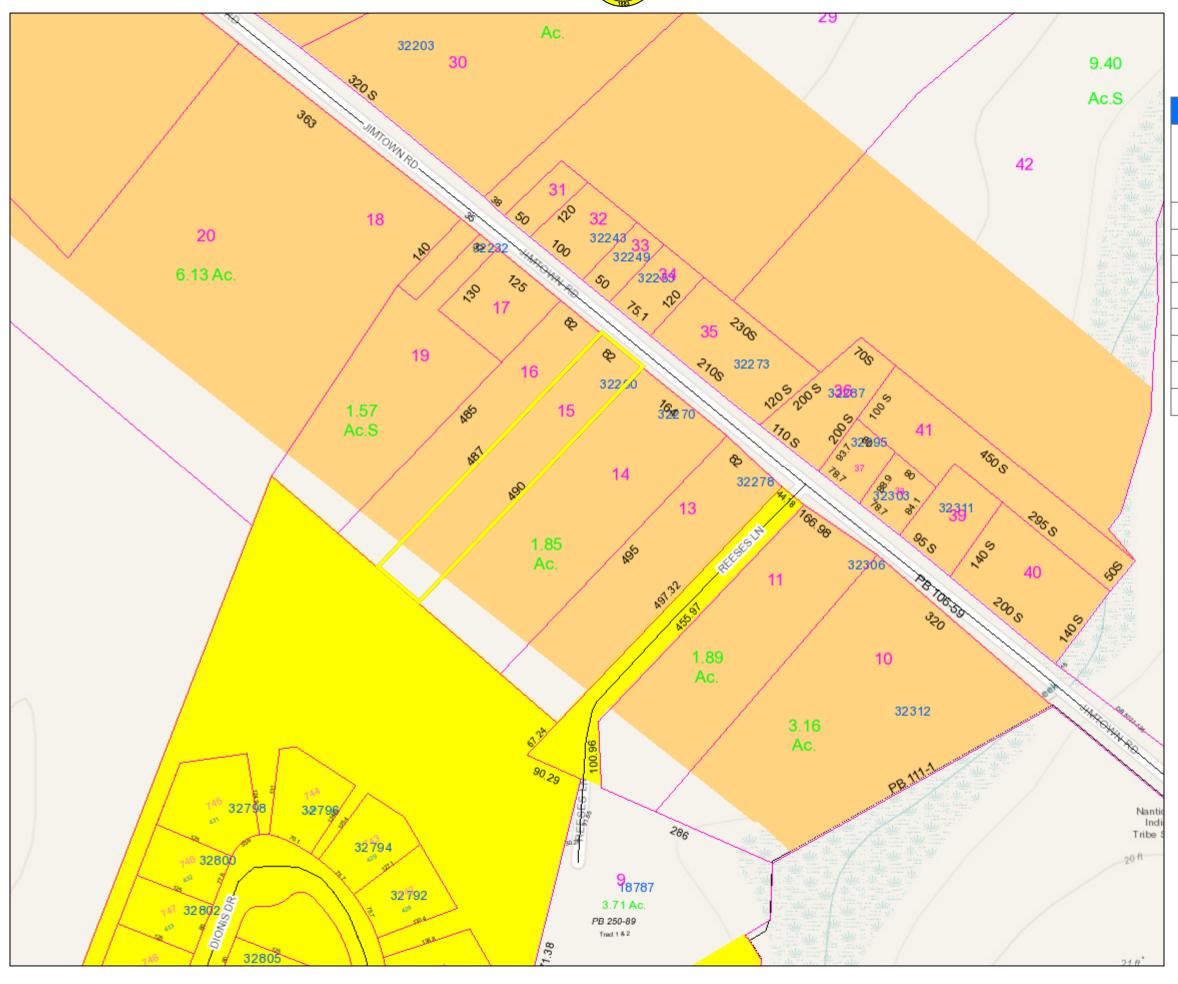
Streets

County Boundaries

1:1,128



Sussex County



PIN:	334-11.00-15.00
Owner Name	YUPCO-CONNORS LINDA ANN
Book	3629
Mailing Address	6 CRIPPLE CREEK RUN
City	MILTON
State	DE
Description	SW/RD 285A
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

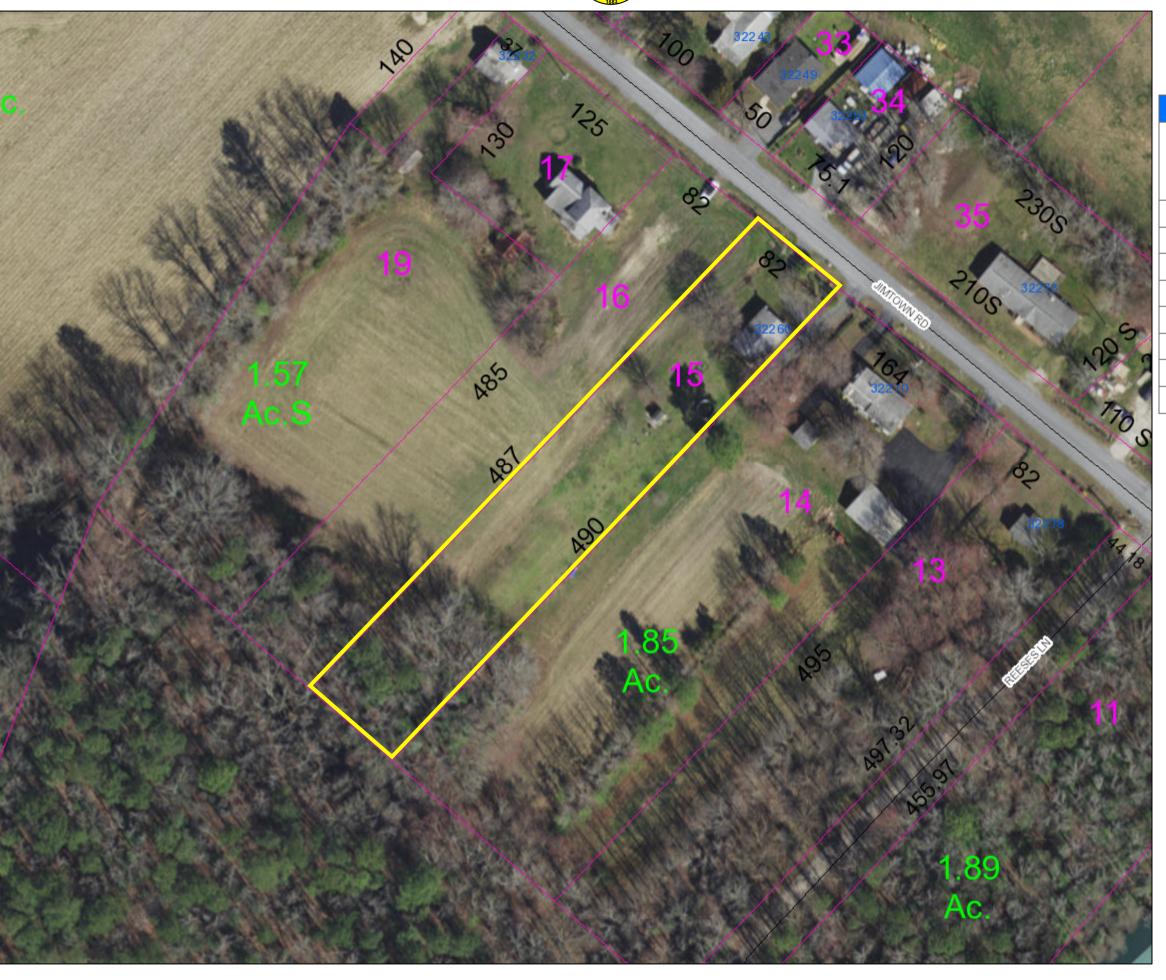
Override 1

Tax Parcels

911 Address

Streets

0



PIN:	334-11.00-15.00
Owner Name	YUPCO-CONNORS LINDA ANN
Book	3629
Mailing Address	6 CRIPPLE CREEK RUN
City	MILTON
State	DE
Description	SW/RD 285A
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

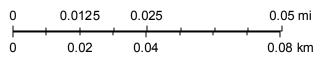
Tax Parcels

911 Address

Streets

County Boundaries

1:1,128



PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

> (302) 855-7878 T (302) 854-5079 F





Memorandum

To: Sussex County Planning Commission Members

From: Samantha Bulkilvish, Planner I

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 15, 2019

RE: Staff Analysis for CU 2184 Linda Ann Yupco-Connors

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2184 Linda Ann Yupco-Connors to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 334-11.00-15.00 to allow for Equipment Storage to be located at 32260 Jimtown Rd. The size of the property is 0.91 ac. +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Coastal Area.

The surrounding land use to the north, south, east and west, are Coastal Area. The Coastal Area land use designation recognizes that "a range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas."

The property is zoned GR (General Residential District). The properties to the north, south, and east are zoned GR (General Residential District). The property to the west is zoned MR (Medium Residential District). There are no known active Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use for equipment storage could be considered consistent with the land use and area zoning however it may not be consistent with the surrounding uses.





STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

317 W . A

April 24, 2019

Ms. Janelle Cornwell, Director Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Linda Ann Yupco-Connors** conditional use application, which we received on March 28, 2019. This application is for a 0.92-acre parcel (Tax Parcel: 334-11.00-15.00). The subject land is located on the southwest side of Jimtown Road (Sussex Road 285A), approximately 1/3 mile southeast of the intersection Beaver Dam Road (Sussex Road 285) and Jimtown Road. The subject land is currently zoned GR (General Residential), and the applicant is seeking a conditional use approval to utilize the site for office space and/or storage.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Jimtown Road where the subject land is located is 601 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Ms. Janelle M. Cornwell Page 2 of 2 April 24, 2019

1 1 1 g

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely, T. William Broshnbrough, J.

T. William Brockenbrough, Jr.

County Coordinator

Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Linda Ann Yupco-Connors, Applicant

J. Marc Coté, Assistant Director, Development Coordination

Gemez Norwood, South District Public Works Manager, Maintenance and Operations

Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Kevin Hickman, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

John Andrescavage, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

April 24, 2019

Ms. Janelle Cornwell, Director Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Linda Ann Yupco-Connors** conditional use application, which we received on March 28, 2019. This application is for a 0.92-acre parcel (Tax Parcel: 334-11.00-15.00). The subject land is located on the southwest side of Jimtown Road (Sussex Road 285A), approximately 1/3 mile southeast of the intersection Beaver Dam Road (Sussex Road 285) and Jimtown Road. The subject land is currently zoned GR (General Residential), and the applicant is seeking a conditional use approval to utilize the site for office space and/or storage.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Jimtown Road where the subject land is located is 601 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Ms. Janelle M. Cornwell Page 2 of 2 April 24, 2019

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

T. William Brockenbrough, Jr.

J. William Broslowbrungt , &

County Coordinator

Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Linda Ann Yupco-Connors, Applicant

J. Marc Coté, Assistant Director, Development Coordination

Gemez Norwood, South District Public Works Manager, Maintenance and Operations

Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Kevin Hickman, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

John Andrescavage, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination

PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

> (302) 855-7878 T (302) 854-5079 F



Sussex County

. DELAWARE sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 3/28/19			
Site Information:			
Site Address/Location: 32260 Jimtown Road, Lewes, DE	E 19958	***************************************	
Tax Parcel Number: 334-11.00-15.00			
Current Zoning: GR			
Proposed Zoning: GR (U)			
Land Use Classification: Single Family			
Proposed Use(s): Office/Storage		·	
Square footage of any proposed buildings or number	of units: N/A		
Applicant Information:			
Applicant's Name: Linda Ann Yupco-Connors			
Applicant's Address: 32312 Jimtown Road			
City: Lewes	State: DE	Zip Code: 19958	
Applicant's Phone Number: (302) 249-0578			
Applicant's e-mail address: kts@kerchergroup.com (Kevi	n Smith)		



SENT EMAIL 11:19 MAIL BOX FULL 4/25

SUSSEX COUNTY ENGINEERING DEPARTMENT UTILITY PLANNING DIVISION C/U & C/Z COMMENTS

П	г	1	`	
- 11		·	- 1	

Janelle Cornwell

REVIEWER:

Chris Calio

DATE:

7/31/2019

APPLICATION:

CU 2184 Linda Ann Yupco-Connors

APPLICANT:

Linda Ann Yupco-Connors

FILE NO:

NCPA-5.03

TAX MAP &

PARCEL(S):

334-11.00-15.00

LOCATION:

32260 Jimtown Road, Lewes. West side of Jimtown Road,

approximately 0.32 mile south of Beaver Dam Road.

NO. OF UNITS:

Equipment Storage

GROSS

ACREAGE:

0.91

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2

SEWER:

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes

No 🗵

- a. If yes, see question (2).
- b. If no, see question (7).
- (2). Which County Tier Area is project in? Tier 2
- (3). Is wastewater capacity available for the project? **Yes, As Proposed** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? No If yes, how many? N/A. Is it likely that additional SCCs will be required? Yes If yes, the current System Connection Charge Rate is Unified \$6,360.00 per EDU. Please contact Christine Fletcher at 302-855-7719 for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **Yes**
 - Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? Yes
- (8). Comments: The parcel has a sewer connection available, but not yet accepted by the Sussex County Engineering Department.
- (9). Is a Sewer System Concept Evaluation required? No
- (10). Is a Use of Existing Infrastructure Agreement Required? No

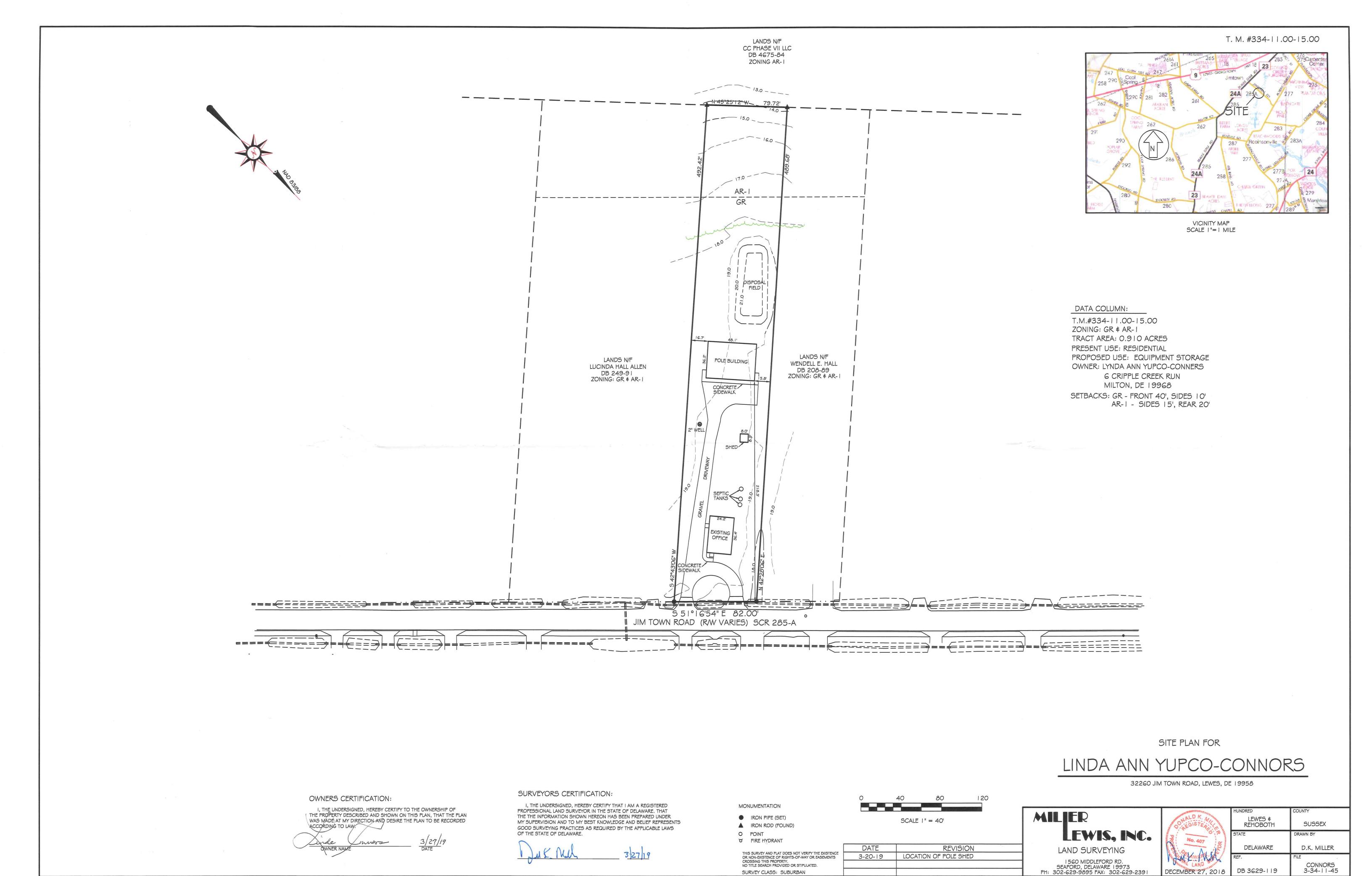
UTILITY PLANNING APPROVAL:

Jøhn J. Ashman

Director of Utility Planning

Xc: Hans M. Medlarz, P.E. Jayne Dickerson

Christine Fletcher



SURVEY CLASS: SUBURBAN

DECEMBER 27, 2018

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN KIM HOEY STEVENSON, VICE-CHAIRMAN R. KELLER HOPKINS J. BRUCE MEARS HOLLY J. WINGATE





DELAWARE sussexcountyde.gov 302-855-7878 T 302-854-5079 F JANELLE CORNWELL, AICP DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 22, 2019

Application: CU 2185 Vincent Kinack

Applicant/Owner: Vincent Kinack

21167 Short Rd. Harbeson, DE 19951

Site Location: 21167 Short Rd., Harbeson. Northeast corner of Short Rd. and Anderson Corner

Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Multi-Family (2 Units)

Comprehensive Land

Use Plan Reference: Low Density Area

Councilmatic

District: Mr. Burton

School District: Indian River School District

Fire District: Milton Fire District

Sewer: Private, On-Site

Water: Private, On-Site

Site Area: 3.4516 ac. +/-

Tax Map ID.: 234-4.00-42.00



Sussex County



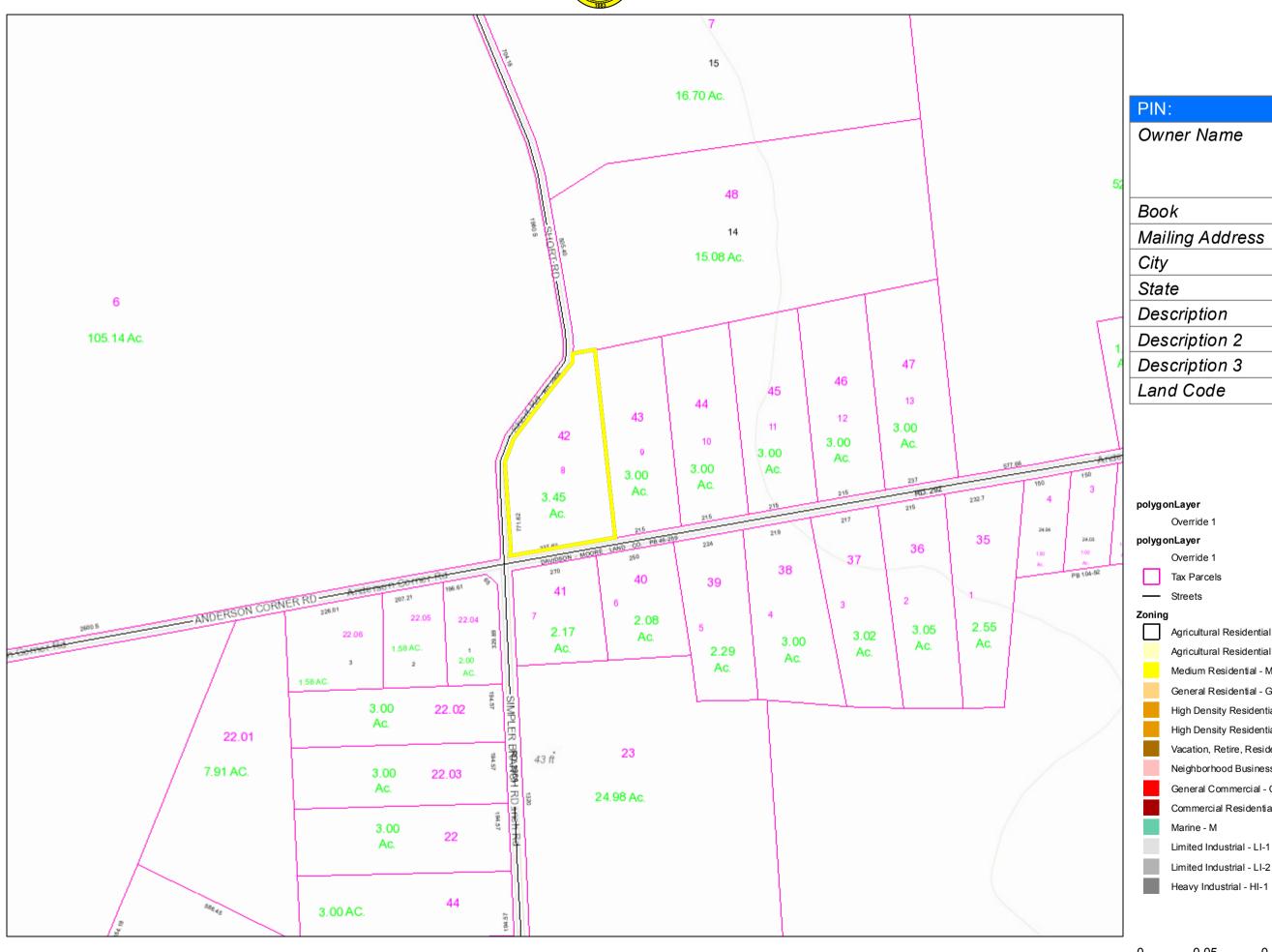
PIN:	234-4.00-42.00
Owner Name	KINACK VINCENT S KATHLEEN
Book	2267
Mailing Address	21167 SHORT RD
City	HARBESON
State	DE
Description	N/RT 292
Description 2	LOT 8
Description 3	N/A
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
911 Address
— Streets

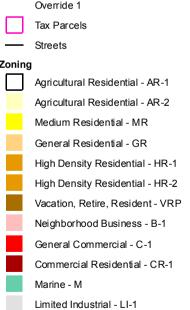
County Boundaries

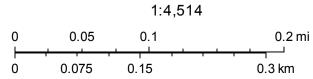
1:2,257 0 0.0275 0.055 0.11 mi 0 0.0425 0.085 0.17 km

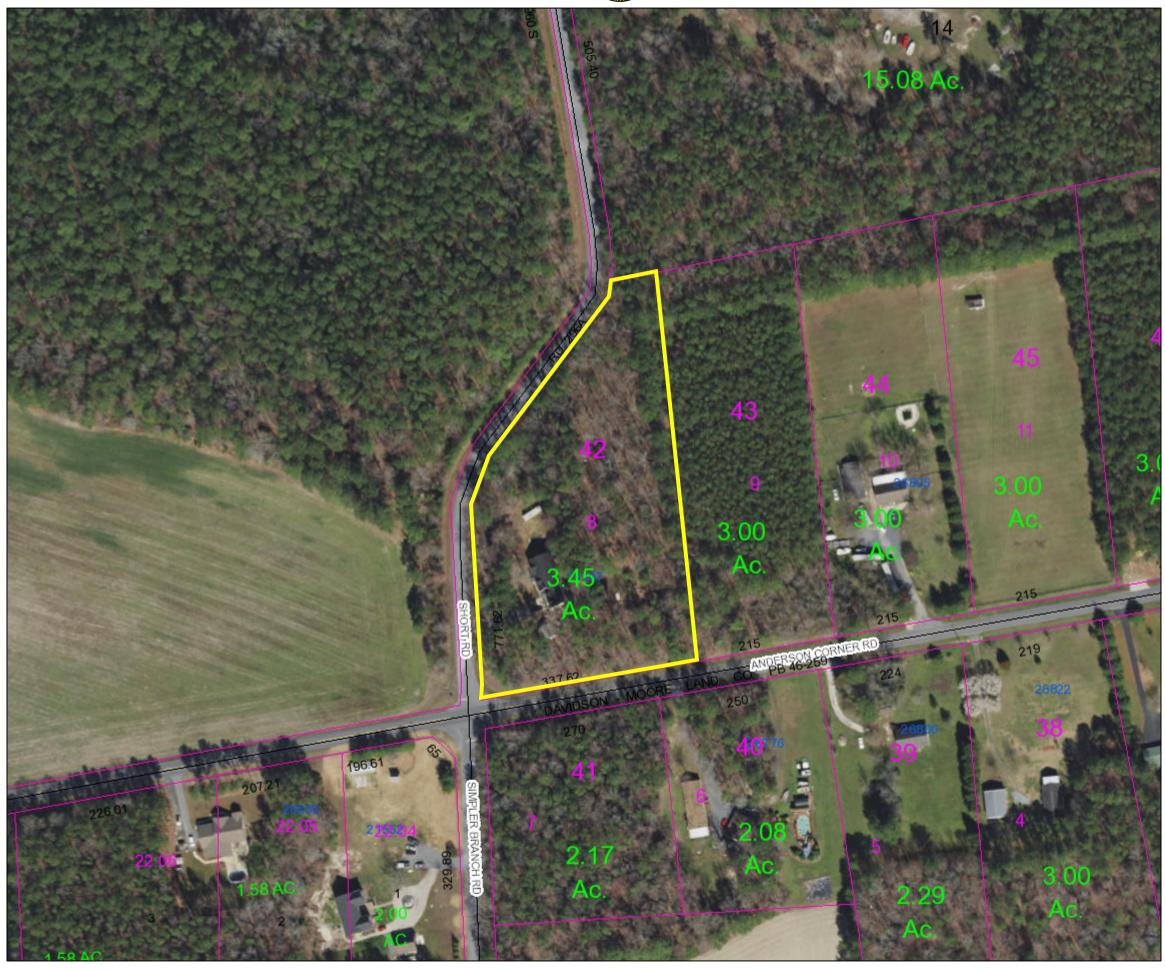
Sussex County



PIN:	234-4.00-42.00
Owner Name	KINACK VINCENT S KATHLEEN
Book	2267
Mailing Address	21167 SHORT RD
City	HARBESON
State	DE
Description	N/RT 292
Description 2	LOT 8
Description 3	N/A
Land Code	







PIN:	234-4.00-42.00	
Owner Name	KINACK VINCENT S KATHLEEN	
Book	2267	
Mailing Address	21167 SHORT RD	
City	HARBESON	
State	DE	
Description	N/RT 292	
Description 2	LOT 8	
Description 3	N/A	
Land Code		

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

1:2,257

0 0.0275 0.055 0.11 mi 0 0.0425 0.085 0.17 km

PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

> (302) 855-7878 T (302) 854-5079 F





Memorandum

To: Sussex County Planning Commission Members

From: Lauren DeVore, Planner III

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 15, 2019

RE: Staff Analysis for CU 2185 Vincent Kinack

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2185 Vincent Kinack to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 234-4.00-42.00 to allow for multi-family (2 units) to be located at 21167 Short Road in Harbeson. The size of the property is 3.4516 ac. +/-.

The 2018/2019 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. Also included as part of the Comprehensive Plan is the Future Land Use Map to help determine how land should be zoned and to ensure responsible future development. The Future Land Use Map indicates that the subject parcel is located in a Low-Density Area.

All surrounding land uses to the north, south, east and west are designated Low Density Areas. The Low-Density Area land use designation recognizes that the primary uses are agricultural and residential uses. Business uses should address the needs of the agricultural and residential uses. Commercial uses should be limited in their size and scope.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north, south east and west are zoned AR-1 (Agricultural Residential District). There is a small portion of land to the east zoned GR (General Residential District). There are two Conditional Uses near the project location: CU 2173 for a catering business to the east and CU 1980 for a used car sales facility to the north.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for multi-family (2 units) may not be considered consistent with the land use, area zoning and uses.



PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

(302) 855-7878 T (302) 854-5079 F



Sussex County delaware

sussexcountyde.gov

Service Level Evaluation Request Form

•
This form shall be submitted to the Planning and Zoning Office and a response shall be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.
Date: 4/11/19
Site Information:
Site Address/Location: 21/67 Short Rd Harbeson 1995
Tax Parcel Number: $\frac{234-4.00}{4R-4}$
Proposed Zoning: AR - Land Use Classification: Single Dolling - Home
Proposed Use(s): 3500 S9 Ft
Proposed Use(s): 2 Multifamily Units Square footage of any proposed buildings or number of units: 2 Units
Square footage of any proposed buildings or number of units:
Applicant Information:
Applicant's Name: Uncent Athock (KINACK)
Applicant's Address: 21/67 Short Rd City: Harbeson State: Zip Code: 1995
Applicant's Phone Number: 302 3592626 Applicant's e-mail address: 111019





STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

May 6, 2019

Ms. Janelle Cornwell, Director Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the Vincent Kinack conditional use application, which we received on April 11, 2019. This application is for a 3.45-acre parcel (Tax Parcel: 234-4.00-42.00). The subject land is located on the northeast corner of the intersection of Short Road (Sussex Road 296A) and Anderson Corner Road (Sussex Road 292). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to develop two multi-family houses.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Short Road where the subject land is located, which is from Johnson Road (Sussex Road 47) to Rust Road (Sussex Road 292A), is 181 vehicles per day. As the subject land also has frontage along Anderson Corner Road, the average annual daily traffic volume along that road segment, which is from Johnson Road to Delaware Route 5, is 1,062 vehicles per day.

Based on our review, we estimate that the proposed land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell Page 2 of 2 May 6, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

T. William Brockenbrough, Jr.

J. William Broshonburgh, J.

County Coordinator

Development Coordination

TWB:cim

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Vincent Kinack, Applicant

J. Marc Coté, Assistant Director, Development Coordination Gemez Norwood, South District Public Works Manager, Maintenance and

Gemez Norwood, South District Public Works Manager, Maintenance and Operations

Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Kevin Hickman, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

John Andrescavage, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination

SUSSEX COUNTY ENGINEERING DEPARTMENT UTILITY PLANNING DIVISION C/U & C/Z COMMENTS

TO:	Janelle Cornwell	
REVIEWER:	Chris Calio	
DATE:	7/31/2019	
APPLICATION:	CU 2185 Vincent Kinack	
APPLICANT:	Vincent Kinack	
FILE NO:	NCPA-5.03	
TAX MAP & PARCEL(S):	234-4.00-42.00	
LOCATION:	21167 Short Road, Harbeson. Northeast corner of Short Road and Anderson Corner Road	
NO. OF UNITS:	Multi-family (2 units)	
GROSS ACREAGE:	3.4516	
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2		

SEWER:

(1). Is the project in a County operated and maintained sanitary sewer and/or water district?

Yes

No 🗵

- a. If yes, see question (2).
- b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 3**
- (3). Is wastewater capacity available for the project? **N/A** If not, what capacity is available? **N/A**.
- (4). Is a Construction Agreement required? **No** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? N/A If yes, how many? N/A. Is it likely that additional SCCs will be required? N/A If yes, the current System Connection Charge Rate is Click or tap to enter a fee per EDU. Please contact N/A at 302-855-7719 for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
 - ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? No
- (8). Comments: The proposed CU is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service.
- (9). Is a Sewer System Concept Evaluation required? No
- (10). Is a Use of Existing Infrastructure Agreement Required? No

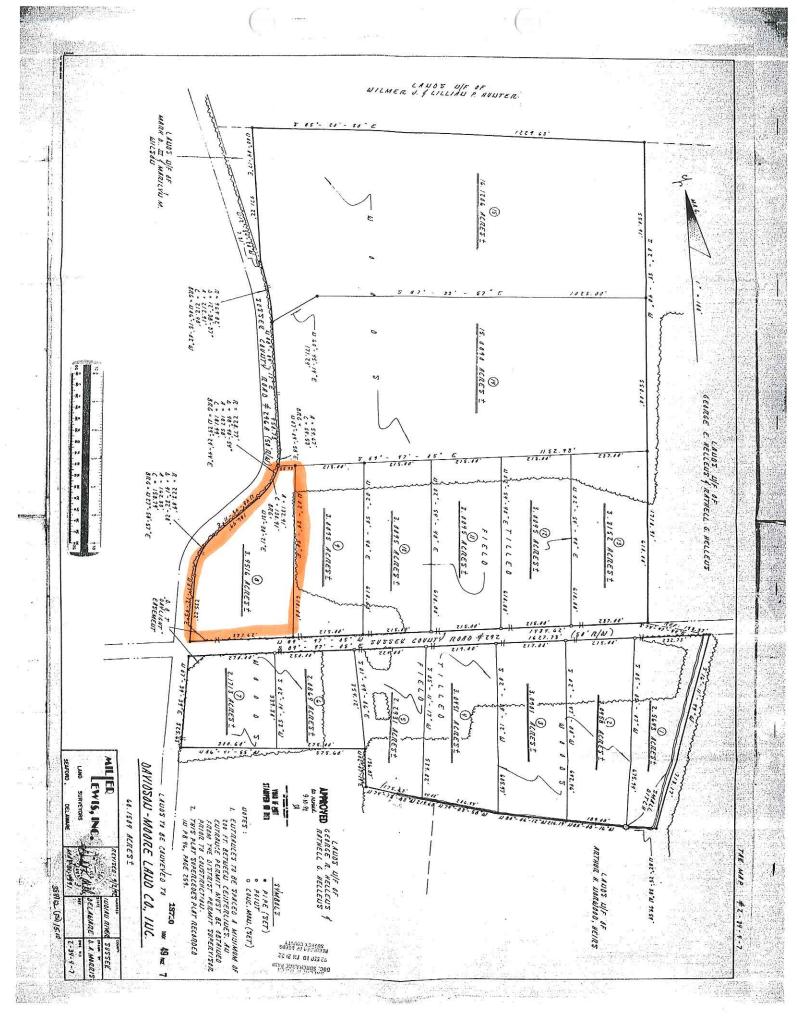
UTILITY PLANNING APPROVAL:

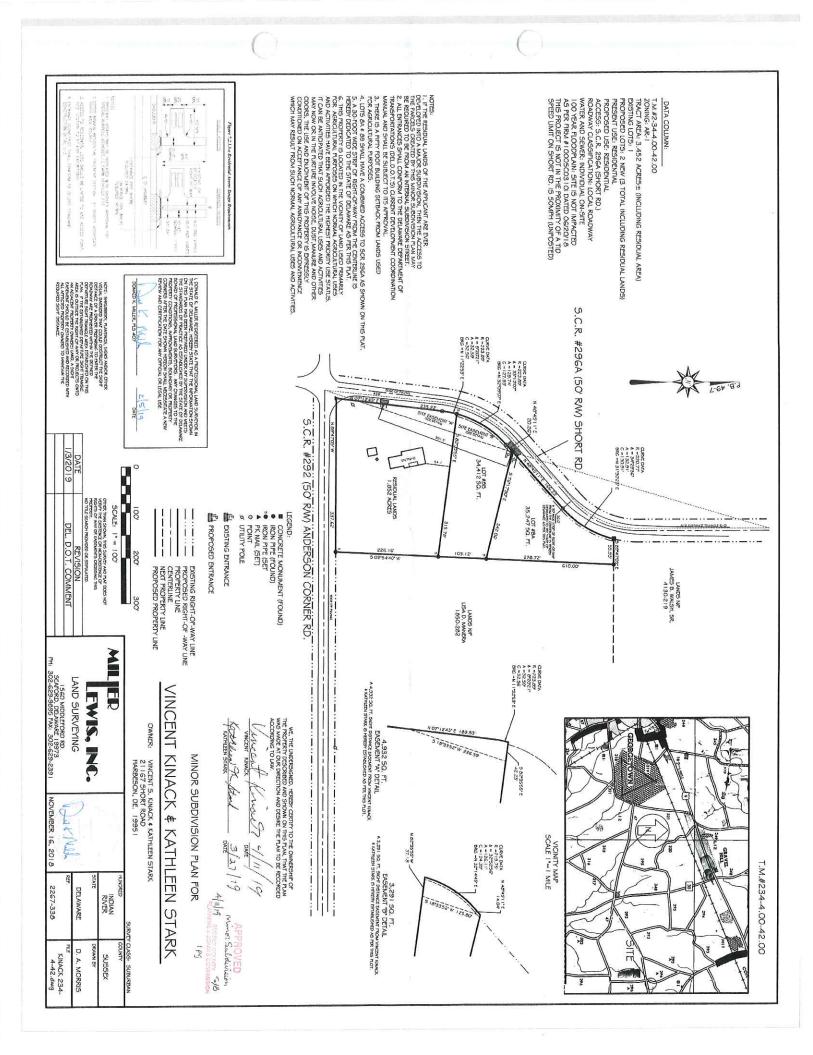
John J. Ashman

Director of Utility Planning

Xc: Hans M. Medlarz, P.E. Jayne Dickerson

No Permit Tech Assigned





PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN KIM HOEY STEVENSON, VICE-CHAIRMAN R. KELLER HOPKINS J. BRUCE MEARS HOLLY J. WINGATE





DELAWARE sussexcountyde.gov 302-855-7878 T 302-854-5079 F JANELLE CORNWELL, AICP DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 22, 2019

Application: CU 2187 Daniel Ostinvil

Applicant/Owner: Daniel Ostinvil

528 Cooper St. Laurel, DE 19956

Site Location: 31016 N Poplar St., Laurel. Southwest corner of North Poplar St. and Old Sailor

Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Motor Vehicle Sales

Comprehensive Land

Use Plan Reference: Developing Area

Councilmatic

District: Mr. Vincent

School District: Laurel School District

Fire District: Laurel Fire District

Sewer: Private, On-Site

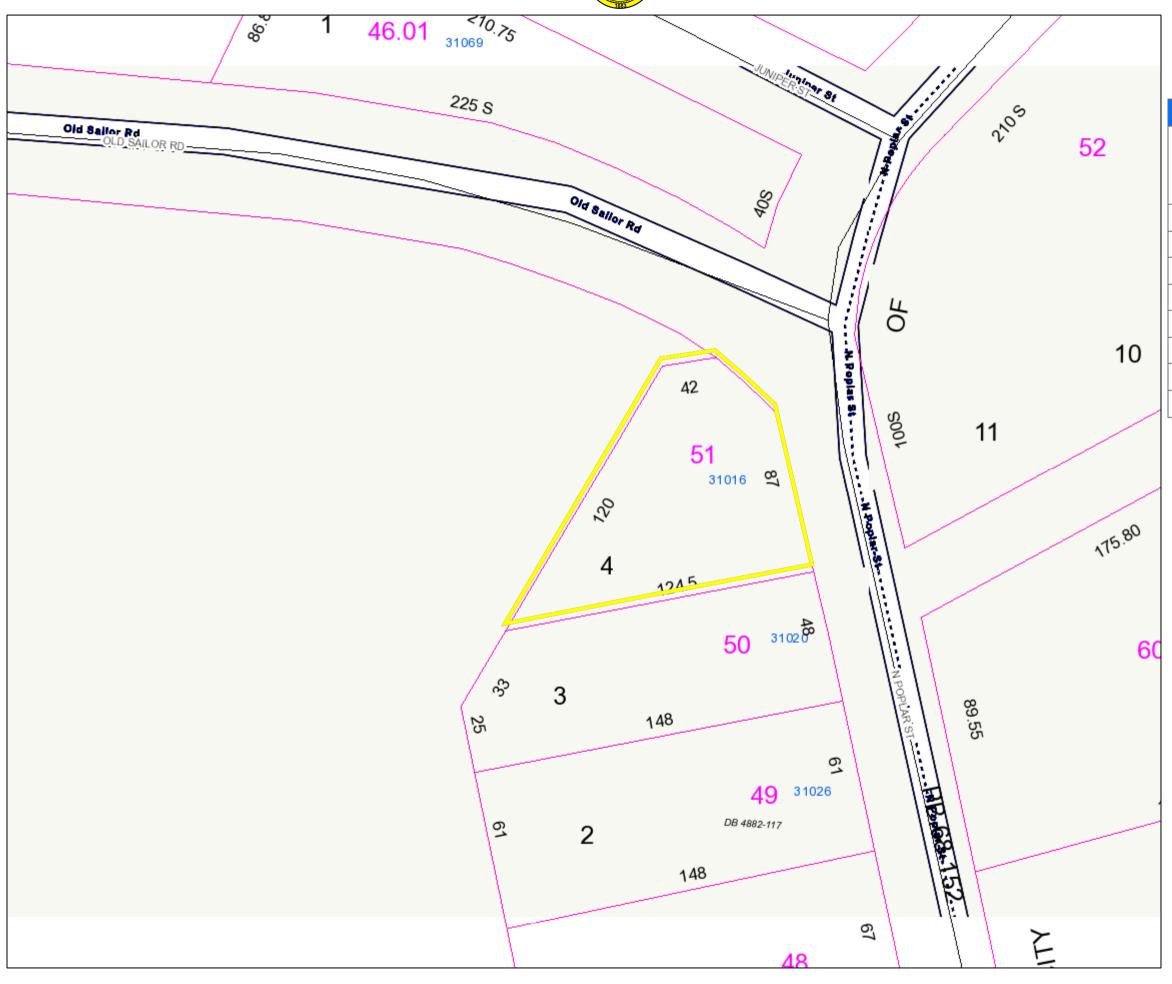
Water: Private, On-Site

Site Area: 0.1657 ac. +/-

Tax Map ID.: 232-12.18-51.00







PIN:	232-12.18-51.00
Owner Name	OSTINVIL DANIEL
Book	4971
Mailing Address	528 COOPER ST
City	LAUREL
State	DE
Description	W/POPLAR ST
Description 2	LOT 4
Description 3	N/A
Land Code	

polygonLayer
Override 1

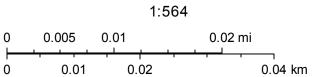
polygonLayer

Override 1

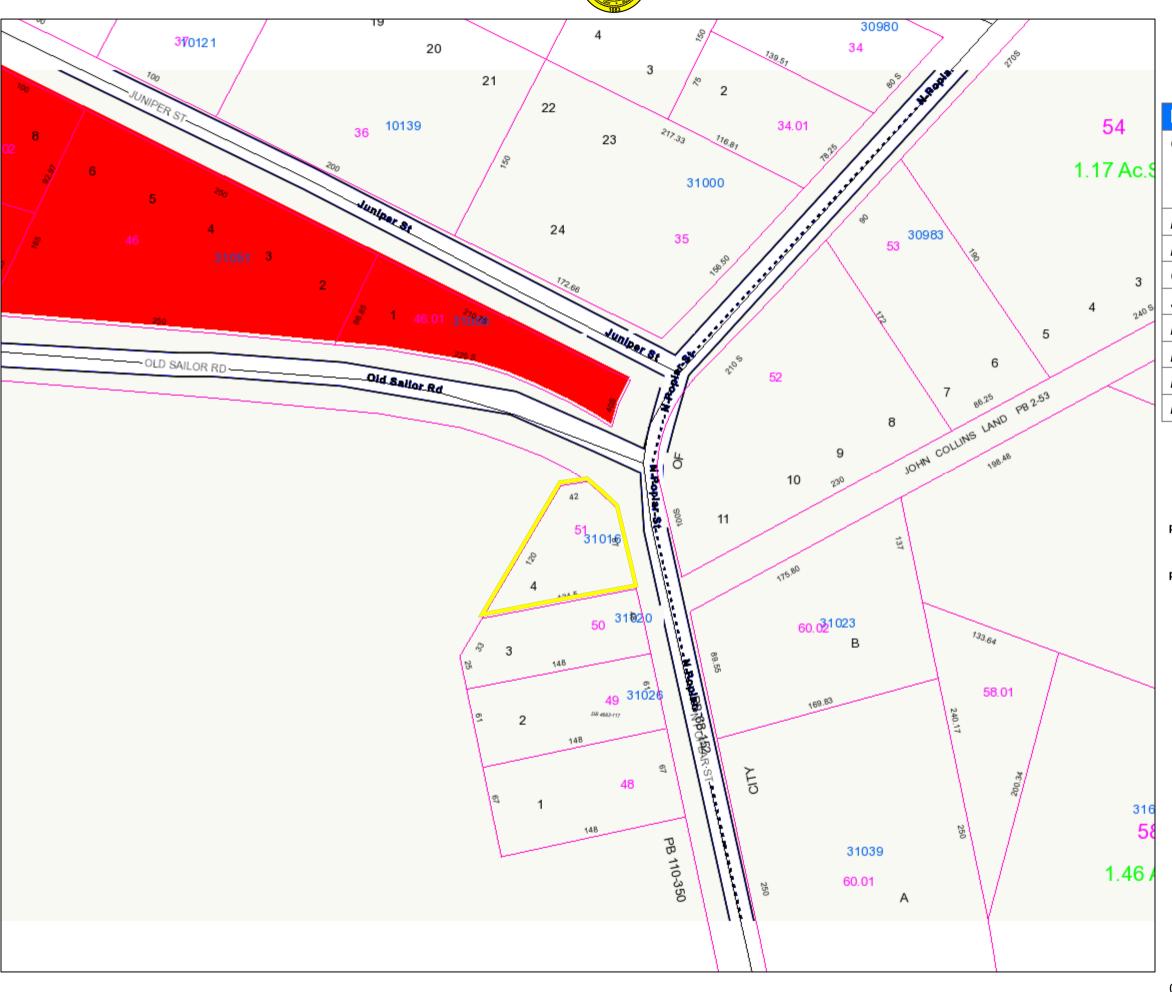
Tax Parcels
911 Address

Streets

County Boundaries







PIN:	232-12.18-51.00
Owner Name	OSTINVIL DANIEL
Book	4971
Mailing Address	528 COOPER ST
City	LAUREL
State	DE
Description	W/POPLAR ST
Description 2	LOT 4
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer

Override 1

Tax Parcels
911 Address

Streets

1:1,128 0.0125 0.025 0.05 mi 0.02 0.04 0.08 km

Sussex County



PIN:	232-12.18-51.00
Owner Name	OSTINVIL DANIEL
Book	4971
Mailing Address	528 COOPER ST
City	LAUREL
State	DE
Description	W/POPLAR ST
Description 2	LOT 4
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

0.02 mi

1:564

PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

> (302) 855-7878 T (302) 854-5079 F





Memorandum

To: Sussex County Planning Commission Members From: Christin Headley, Planning Technician

CC: Vince Robertson, Assistant County Attorney and applicant

Date: August 15, 2019

RE: Staff Analysis for CU 2187 Daniel Ostinvil

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2187 Daniel Ostinvil to be reviewed during the August 22, 2019 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 232-12.18-51.00 to allow for car sales to be located at 31016 N. Poplar St. The size of the property is 0.1657 ac. \pm -.

The 2018/2019 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map indicates that the property had the land use designation Developing Area.

The surrounding land use to the north, south, and west is Developing Area. The surrounding land to the east is within the town of Laurel. The Developing Areas land use designation recognizes that "a range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home."

The property is zoned AR-1 (Agricultural Residential District). The properties to the north are zoned C-1 (General Commercial District) and AR-1 (Agricultural Residential District). The properties to the east are within the town limits of Laurel. The properties to the south and west are zoned AR-1 (Agricultural Residential District). There are no known Conditional Use in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for car sales could be considered consistent with the land use, area zoning and uses.



PLANNING & ZONING

JANELLE M. CORNWELL, AICP DIRECTOR

> (302) 855-7878 T (302) 854-5079 F



Sussex County

DELAWARE sussexcountyde.gov

Service Level Evaluation Request Form

This form shall be submitted to the Planning and Zoning Office and a response shall be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Zoning Office.
Date: <u>D4/03/19</u>
Site Information:
Site Address/Location: 31016 N PoPlan St. Lauref DE/9956
Tax Parcel Number: 232-12.18-51.00 Current Zoning: AR 1 Proposed Zoning: CU Land Use Classification:
Proposed Use(s):
Square footage of any proposed buildings or number of units:
Applicant Information:
Applicant's Name: Denie / OStinue/
Applicant's Address: 528 Cooper St City: Laure State: DE Zip Code: 19956
Applicant's Phone Number: 302 670-5498 Applicant's e-mail address: dostinvila gmanf. Com





STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

May 2, 2019

Ms. Janelle Cornwell, Director Sussex County Planning & Zoning P.O. Box 417 Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Daniel Ostinvil** conditional use application, which we received on April 3, 2019. This application is for a 0.18-acre of parcel (Tax Parcel: 232-12.18-51.00). The subject land is located on the northwest corner of the intersection of East Poplar Street (Sussex Road 28A) and Old Sailor Road (Sussex Road 78A). The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to operate a car sales business.

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of East Poplar Street where the subject land is located, which is from Laurel limits to Seaford Road (Sussex Road 17), is 3,178 vehicles per day. As the subject land also has frontage along Old Sailor Road, the annual average daily traffic volume along that road segment is 157 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell Page 2 of 2 May 2, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,

J. William Broslowbungly of

T. William Brockenbrough, Jr. County Coordinator Development Coordination

TWB:cim

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues Daniel Ostinvil, Applicant

J. Marc Coté, Assistant Director, Development Coordination Gemez Norwood, South District Public Works Manager, Maintenance and

Operations
oe Laws Sussey County Subdivision Coordinate

Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination

Derek Sapp, Subdivision Manager, Development Coordination

Kevin Hickman, Subdivision Manager, Development Coordination

Brian Yates, Subdivision Manager, Development Coordination

John Andrescavage, Subdivision Manager, Development Coordination

Troy Brestel, Project Engineer, Development Coordination

Claudy Joinville, Project Engineer, Development Coordination

SUSSEX COUNTY ENGINEERING DEPARTMENT UTILITY PLANNING DIVISION C/U & C/Z COMMENTS

TO:	O: Janelle Cornwell		
REVIEWER:		Chris Calio	
DATE	:	7/31/2019	
APPL	ICATION:	CU 2187 Daniel Ostinvil	
APPL	ICANT:	Daniel Ostinvil	
FILE	NO:	SPS-5.04	
	MAP & SEL(S):	232-12.18-51.00	
LOCA	LOCATION: 31016 N. Poplar Street, Laurel. Southwest corner of North Poplar Street and Old Sailor Road		
NO. C	F UNITS:	Motor Vehicle Sales	
	GROSS ACREAGE: 0.1657		
SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: 2			
SEWE	SEWER:		
(1).		in a County operated and maintained sanitary sewer and/or water	
	district? Yes □ No ⊠		
	a. If yes, see question (2).b. If no, see question (7).		
(2).	Which County Tier Area is project in? Municipal Growth & annexation Area		
(3).	Is wastewater capacity available for the project? N/A If not, what capacity is available? N/A .		
(4).	Is a Construction Agreement required? No If yes, contact Utility Engineering at (302) 855-7717.		
(5).	Are there any System Connection Charge (SCC) credits for the project? N/A If yes, how many? N/A. Is it likely that additional SCCs will be required? N/A If yes, the current System Connection Charge Rate is Click or tap to enter a fee per EDU. Please contact N/A at 302-855-7719 for additional information on		

charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **No**
 - ☐ Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? No
- (8). Comments: The proposed CU is not in an area where the Sussex County Engineering Department has a plan/schedule to provide sanitary sewer service. The proposed CU is in the Growth & Annexation of the Town of Laurel.
- (9). Is a Sewer System Concept Evaluation required? No
- (10). Is a Use of Existing Infrastructure Agreement Required? No

UTILITY PLANNING APPROVAL:

John J. Ashman

Director of Utility Planning

Xc: Hans M. Medlarz, P.E.

Jayne Dickerson

No Permit Tech Assigned

PLANNING & ZONING

JAMIE WHITEHOUSE, AICP PLANNING & ZONING MANAGER

(302) 855-7878 T (302) 854-5079 F



Sussex County

DELAWAF sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members

From: Jamie Whitehouse, Planning and Zoning Manager; Lauren DeVore, Planner III; Samantha

Bulkilvish, Planner I and Jenny Norwood, Planner I CC: Vince Robertson, Assistant County Attorney

Date: August 15, 2019

RE: Other Business for August 22, 2019 Planning Commission Meeting

This memo is to provide background for the Planning Commission to consider as a part of the Other Business to be reviewed during the August 22, 2019 Planning Commission meeting.

2018-11 Hawthorne Subdivision Phase 6

KS

Final Subdivision Plan

This is a Final Subdivision Plan for a major cluster subdivision and other site improvements on a 28.05-acre parcel of land and accessed from Lewes-Georgetown Highway (Route 9). This is Phase 6, for an additional 41 single-family lots to the existing and approved 213 lots (2005-73). The Final Subdivision Plan also includes changes to Open Space Parcels "I" and "J" and revisions to the open space provided as part of Open Space "C." The Preliminary Subdivision Plan for Hawthorne Phase 6 was approved at the September 13, 2018 meeting of the Planning and Zoning Commission. The Final Subdivision Plan complies with the Sussex County Zoning and Subdivision Code, and the conditions of approval. Tax Parcel: Portion of 135-11.00-66.00. Zoning: AR-1 (Agricultural Residential Zoning District). Staff are in receipt of all agency approvals.

S-19-32 Ray Richardson

KS

Preliminary Site Plan

This is a Preliminary Site Plan for the construction of a 480-sf. building for a catering business and other site improvements located off 21170 Doddtown Rd., Harbeson. Conditional Use CU 2173 was approved on by County Council on June 25, 2019. The Preliminary Site Plan complies with the Sussex County Zoning Code and the Conditions of Approval. Tax Parcel: 234-9.00-6.02. Zoning: AR-1 (Agricultural Residential Zoning District). Staff is in receipt of all agency approvals, and the Preliminary Site Plan is therefore eligible for consideration for Preliminary and Final approval.

Milo's Haven (F.K.A. "Lakelynns") RPC (C/Z 1881)

HW

Preliminary Site Plan

This is a Preliminary Site Plan for the creation of 179 dwelling units located on the northeast side of the intersection of Peppers Corner Road (SCR. 365) and Lizzard Hill Road (SCR 367A) in Frankford, Delaware. Change of Zone #1881 to rezone a parcel of land from General Residential (GR) to allow for a General Residential, Residential Planned Community (GR-RPC) was approved by the Planning and Zoning Commission at their meeting of May 9, 2019 and by County Council at their meeting on June 4, 2019 under Ordinance #2657. The Preliminary Site Plan complies with the Sussex County Zoning and Subdivision Code and Conditions of Approval for the RPC. Tax Parcels: 134-19.00-13.03 & 134-18.00-38.00. Zoning: GR-RPC (General Residential- Residential Planned Community). Staff are awaiting agency approvals.



Page | 2

S-18-50 Hyatt Hotel (F.K.A. Lewes Hotel, LLC)

Revised Site Plan

This is a Revised Site Plan, showing revisions to a previously approved 96-bedroom room hotel with 106 parking spaces. The Planning and Zoning Commission has approved a revised parking requirement for the hotel at its meeting of June 28, 2018, reducing the number of required spaces from 154 total spaces to 106 spaces for 96 bedrooms. The Sussex County Code requirement for a hotel currently requires "1.5 spaces per each room as well as one spot per every three employees." The revised Site Plan shows an increase of 9 additional hotel rooms for a total of 105 hotel rooms. A a total of 117 parking spaces (an increase of 11 spaces) is shown on the Revised Site Plan. Tax Parcels: 334-6.00-26.03, 26.04 & 26.05. Zoning: C-1 (General Commercial Zoning District). Staff are awaiting agency approvals for the revised plan.

2018-31 Stagg Run Subdivision

KS

KS

Request for Clarification of Condition "Q" of Conditions of Approval

This is a request for clarification in relation to Condition "Q" which states, "The area between Antler Way and Savannah Road shall be improved so that it can be used for emergency access to and from the development. This emergency access shall be shown on the Final Site Plan and it shall be noted on the site itself." The applicant is requesting that the specific requirements of this condition be clarified to assist with discussions with the County Engineering Department in relation to what improvements are required to facilitate the emergency access. In support of the Applicant's request, a letter has been submitted, providing detail as to the nature of the Applicant's discussions with the County Engineering Department and the Office of the State Fire Marshall. Tax Parcel: 135-10.00-5.00. Zoning: AR-1 (Agricultural Residential Zoning District).





July 24, 2019

Sussex County
Planning & Zoning Commission
2 The Circle | PO Box 417
Georgetown, Delaware 19947

RE: SUBDIVISION 2018-31 | STAGG RUN

CONDITION Q CLARIFICATION

PROPOSED 26-LOT SINGLE-FAMILY DETACHED LOT SUBDIVISION

TAX MAP 135-10.00-5.00

GEORGETOWN HUNDRED | SUSSEX COUNTY | DELAWARE

Dear Commissioners:

On behalf of J&J Rocketship, LLC, LLC, Pennoni is requesting that the Commission provide clarification to Condition Q:

"The area between Antler Way and Savanah Road shall be improved so that it can be used for emergency access to and from the development. This emergency access shall be shown on the Final Site Plan and it shall be noted on the site itself."

The applicant respectfully requests that this condition be clarified due to the Sussex County Engineering Department requiring an actual access road to be built with a connection to Savannah Road. At the public hearing on March 14, 2019, it was stated that clear access was to be established between the stub of Antlered Way and Savannah Road and to not require the forested buffer to be planted at this location per Condition F. It was discussed that a constructed access to Savannah Road was not expected due to DelDOT's reluctance to have access to their public road from this part of the subdivision. Based on the record of the Public Hearing it was agreed that no plantings or obstructions would be required within this portion of the subdivision in order to provide for access by emergency vehicles to Antlered Way in case the entrance to the subdivision was blocked. We assumed that the emergency access would be over the existing conditions and be improved to provide the best grade towards the existing DelDOT ROW but to not alter the DelDOT ROW.

This additional construction practice on this subdivision located in an "Opportunity Zone" provides a further burden on this project to bring market lot prices at a more moderate price in this part of Sussex Country. We agree with the Commission that this area should remain open and will be delineated as such on the Final Subdivision Plat, to have a future emergency access to the site.

We also reached out to the State Fire Marshal about their requirements for an emergency access and have attached an email describing their requirements which include no improvements.

For these reasons, we ask that the Planning & Zoning Commission look favorably in clarifying our assumption that no actual access road is required to be built.

Respectfully Submitted,

PENNONI

Mark H. Davidson, Vice President

Principal Land Planner

Alan M. Decktor

From: Fox, Duane T. (FireMarshal) < Duane.Fox@delaware.gov>

Sent: Thursday, July 18, 2019 9:06 AM

To: Mark H. Davidson
Cc: Alan M. Decktor

Subject: RE: Alternative Emergency Access to a site

You are referencing a forestry lane that was used as a secondary fire lane access. When the fire lane and fire department access was updated (changed) the forestry lane was removed. It was eliminated because it really didn't work. Shrubs marking the lane were not maintained, snow was never removed and no fire departments were using them because they didn't know exactly where they were.

Since a second entrance is not required by the DE State Fire Prevention Regulations I would think you could design anything that will get site plan approval by the County.

Duane

From: Mark H. Davidson [mailto:MDavidson@Pennoni.com]

Sent: Thursday, July 18, 2019 8:58 AM

To: Fox, Duane T. (FireMarshal) < Duane. Fox@delaware.gov>

Cc: Alan M. Decktor <ADecktor@Pennoni.com> **Subject:** Alternative Emergency Access to a site

Good Morning Duane – we are continuing to see conditions placed on projects by the Planning Commission that they would like to have a second emergency access to the property other than the DelDOT entrance required for the project. I recall at one time the Fire Prevention Regulations (705) had a detail/cross-section for using a path that would allow emergency services to access the area in which the emergency is occurring if a paved road was not provided. I can not find this detail. Does it still exist? Is there a minimum cross-section that can be used for a path that can also be used for emergency service? Any help on this would be greatly appreciated.

Thank you

Mark

Mark H. Davidson

Associate Vice President, Office Director

Pennoni

18072 Davidson Drive | Milton, DE 19968

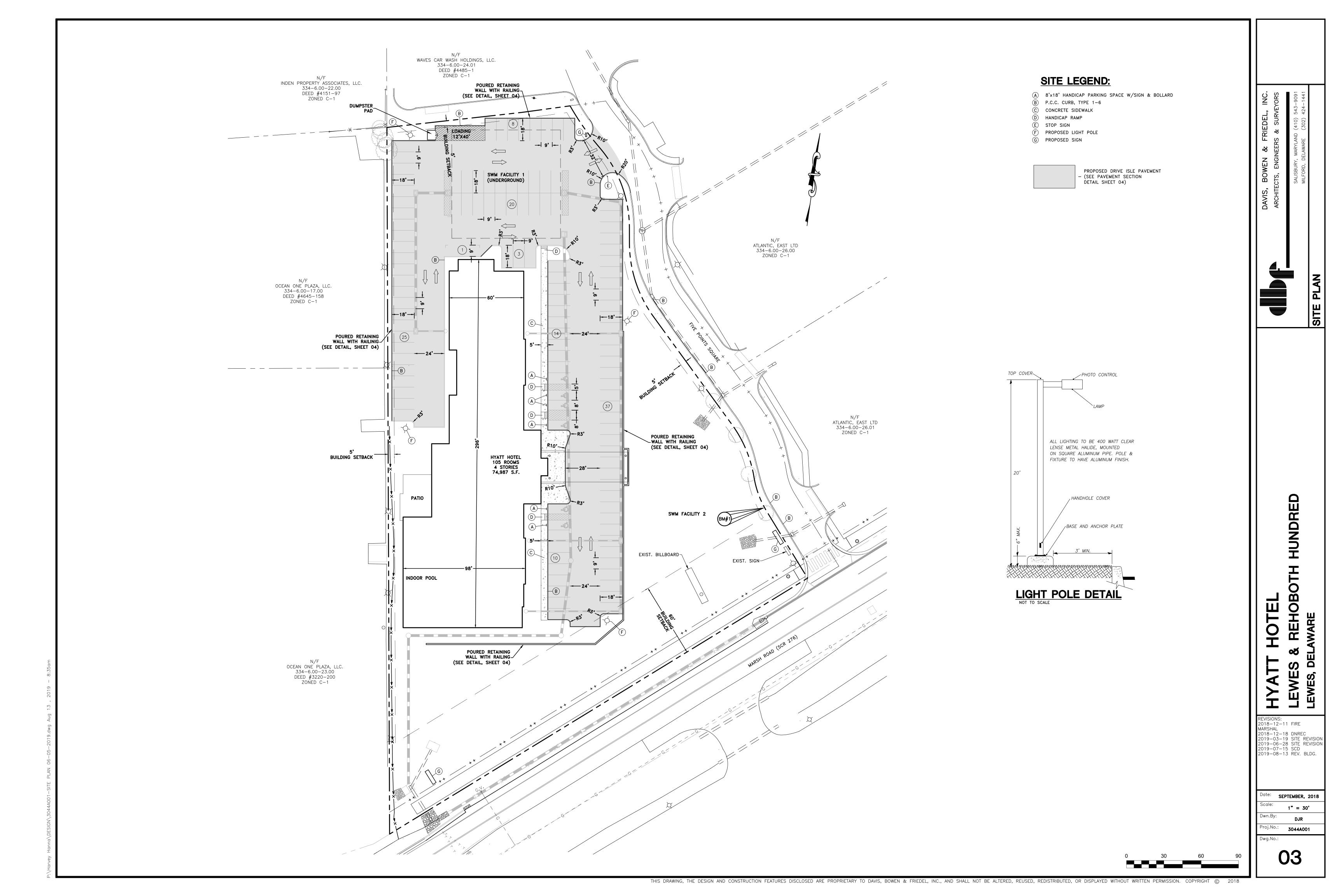
Direct: +1 (302) 684-6207 | Mobile: +1 (302) 236-6400

www.pennoni.com | MDavidson@Pennoni.com





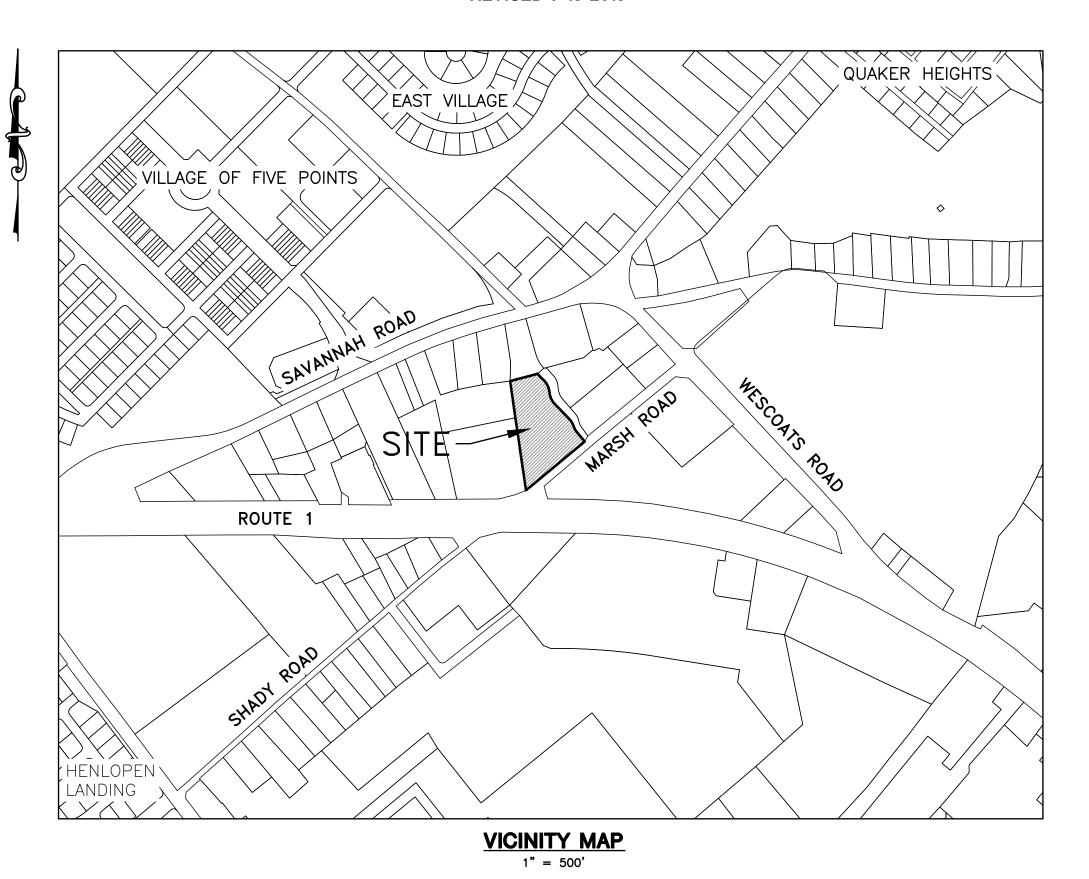
New Brunswick, NJ Innovation Hub



HYATT HOTEL

CONSTRUCTION PLANS BROADKILL WATERSHED, LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

DBF PROJECT NO. 3044A001 SEPTEMBER, 2018 **REVISED 7-15-2019**



INDEX OF SHEETS		
01	TITLE SHEET	
02	GENERAL NOTES	
03	SITE PLAN	
04	CONSTRUCTION DETAILS	
05	GRADING OVERVIEW PLAN	
06-08	GRADING PLANS	
09	UTILITY PLAN	
10	SEWER DETAILS	
11	WATER DETAILS	
12	FIRE PROTECTION PLAN	

DATA COLUMN

FLOOD HAZARD MAP:

3-34-6.00-26.03 3-34-6.00-26.04 3-34-6.00-26.05 TAX MAP ID: 2.8908 ACRES TOTAL SITE AREA

SITE LOCATION: LAT:38.7497, LON:75.1636 (SOUTHEAST PROPERTY CORNER) D-3748-62, D-4273-124 DEED REFERENCE:

EXISTING ZONING: PROPOSED ZONING: C-1 GENERAL COMMERCIAL
C-1 GENERAL COMMERCIAL

THE PROPERTY IS NOT IMPACTED BY 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA FLOOD MAPS 10005C0193K & 100050331K (DATED MARCH 16, 2015).

THIS PROPERTY IS NOT IMPACTED BY WETLANDS. **WETLANDS:** LIMIT OF DISTURBANCE: 2.23 ACRES

PROPOSED DEVELOPMENT
HOTEL CAPACITY:
HOTEL BUILDING FOOTPRINT:
HOTEL GROSS SQUARE FOOTAGE:
HOTEL BUILDING HEIGHT: 105 ROOMS 22,319 SQFT. 74,987 SQFT. 4 STORIES

EXISTING LOT RATIONALE WOODS/WETLANDS: 0 AC. (0%) 0 AC. (0%) WETLANDS:

C-1 ZONING REQUIREMENTS
FRONT YARD:
SIDE YARD:
REAR YARD: 5 FT. 5 FT. 75 FT. 10,000 SF.

1.5 PER ROOM=158 SPACES +1.0 PER 3 EMPLOYEES=4 SPACES
162 TOTAL SPACES

PROVIDED:(WAIVER REQUESTED)

1.0 PER ROOM=105 SPACES (6 HANDICAPPED SPACES) 1.0 PER 3 EMPLOYEES=10 SPACES

+2 ADDITIONAL SPACES
117 SPACES PROPOSED MAXIMUM BUILDING HEIGHT:

NAD 83 (DE STATE PLANE)

SANITARY SEWER: SUSSEX COUNTY WATER SUPPLY: TIDEWATER UTILITIES, INC. DATUM VERTICAL:

DEVELOPER: LEWES HOTEL, LLC. 18464 PLANTATIONS BLVD. LEWES, DE 19958

HORIZONTAL:

ENGINEER:
DAVIS, BOWEN, & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DE 19963 PH: 302-424-1441 FX: 302-424-0430

VICINITY MAP NWI WETLANDS FEMA FLOOD MAP ANEL #10005C0193K & 331K SOILS MAP SOILS DATA SOIL NAME DOWNER SANDY LOAM, 0-2% SLOPES HURLOCK SANDY LOAM, 0-2% SLOPES

ENGINEER'S STATEMENT

I, JAMIE L. SECHLER, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

JAMIE L. SECHLER, P.E. DAVIS, BOWEN & FRIEDEL, INC. 1 PARK AVE. MILFORD, DELAWARE, 19963

DEVELOPER'S STATEMENT

I, THE UNDERSIGNED, HEREBY STATE THAT I AM THE DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THE PLAN WAS MADE AT MY DIRECTION, I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

18464 PLANTATIONS BLVD. LEWES, DE 19958



DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS, ENGINEERS & SURVEYORS

BENCHMARK INFORMATION

BOLT ON HYDRANT N:273173.4977, E:728313.1180

LOCATION

ELEVATION

DESCRIPTION

MILFORD, DELAWARE (302) 424-1441

Lewes Hotel, LLC 405 East March Lane, Suite One Newport, Delaware, 19804

July 10, 2019

Sussex County Planning and Zoning Commission Janelle Cornwell, ACIP, Director 1 The Circle Georgetown, Delaware 19947

Dear Ms. Cornwell:

Previously, on behalf of Lewes Hotel, LLC, we submitted to you a request for site plan approval for a 96 room hotel with 106 parking spaces (S-18-50). Your office approved this site plan on June 28, 2019.

As noted in the staff review, the code requires 154 spaces. Chapter 115, Section 162 of the Sussex County Code states that the requirements for parking for a hotel are 1.5 spaces per each room as well as one spot per every three employees.

The code also contains a provision for the Planning and Zoning Commission to modify parking requirements:

Chapter 115, Section 164

Where, in the judgment of the Planning and Zoning Commission, the parking requirements listed in §115-162 are clearly excessive and unreasonable, the Commission may modify the requirements.

The Applicant would like to respectfully request that the Planning and Zoning Commission approve an amendment to the approved site plan to accommodate an increase of 9 additional hotel rooms for a total of 105 hotel rooms. In keeping with the same parking rationale as was previously approved on June 28, 2019, a total of 115 parking would be required for a 105 room hotel room. We are hereby providing 117 parking spaces, a ratio in excess of what was previously approved.

Thereby, we are requesting that you approve attached amended site plan.

Thank you for your consideration,

Truly, ____

Michael Kinnard Secretary RECEIVED

JUL 2 2 2019

SUSSEX COUNTY
PLANNING & ZONING

Lewes Hotel, LLC 405 East March Lane, Suite One Newport, Delaware, 19804

June 15, 2018

Sussex County Planning and Zoning Commission Janelle Cornwell, ACIP, Director 1 The Circle Georgetown, Delaware 19947

Dear Ms. Cornwell:

As noted in the staff review of our application, Lewes Hotel LLC ("Applicant") is requesting preliminary approval for a hotel site plan with 106 total parking spaces.

As noted in the staff review, the code requires 154 spaces.

Chapter 115, Section 162 of the Sussex County Code states that the requirements for parking for a hotel are 1.5 spaces per each room as well as one spot per every three employees.

The code also contains a provision for the Planning and Zoning Commission to modify parking requirements.

Chapter 115, Section 164

Where, in the judgment of the Planning and Zoning Commission, the parking requirements listed in §115-162 are clearly excessive and unreasonable, the Commission may modify the requirements.

The Applicant would like to respectfully request that the Planning and Zoning Commission find that the parking requirements for a hotel meet the standard of "excessive and unreasonable" and modify the requirements so that the site plan presented tonight would be approved as submitted.

The Applicant uses the following arguments as a basis for the parking requirement modifications:

Local Jurisdictions:

Sussex County's parking requirements for hotels requires far more spaces than many surrounding jurisdictions. Many of these local jurisdictions have significant hotel properties with market characteristics similar to that of the application submitted.

City of Lewes:

The applicant's site plan is located very close to the limits of the City of Lewes. The City of Lewes requires one space per room and one space for every three employees. See Attached Exhibit A.

City of Rehoboth Beach:

Rehoboth Beach is another community that has a large number of hotels within its jurisdiction. The City of Rehoboth requires one space per room for all hotels (and two additional spaces if the operator of the hotel maintains an apartment residence on-site). See attached Exhibit B.

Ocean City, Maryland:

Ocean City contains the largest concentration of hotels in the region, and the density of development in Ocean City far exceeds that of Sussex County. Ocean City. See attached Exhibit C.

City of Milford:

Milford, Delaware, where a hotel is a conditional use in certain zoning districts, requires one space per guest room and one space for every three employees. See attached Exhibit D.

Kent County, Delaware:

Kent County requires one space per room (with a minimum of five spaces), as well as two loading spaces. See Attached Exhibit E.

Town of Millsboro, Delaware:

The Town of Millsboro requires one space per guest room. See Attached Exhibit F.

Bethany Beach, Delaware:

Bethany Beach requires one space per guest room. See attached Exhibit G.

Site Specific Parking:

Extended Stay/Limited Service Hotel:

This is an extended stay hotel. There are currently no extended stay hotels in the Lewes/Rehoboth market. Bethany Beach does have a nationally flagged, extended stay property in operation in its municipal limits. Bethany Beach's code requires a minimum of one space per room with no requirement for employee parking (ibid).

The Applicant intends to build a Hyatt House on the site, which will experience a high volume of group business, both leisure (i.e. outlets and resort areas) and corporate (ie Beebe, Bayhealth, sports tournaments).

Dallas, Texas is one of many municipalities that has special parking requirements for extended stay hotels. Under Dallas' code, an extended stay hotel is allowed less than one parking space per room (for hotels of a certain size). This requirement is lower that one is required for other types of limited-service hotels. See attached Exhibit G.

This hotel has no public food service, so there is no additional parking requirements for dining facilities.

Changing Transportation Requirements:

The arrival and departure habits of today's modern hotel guests have created a land use dilemma in many jurisdictions across America. Land Use's requirements have not kept up with select service hotel trends and that of their guests.

Specifically, parking is one of those regulated areas within land use that requires an updated review of how those standards are being applied to today's new hotels.

Twenty years ago, hotel guests almost exclusively arrived by car. Hotel shuttles were typical with full service hotels only. There was no Uber. Multimodal transportation was not nearly what it has become today.

Today, we see the following transportation trends on the part of select service hotel guests:

- 20% of guests arrive by taxi, Uber, public transportation or Shuttle.
- 30% of guests arrive in groups by bus / van.
- Many hotels maintain a professional shuttle on site as a "brand requirement".
- More and more hotels are requiring that hotel staff carpool and/or park offsite.
- The subject hotel is located almost directly across the street from the new DELDOT regional transit bus hub.

New select service hotels have no public restaurants and they maintain limited banquet space, which reduces the need for parking as full service hotels required in the past.

Bus service from Philadelphia, Baltimore, Washington DC and Wilmington, Delaware is available to the Lewes/Rehoboth Beach area.

Occupancy Business Plan:

The business plan, as conceptualized by the Applicant, anticipates an overall average occupancy rate of less than 75%. This is typical for hotels in the area. Based upon this average rate of occupancy, the proposed parking is more than adequate to meet the needs of the guests of the hotel and the employees.

Environmental Argument:

The site can clearly accommodate additional parking. The Five Points Plaza complex is currently served by the existing stormwater facility that is being incorporated into our site plan. We are not currently proposing any substantial modifications to this facility. Increased and unnecessary parking on the site will simply create additional runoff from the parking lot. This is not a situation where the site cannot move forward if the parking waiver is not granted, but this is a situation where best practices can allow for a lower environmental impact on the area.

Increasing the impervious area on this project will not enhance the use but only require additional stormwater runoff.

For the reasons stated above, the Applicant respectfully requests that the Commission exercise its authority under Chapter 115 Section 164 of the Sussex County code and grant relief from the excessive and unreasonable parking requirements by approving the preliminary site plan with the parking as submitted.

Respectfully,

Scott Dailey Member, Lewes Hotel, LLC

Exhibit A

City of Lewes

Minimum required spaces.

Use

Single and multifamily dwellings, apartments and garden apartments

Rooming houses, boardinghouses or tourist houses

Hotels, motels and lodging inns

Required Number of Off-Street Parking Spaces

2 per dwelling unit

1 per rental room, plus 1 for the resident owner or manager

1 per rental room or suite, plus 1 per 3 employees. If a restaurant, open to the public, is operated in connection with such use, additional off-street parking space meeting the minimum requirements for a restaurant must be provided.

Exhibit B

City of Rehoboth Beach

Use		Number of Spaces Required
(1)	All residential units including accessory structures used as dwellings or dwelling units	2 per dwelling or dwelling unit
(2)	Tourist, rooming house or boardinghouse	1 for each rental room, plus 2 for the resident family
(3)	Hotel, motel or inn	1 for each rental room, plus 2 for the resident family
(4)	Office, office building or bank, and public buildings, private clubs and institutions	1 for each 400 square feet of gross floor area, exclusive of basement if not used for office purposes
(5)	Medical, dental and legal offices:	
	Less than 10,000 square feet in size	No spaces required
	Over 10,000 square feet in size	Same as (4) above
(6)	Each food establishment, restaurant or catering, with or without entertainment:	
	Less than 10,000 square feet of gross floor area	No spaces required
	10,000 or more square feet of gross floor area	1 for each 400 square feet of gross floor area
(7)	Each retail store or service shop over 15,000 square feet of gross floor area	1 for each 200 square feet of floor area devoted to sales or service
(8)	All other commercial uses	Same as (7) above
(9)	Retail stores, service shops, cafes or restaurants fronting only on the Boardwalk	No spaces required
(10)	Elementary school	2 for every teacher, administrator and employee
(11)	Secondary school	1 for every 10 students, plus 1 for every teacher, administrator and employee
(12)	Higher education centers	1 for every 2 students, plus 1 for every teacher, administrator and employee
(13)	Education-related services	1 for every 2 students, plus 1 for every teacher, administrator and employee

Exhibit C

Code of Ocean City, Maryland:

Sec. 110-932. - Minimum number of spaces.

- (a) In every district, space for off-street parking of vehicles on the premises shall be provided in accordance with the requirements of this division except as otherwise modified.
- (b) The spaces required per basic measuring unit for each use or use category shall be as indicated below, with such additional requirements as may be noted:
 - (1) Single-family detached dwellings, mobile homes and two-family duplex dwellings: Two spaces per each unit with three bedrooms or less, plus one space for each additional bedroom over three in the unit.
 - (2) Multiple family dwelling and townhouse: One per each efficiency unit, one and one-half per each one-bedroom unit, two per each two-bedroom unit, two and one-half per each three-bedroom unit, plus one-half space per each additional bedroom over three bedrooms.
 - (3) Hotel and motel efficiency unit: One space per hotel guest room.
 - (4) Hotel and motel guest suite: One and one-half spaces for the first 50 units, thereafter one space per unit.
 - (5) Roominghouse, boardinghouse or lodginghouse: One space per guest room.
 - (6) Church, synagogue or temple: One space per five seats or bench seating capacity (for seats in the main auditorium only).
 - (7) College or high school: One space per five seats in the main auditorium or eight spaces per classroom, whichever is greater.
 - (8) Elementary, junior high or nursery school: One space per ten seats in the main assembly room or one space per classroom, whichever is greater.
 - (9) Public library, museum, art gallery or community center: One space per 300 square feet of gross floor area; minimum of 5 spaces.
 - (10) Day care facility: One space per five persons rated capacity.
 - (11) Radio or television broadcasting station: One space per 400 square feet gross floor area. An auditorium for a broadcasting station shall require one space per five persons rated capacity.
 - (12) Exposition centers or fairgrounds: One space per five persons estimated attendance.
 - (13) Bicycle rental: As required in subsection (21), hereof.
 - (14) Automobile filling station: One space per two employees on the maximum working shift.
 - (15) Automobile service stations: Three spaces per bay.
 - (16) Private club: One per five persons rated capacity.
 - (17) Sanitarium, convalescent home, home for the aged or similar institution: One space per five patient beds.
 - (18) Hospital: One space per two patient beds.

- (19) Business and professional offices, banks: One space per 300 square feet of gross floor area, five spaces minimum.
- (20) Restaurants, fast food restaurant, cocktail lounge, tavern or nightclub or other establishments for the consumption of food or beverages on or off the premises: One space per 100 square feet of enclosed gross floor area, minimum of five spaces; with the following modifications:
 - a. The area of outdoor dining (unenclosed) is exempt from parking requirements up to an area equal to the enclosed gross floor area and thereafter is required one space per 200 square feet of unenclosed outdoor dining area in excess of the enclosed gross floor area.
 - b. The exemption applies only if a roofed over area remains at least 51 percent open on all sides with no enclosure of any kind. A railing system no higher than 42 inches with open pickets shall not be considered an enclosure.
 - c. Establishments with nonconforming parking status may only exempt parking for outdoor dining areas equal to the number of parking spaces provided on-site at the rate of one space per 100 square feet of outdoor dining areas.
- (21) Retail store, convenience food store, or personal service establishment; 5,000 square feet or less of gross floor area: One space per 200 square feet of floor area, five spaces minimum.
- (22) Shopping centers, shopping plazas, retail stores, personal service establishments and convenience food stores greater than 5,000 square feet of gross floor area:
 - a. One space per 225 square feet gross floor area, except for movie theaters, which shall comply with the parking requirements as set forth in subsection (24), hereof.
 - b. When restaurants, fast food establishments, cocktail lounges, taverns, nightclubs, or other establishments for the consumption of food or beverage on or off the premises are located in a shopping center:
 - If these establishments, individually or in total, comprise 25 percent or less of the gross floor area of the shopping center, the parking requirement shall be that for shopping centers;
 - 2. If these eating and drinking establishments, individually or in total, comprise more than 25 percent of the gross floor area of the shopping center, parking shall be provided for the floor area in excess of the 25 percent as set forth in subsection (20) hereof. The parking calculation shall be computed for the retail and eating and drinking establishments separately and then combined.
- (23) Furniture or appliance store; machinery, equipment and automobile and boat sales and service: One space per 300 square feet of floor area, five spaces minimum.
- (24) Auditorium, theater, gymnasium, stadium, arena, convention center, ballroom, etc.: One space per five persons rated capacity.
- (25) Bowling alley: Six spaces per lane.
- (26) Food storage locker: One space per 200 square feet of floor area.
- (27) Game room, dancehall, skating rink, swimming pool, auditorium or exhibition center (without fixed seats): One space per five persons rated capacity (does not apply to accessory uses).
- (28) Indoor and outdoor amusement place and amusement park: One space per five persons rated capacity.

- (29) Miniature golf course: One space per hole.
- (30) Water related recreational activities:
 - a. Parasail: Three spaces per boat.
 - b. Jet ski: One space per two jet ski devices.
 - c. Sailboat and sailboard: One space per two boats or devices.
 - d. Paddleboats: One space per two boats or devices.
- (31) General service or repair establishment; printing, publishing, plumbing or heating business: One space per 400 square feet gross floor area.
- (32) Manufacturing or wholesale establishment, warehouse or similar establishment: One space per 400 square feet gross floor area.
- (33) Marinas: One space per each slip or mooring, plus ten spaces for each boat ramp, with each space required by virtue of the boat ramp being ten feet in width by 50 feet in depth.
- (34) Employee housing: Two spaces per three sleeping rooms or suites, or one space per five persons rated capacity, whichever is greater.

(Ord. No. 1993-1, § 105-27.2, 1-19-1993; Ord. No. 1994-10, 5-16-1994; Ord. No. 2007-4, 2-5-2007; Ord. No. 2011-32, 10-17-2011; Ord. No. 2013-14, 11-4-2013; Ord. No. 2016-04, 3-21-2016)

Exhibit D

City Of Milford, Delaware Code

§ 230-20. - General provisions.

- A. Establishment of off-street parking area. The establishment of any off-street parking area having a capacity of four or more automobiles shall be subject to the approval of the Code Official and further subject to the following requirements. It shall:
 - (1) Have a buffer strip at least five feet wide between it and any adjacent residential lot.
 - (2) Be attractively landscaped and screened from neighboring residential lots.
 - (3) Not extend into any required front yard areas, except for the driveways.
 - (4) Be used solely for the periodic parking of private passenger (noncommercial) vehicles.
- B. Parking space size. Parking space sizes shall be in accordance with § 230-21.
- C. Parking spaces in driveways. Driveways shall be considered as constituting off-street parking space for one-family detached, semidetached or townhouse dwellings in residential districts, provided that sufficient space is available in such driveways to meet the requirements of this section.
- D. Location of parking spaces. All parking spaces shall be set back 15 feet from any street line. Parking spaces shall be located so that no spaces are a greater distance than 600 feet from the building or use to which they are assigned, provided that this requirement shall not apply to parking spaces for auditoriums, stadiums, assembly halls, gymnasiums and other places of assembly or industrial, wholesaling and manufacturing establishments.
- E. Parking spaces assigned to more than one use. Parking spaces for separate buildings or uses in all zoning districts may be combined in a single lot, provided that the number of parking spaces in the lot shall equal the sum of the parking spaces required for each building and use, except that the parking spaces required for places of assembly may include parking spaces assigned to other uses, provided that the place of assembly shall not be used at a time when the other uses are carried on.
- F. No off-street parking required in the C-2 Central Business District. No on-site, off-street parking shall be required in the C-2 District for newly constructed establishments or existing structures. Existing municipal parking facilities shall provide the necessary parking areas for downtown shoppers. The location of the municipal parking lots are:
 - (1) North Walnut Street and Northeast Front Street.
 - (2) Park Avenue and Northeast Front Street and Denney Row.
 - (3) Park Avenue and North Washington Street.
 - (4) Southeast Front Street between South Walnut Street and Church Street.
 - (5) Southeast Front Street and South Washington Street.
- G. Parking lot and garage maintenance. Ground cover, shrubs, trees and landscape screening shall be located and maintained so as not to interfere with vehicular and pedestrian traffic on the property or with sight clearance and exits.
- H. Fractional spaces. When the application of a unit of measurement for parking space or loading space to a particular use or structure results in a fractional space, any fraction under 1/2 shall be disregarded and fractions of 1/2 or over shall be counted as one parking space or loading space.
- I. Boat, trailer, bus and van parking. In any residential district, no house trailer, camper, boat trailer, bus or boat shall be parked in the front yard. Parking is allowed in the side or rear yards five feet from the property line if

- it does not take up space normally occupied by an automobile. All vehicles requiring a trailer for transportation must be stored on a registered trailer.
- J. Points of ingress and egress. When the parking garage buffer strip is adjacent to any public street upon which the lot has frontage, the fifteen-foot buffer strip which extends for the full frontage of the lot may be interrupted only at points of ingress and egress. Only one accessway shall be permitted for each 100 feet of frontage upon a public road. Such accessway shall be not less than 25 feet and not more than 32 feet in width. No two accessways on the same lot shall be placed within 75 feet of each other.

Use standards. All uses permitted in this chapter shall be subject to the following minimum off-street parking requirements in addition to any special requirements as indicated in each zoning district.

Types and Uses	Required Off-Street Parking Spaces
Retail stores and shops, all types, supermarkets, retail food stores and undertakers	1 per 200 square feet of floor area used or designed for sales on the ground floor, plus 1 per 300 square feet of floor area used or designed for sales on all other floors, plus 1 for each 2 employees
New and used car and boat sales, mobile dwelling unit sales, truck and trailer sales, outdoor equipment and machinery sales, commercial nurseries and auctions	4 per salesperson, plus 1 per per 2 employees during the period of greatest employment
Personal service establishments, laundromats and dry cleaning	1 per 200 square feet of gross floor area
Banks and other financial institutions	1 per 200 square feet of gross floor area, plus 1 for each employee
Business, governmental and professional offices	1 per 100 square feet of gross floor area
Medical and dental offices or clinics [Amended 7-14-1997]	From 1 per 100 square feet gross floor space for medical and dental offices or clinics to 1 per 150 square feet of gross floor area for medical and dental offices or clinics
Hospitals	1 for each bed of planned patient capacity, plus 1 per 3 employees or the shift of greatest employment
Sanatorium or nursing home	1 for every 4 beds
Churches and other places of worship	1 per 5 seats
Indoor and commercial outdoor recreation	1 for each 150 square feet of gross floor, building or ground area devoted to such use or 1 per 4 seats of facilities available for patron use, whichever is applicable to the facility
Restaurants, taverns and similar uses	1 per 3 seating accommodations, plus 1 per 2 employees on the shift of greatest employment
Dwelling, one-family detached, semidetached or mobile home	2 1/2 per dwelling unit

Dwelling, townhouse, garden apartment or multifamily dwelling	2 1/2 per dwelling unit
Rooming and boarding house or converted unit	1 per rented unit
Museum, art gallery and similar use	1 per 4 seats in rooms for public assembly or for each 150 square feet of gross floor area for use by the public, whichever is greater, plus 1 for each 2 employees on the shift of greatest employment
Public library	1 per 400 square feet of gross floor area for public use, plus 1 per 2 employees on the shift of greatest employment
Fire station	25
Auditorium, stadium, assembly hall, gymnasium, theater (excluding drive-in) and community or recreation center	1 per 4 fixed seats in the largest assembly room area or for each 40 square feet of floor area available for the accommodation of movable seats in the largest assembly room, or 1 per 150 square feet of gross floor area, whichever is applicable to the facility
Social club and fraternal, social service, union and civic organization building	1 per adult attendant, plus 1 per 100 square feet gross floor area devoted to such uses
Public or private school	3 per room used for administrative offices, plus 1 per room used for class instruction, plus 1 for each 5 seats in the auditorium and other places of assembly or facility available to the public
Industrial, manufacturing or wholesaling establishment	1 per 2 employees on the shift of the greatest employment, plus 1 per 200 square feet of floor area devoted to sales
Hotel and motel	1 for each guest room plus 1 for each 3 employees

[Ord. No. 2011-6, § 5, 6-27-2011; Ord. No. 2015-02, § 4, 3-23-2015]

Exhibit E Kent County, Delaware

§ 205-226Schedule of parking and loading requirements.

The requirements set forth below are minimums; they may be increased based on site plan review or conditional or special use approval. The parking and loading requirements for uses specifically listed shall be the same as the requirements for the most similar specified use.

Use	Loading	Parking
Use	Loading	Parking
Residential uses		
Dwelling, single-family		2 spaces per dwelling unit
Detached, semi-detached		Same
Duplex, townhouse, quadplex		Same
Mobile home		Same
Multifamily dwelling		
Efficiency		1.5 spaces per dwelling unit
One-bedroom		1.75 spaces per dwelling unit
Two-bedroom		2 spaces per dwelling unit
Three-bedroom		3 spaces per dwelling unit
Four-bedroom		3 spaces plus 1/2 space for each additional bedroom over three
Housing for the elderly	1	1 space per dwelling unit
Multifamily structures (in addition to spaces required for each unit) Commercial uses	1	3 spaces per building
Airport/airfield		0.5 spaces for each acre of land, minimum 20 spaces and 2 spaces for each planned tie-down
Animal hospital		1 space for each 400 square feet of floor area
Single purpose amusement area apparatus (miniature golf, driving range, etc.)		2 spaces for each apparatus or single activity area
Amusement park	2	10 spaces for each ride or activity area
Arena, exposition hall, stadium, racetrack, fairgrounds, etc.	5	1 space for each 2 seats; 1 space for each designated standing area of 10 people
Automobile salesroom and repair shop		1 space for each 500 feet of floor area, minimum 10 spaces
Automobile service station		1 space for each 100 feet of floor area, minimum 10 spaces
Beaches		1 space for each 200 square feet of beach

Use	Loading	Parking
Use	Loading	Parking
Bowling alley	1	5 spaces per lane
Food storage locker	1	1 space per 200 square feet of customer service area, minimum of 5 spaces
 Funeral establishments Heliport and helistop	2	10 spaces per public room, minimum 10 spaces 15 spaces plus 1 space for each tie-down unit
Hotel and motel	2	1 space for each room or unit; 5 spaces per use

ř e

Exhibit F

Town of Millsboro, Delaware

§ 210-38 Motels.

A.

Any motel that may be constructed on a lot or parcel of land must contain a minimum of at least 20 units of accommodation, exclusive of a permanent, on-site superintendent's living quarters. There shall be no separate single units of accommodation built. The minimum number of units of accommodation in any single building shall be 10.

В.

Parking space or one space for each unit of accommodation where the motel is located shall be provided.

C.

Separate buildings, or the use of a portion of the main building thereof, shall be permitted for accessory uses to any motel. Such separate buildings or parts of the main building shall be restricted to accessory uses customarily incident to the operation of a motel, such as rest rooms, offices, swimming pools, cabanas, meeting rooms, lounges, etc., and restaurants shall be permitted in such accessory building or portion of the main building thereof. These buildings shall have permanent walls and windows as may be necessary for ventilation. The complete sales transaction and delivery of merchandise shall be conducted inside the walls of the building.

D.

All buildings shall conform to a single architectural style.

E.

All open areas other than those areas used for parking purposes shall be landscaped and maintained by the owner of the motel.

F.

All Town ordinances and departmental regulations concerning the construction of foundations and buildings and the installation of utility lines shall be applicable to the construction of all buildings to be used in connection with the operation of motels.

Exhibit G

Bethany Beach, Delaware

§ 425-87Requirements.

No new construction or enlargement in dimensions or use of any existing building or structure shall be permitted unless the following off-street parking and loading requirements have been met:

A.

"Off-street parking" shall mean a designated area used solely for parking of motor vehicles, that shall not include the use of public or approved private streets and areas that are required for driveways, vehicle maneuvering, ramps, support columns, walks, or similar purposes.

[Amended 11-15-2013 by Ord. No. 500; 5-23-2014 by Ord. No. 504]

(1)

Residential parking requirements. Every dwelling unit in a residential structure, whether a detached single-family dwelling unit or one of several dwelling units in a multifamily residential or mixed-use structure, in each zoning district shall require a minimum of off-street parking spaces based on the following requirements:

(a)

Two off-street parking spaces for up to three bedrooms.

(b)

Four off-street parking spaces for up to five bedrooms.

(c)

Six off-street parking spaces for up to seven bedrooms.

(d)

Seven off-street parking spaces for up to eight bedrooms.

(e)

Eight off-street parking spaces for nine or more bedrooms.

(2)

One-bedroom apartments: one space per rental unit, plus normal residential requirements.

(3)

Offices, banks, retail and service stores and restaurants, including grills, cafes, lunch counters, diners and all similar establishments, except when located within the C-1 Zone: one parking space for every 250 square feet of gross floor area.

(4)

Home occupations in residential areas: two parking spaces, plus residential requirements.

(5)

Commercial lodging rooms: minimum of one space per standard guest room.
[Amended 12-19-2014 by Ord. No. 508]

(6)

All other standard dwelling units (DUS): two spaces per unit.

Exhibit H

City of Dallas, Texas

SEC. 51-4.216.1.

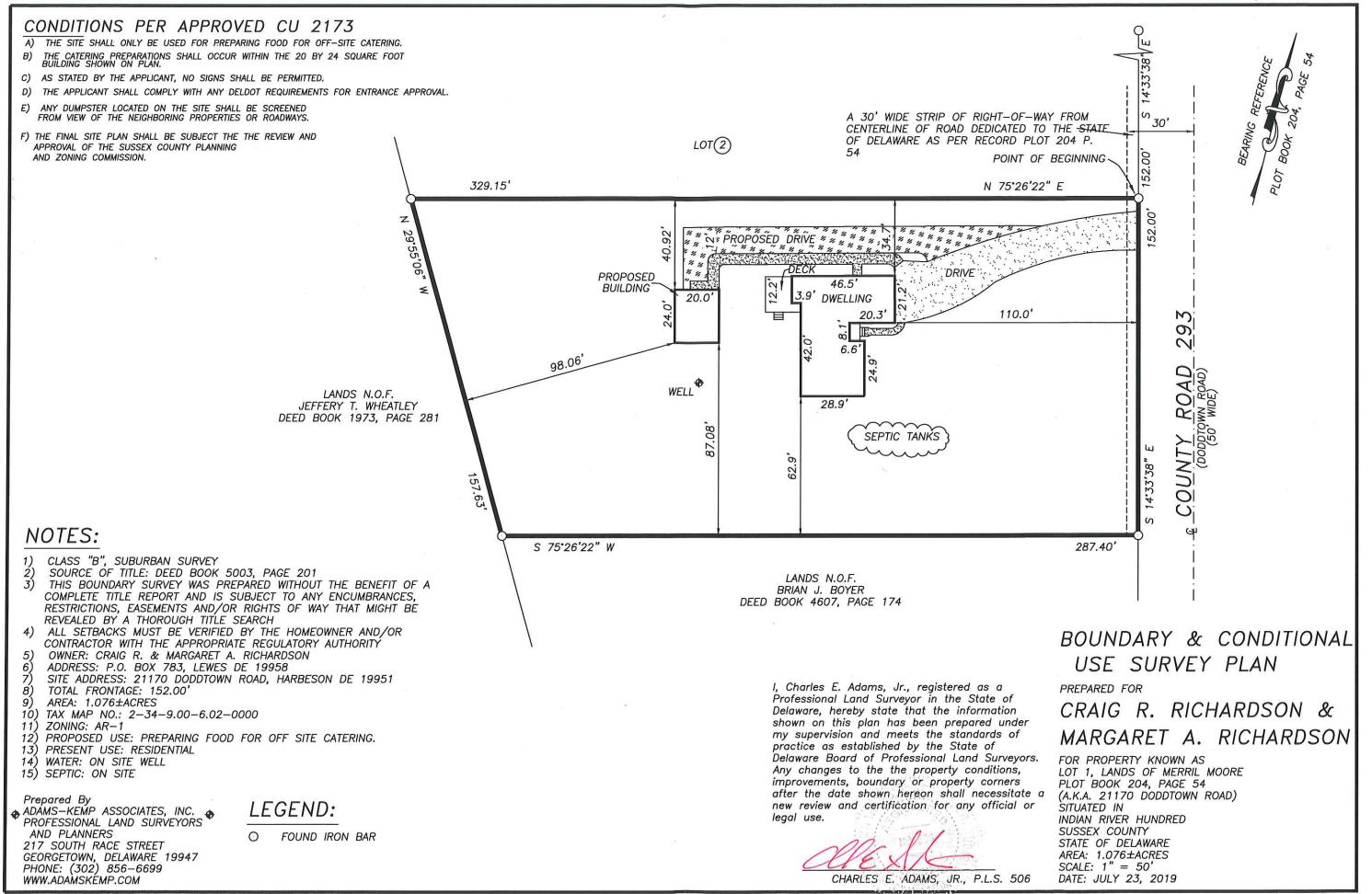
LODGING USES.

- (1) Extended stay hotel or motel.
 - (A) Definition: A lodging facility containing six or more guest rooms, in which:
 - (i) 25 percent or more of the guest rooms have a kitchen that includes a sink, a full-size stove, and a full-size refrigerator (a cooking area limited to a microwave, mini-refrigerator, or cook-top does not constitute a "kitchen" for purposes of this definition); and
 - (ii) 10 percent or more of the guest rooms contain a sleeping area that is separated from a sitting area by a wall or partition.
 - (B) Districts permitted: By SUP in MO, GO, CS, LC, HC, industrial, and central area districts.
 - (C) Required off-street parking: One space for each unit for units 1 to 250; ¾ space for each unit for units 251 to 500; ½ space for all units over 500; plus one space per 200 square feet of floor area other than guest rooms.
 - (D) Required off-street loading:

SQUARE FEET OF	TOTAL REQUIRED	
FLOOR AREA IN STRUCTURE	SPACES OR BERTHS	
0 to 10,000	NONE	
10,000 to 50,000	1	
50,000 to 100,000	2	
Each additional 100,000		
or fraction thereof	1 additional	

(E) Additional provisions:

(i) Amenities such as maids, laundry, concierge, meeting rooms, exercise rooms, pool, and business services (fax, internet, voice mail, courier, etc.) may only be provided to guests.



GENERAL NOTES:

- 1. THIS APPLICATION IS AN EXTENSION OF C/Z 1881. FORMERLY KNOWN AS "LAKELYNNS. WHICH WAS APPROVED BY THE PLANNING AND ZONING COMMISSION ON 5/9/19 AND COUNTY COUNCIL ON 6/4/19 AND ADOPTED BY ORDINANCE #2657.
- 2. STREETS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE
- 3. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY SHOWN ON THIS PLAN ARE PRIVATE AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- 4. THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK.
- 5. ACCESS TO ALL LOTS SHALL BE PROVIDED FROM THE PRIVATE SUBDIVISION STREETS PROPOSED WITH THIS PLAN. NO DIRECT ACCESS TO PUBLIC STREETS IS PROPOSED EXCEPT THE ENTRANCES SPECIFICALLY SHOWN ON THIS PLAN.
- 6. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED, IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- 7. BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 10005C0495K, DATED MARCH 16, 2015; THE ENTIRE PROPERTY IS LOCATED OUTSIDE OF ANY AREA DESIGNATED AS ZONE "X" (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
- 8. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IN THESE PLANS ARE BASED ON FIELD SURVEYS PERFORMED BY OTHERS
- 9. THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS
- 10. UTILITY EASEMENTS DEPICTED HEREON REPRESENT, TO THE GREATEST EXTENT PERMITTED BY LAW. PRIVATE EASEMENTS FOR THE EXCLUSIVE USE AND BENEFIT OF THOSE UTILITY COMPANIES AND/OR OTHER PROVIDERS OF SERVICES TO THE DEVELOPMENT AS MAY BE DESIGNED BY OWNER. OR ITS SUCCESSORS AND ASSIGNS. FROM TIME TO TIME BY AN INSTRUMENT IN WRITING, AND IN NO WAY GRANT, CONVEY OR CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY GENERAL OR
- 11. UNLESS OTHERWISE DESIGNATED BY OWNER, OR ITS SUCCESSORS AND ASSIGNS, FROM TIME TO TIME BY AN INSTRUMENT IN WRITING, STORM DRAIN EASEMENTS DEPICTED HEREON REPRESENTS PRIVATE EASEMENTS TO ACCESS THE STORM DRAINS FOR THE SOLE PURPOSE OF MAINTAINING AND REPAIRING SUCH STORM DRAINS, AND IN NO WAY GRANT, CONVEY OR CREATE ANY GENERAL PUBLIC UTILITY EASEMENT OR ANY GENERAL OR PUBLIC ACCESS RIGHTS.
- 12. STATE AND FEDERALLY(404 NON-TIDAL) REGULATED WETLANDS EXIST ON THESE PARCELS.
- 13. NO BOUNDARY TREATMENT/FENCING IS PROPOSED.
- 14. ANY ADDITIONAL ACCESSORY STRUCTURES ASSOCIATED WITH THE MULTIFAMILY DWELLINGS SHALL BE SUBJECT TO SITE PLAN REVIEW.
- 15. EXISTING DWELLING TO REMAIN AND BE CONVERTED TO A FUTURE CLUBHOUSE.
- 16. THE EXISTING CIDER LANE AND ENTRANCE TO BE REMOVED.
- 17. THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STROMWATER DRAINAGE AND MANAGEMENT FACILITIES RELATED TO THE RESIDENTIAL PROPERTIES. HOMEOWNERS' ASSOCIATION PROPERTIES AND ROAD RIGHT-OF-WAY WITHIN THE PROJECT. ALL STORMWATER MANAGEMENT FACILITIES SHALL BE MAINTAINED IN A SATISFACTORY CONDITION AS REQUIRED BY SUSSEX COUNTY, DELAWARE. SHOULD THE OWNER OR OWNERS OF THE PROPERTY DEFAULT IN THE MAINTENANCE OF THE STORMWATER DRAINAGE AND MANAGEMENT FACILITIES, THE HOMEOWNERS' ASSOCIATION SHALL HAVE THE RIGHT TO MAINTAIN THE FACILITIES SUBJECT TO THE TERMS AND CONDITIONS OF THE COVENANTS.

DATA COLUMN

MAXIMUM DENSITY:

WATER SUPPLY:

TAX MAP ID: 1-34-18.00-38.00 & 1-34-19.00-13.03

D4499/223 D4326/123

EXISTING ZONING: GR (GENERAL RESIDENTIAL) GR/RPC (GENERAL RESIDENTIAL-RESIDENTIAL PLANNED COMMUNITY) PROPOSED ZONING:

EXISTING USE: RESIDENTIAL, AGRICULTURAL, VACANT RESIDENTIAL PLANNED COMMUNITY PROPOSED USE:

SITE IS LOCATED ENTIRELY WITHIN THE ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE

GROUNDWATER RECHARGE POTENTIAL:

PROPOSED UNITS: 41 SINGLE FAMILY LOTS 138 CONDO TOWNHOMES
179 TOTAL UNITS

PROPOSED CONSTRUCTION: WOOD/CONCRETE BLOCK

2 SPACES PER DWELLING UNIT = 276 SPACES(BEFORE REDUCTION) PARKING REQUIREMENT(TOWNHOMES):

AFTER REDUCTION: 1-50 UNITS = 100 SPACES 51-138 = 176(.15 REDUCTION) = 150 SPACES

TOTAL REQUIRED = 250 SPACES

PARKING PROVIDED(TOWNHOMES): 2 SPACES PER DWELLING UNIT = 276

FLOOD HAZARD MAP: THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA MAP

THE PROPERTY AS SHOWN DOES CONTAIN FEDERALLY (404 NON-TIDAL) REGULATED WETLANDS. WETLANDS:

TOTAL PROPOSED SITE AREA: 71.754 ACRES **NET DEVELOPABLE AREA:** (71.754 ACRES x .25 REDUCTION) - 0.507 ACRES WETLANDS= 53.309 ACRES

3.2 UNITS PER ACRE

 $53.309 \text{ ACRES } \times 43,560/10,000 = 232 \text{ UNITS}$ **#** UNITS PERMITTED:

PROPOSED DENSITY: 2.5 UNITS PER ACRE **EXISTING FORESTED ACRES:** FORESTED ACRES TO BE REMOVED: 27.75 ACRES(47.5%) PROPOSED LAND USE AREAS:

SINGLE FAMILY LOTS: 8.07 ACRES TOWNHOMES/ACCESS EASEMENTS: 16.24 ACRES RIGHT OF WAY: **5.99 ACRES** CLUBHOUSE: **0.91 ACRES PUMP STATION:** 0.06 ACRES STORMWATER: **4.37 ACRES WETLANDS:** 16.29 ACRES **OPEN SPACE (REMAINING):** 19.83 ACRES **71.75 ACRES**

OVERALL BOUNDARY SETBACK REQUIREMENTS FRONT YARD:

SIDE YARD: **REAR YARD:** 10 FT.

GR/RPC PROPOSED SETBACK REQUIREMENTS FRONT YARD: **REAR YARD:** MIN LOT AREA: MIN LOT WIDTH MIN LOT DEPTH: 100 FT

NON-TIDAL WETLANDS BUFFER VEGETATIVE BUFFER ALONG PERIMETER OF SITE 20 FT

PROPOSED MAXIMUM BUILDING HEIGHT: 42 FT. (3-1/2 STORIES) MINIMUM BUILDING SEPARATION:

SUSSEX COUNTY (BEAVER DAM PLANNING AREA) **SANITARY SEWER:**

<u>DATUM</u> VERTICAL:

NAD 83(DE STATE PLANE) **HORIZONTAL:**

> DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS, ENGINEERS & SURVEYORS

ARTESIAN WATER COMPANY

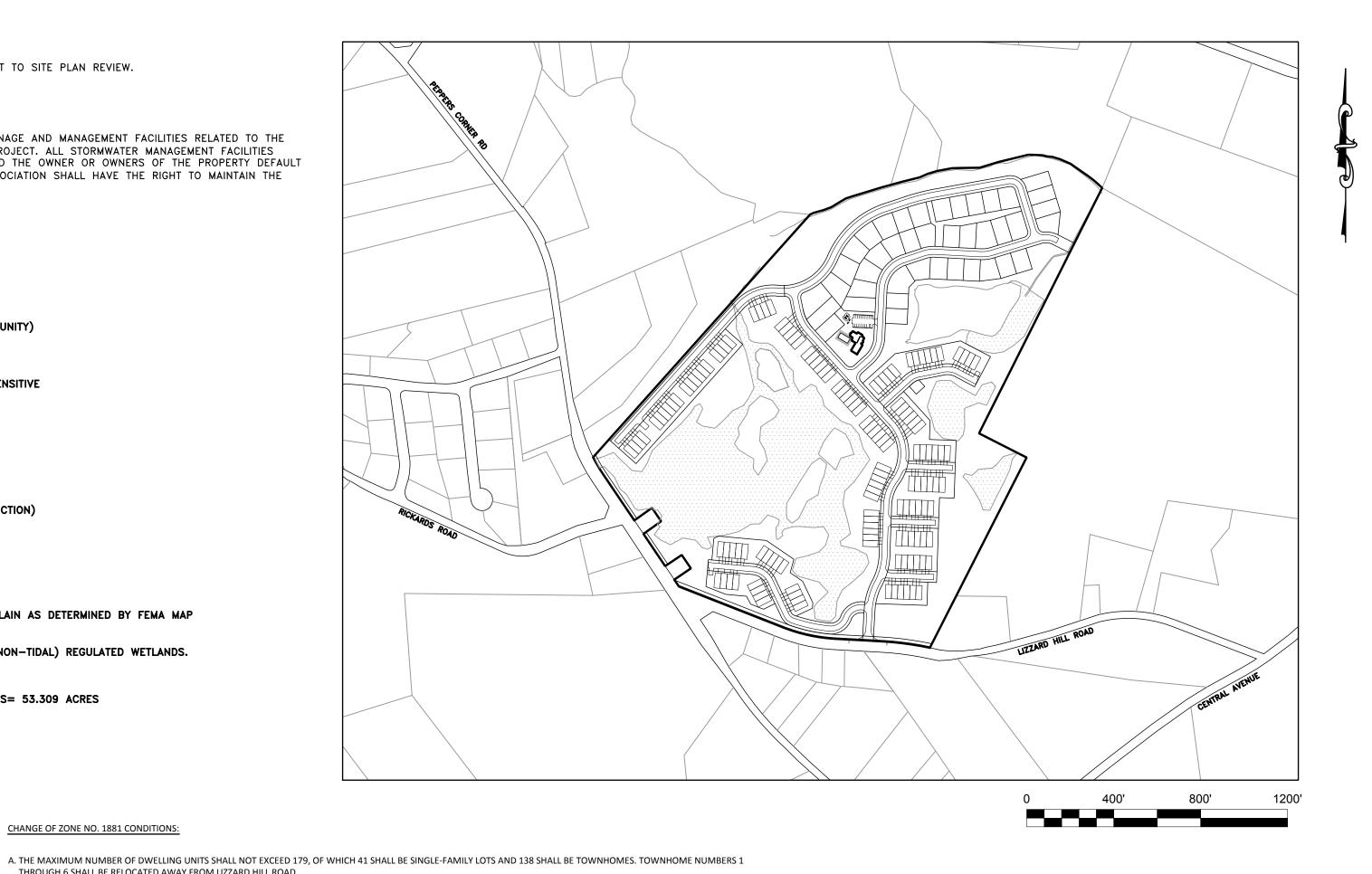
MILOS HAVEN

SUSSEX COUNTY PROJECT REFERENCE # C/Z 1881

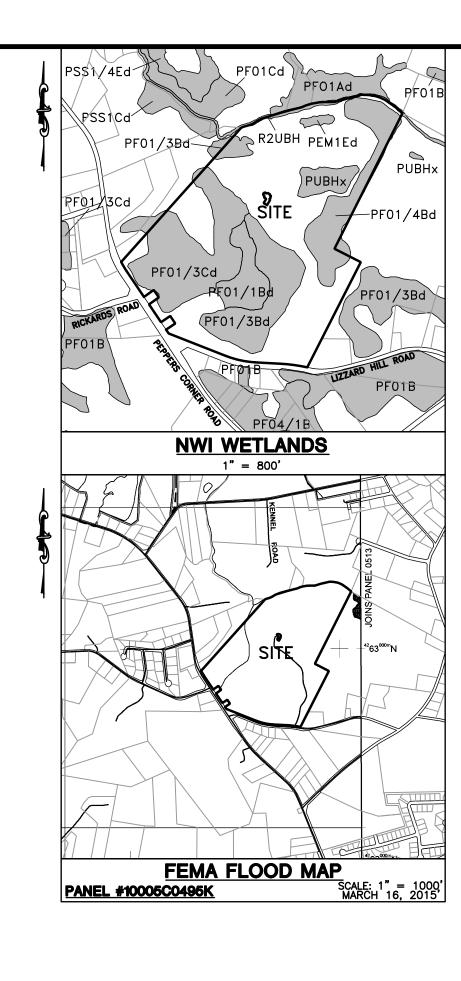
PRELIMINARY PLANS FOR RESIDENTIAL PLANNED COMMUNITY PARCEL 134-18.00-38.00 & 134-19.00-13.03 SUSSEX COUNTY, DELAWARE

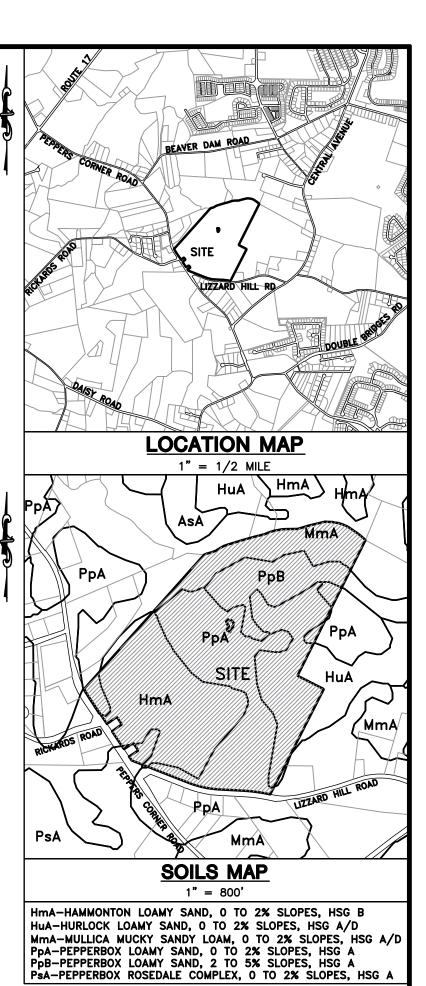
DBF PROJECT NO. 3131A001.E01 DECEMBER 2018

REVISED AUGUST 8. 2019



INDEX OF SHEETS	
P-1	PRELIMINARY TITLE
P-2	EXISTING CONDITIONS PLAN
P-3	OVERVIEW PLAN
P-4 - P-7	PRELIMINARY PLANS





APPROVED BY:

CHAIRMAN OF PLANNING COMMISSION

PRESIDENT OF SUSSEX COUNCIL

SUSSEX CONSERVATION DISTRICT

OWNER'S STATEMENT

I, NORMAN STEPHEN PRICE REVOCABLE TRUST, HEREBY STATE THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION. I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN BE RECORDED ACCORDING

NORMAN STEPHEN PRICE REVOCABLE TRUST 34026 COASTAL HIGHWAY BETHANY BEACH, DE 19930

ENGINEER'S STATEMENT

I, W. ZACHARY CROUCH, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE

by W. ZACHARY CROUCH, P.E. DAVIS. BOWEN & FRIEDEL, INC. 1 PARK AVENUE MILFORD, DELAWARE, 19963

MILFORD, DELAWARE (302) 424-1441

NORMAN STEPHEN PRICE REVOCABLE TRUST 34026 COASTAL HIGHWAY BETHANY BEACH, DE 19930

PREPARED BY:
DAVIS, BOWEN & FRIEDEL, INC.

1 PARK AVENUE

MILFORD, DE 19963

PHONE: (302) 424-1441

FAX: (302) 424-0430

EROSION AND SEDIMENTATION CONTROL FACILITIES

CHANGE OF ZONE NO. 1881 CONDITIONS

OF THE STREETS WITHIN THE RPC.

THROUGH 6 SHALL BE RELOCATED AWAY FROM LIZZARD HILL ROAD.

FACILITIES. STREETS. AMENITIES AND OTHER COMMON AREAS.

B. A HOMEOWNER'S ASSOCIATION SHALL BE FORMED TO PROVIDE FOR THE PERPETUAL MAINTENANCE, REPAIR, AND REPLACEMENT OF BUFFERS, STORMWATER MANAGEMENT

F. STORMWATER MANAGEMENT AND EROSION AND SEDIMENTATION CONTROL FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE STATE AND COUNTY

REQUIREMENTS OR IN ACCORDANCE WITH ANY FURTHER MODIFICATIONS REQUIRED BY DELDOT BASED ON ITS REVIEW OF THE TRAFFIC IMPACT STUDY.

I. ALL AMENITIES SHALL BE COMPLETED AND OPEN TO USE BY THE RESIDENTS OF THE DEVELOPMENT PRIOR TO THE ISSUANCE OF THE 75TH BUILDING PERMIT

L. ROAD NAMING AND ADDRESSING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENTS.

AREAS; IN ADDITION, THE DEVELOPER SHALL PRESERVE AS MANY TREES AS POSSIBLE WITH ALL PRESERVED TREE AREA SHOWN ON THE FINAL SITE PLAN.

O. THE PRELIMINARY SITE PLAN AND FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

Q. DEEP POND LANE SHALL BE CONSTRUCTED TO THE EASTERN PROPERTY LINE OF THE PROJECT TO PROMOTE INTERCONNECTIVITY WITH OTHER LANDS.

TO BE APPROVED BY THE SCHOOL DISTRICT'S TRANSPORTATION SUPERVISOR. THE LOCATION OF THE BUS STOP AREA SHALL BE SHOWN ON THE FINAL SITE PLAN.

E. THE RPC SHALL BE SERVED BY CENTRAL WATER FOR DRINKING WATER AND FIRE PROTECTION, AS REQUIRED BY APPLICABLE REGULATIONS.

J. A 20-FOOT WIDE VEGETATED BUFFER SHALL BE ESTABLISHED ALONG THE PERIMETER OF THE SITE. THIS MAY INCLUDE THE EXISTING TREES.

REQUIREMENTS. THESE FACILITIES SHALL BE OPERATED IN A MANNER THAT IS CONSISTENT WITH BEST MANAGEMENT PRACTICES.

WETLANDS SHALL BE MAINTAINED AS NON-DISTURBANCE AREAS WITH A MINIMUM 25-FOOT BUFFER

MONDAY THROUGH SATURDAY AND ONLY BETWEEN THE HOURS OF 7:00 A.M. AND 6:00 P.M.

PROTECTION NOTICE SHALL BE INCLUDED IN THE RESTRICTIONS, COVENANTS, AND OTHER DOCUMENTS.

C. ALL ENTRANCES, INTERSECTIONS, INTERCONNECTIONS, ROADWAYS AND MULTIMODAL IMPROVEMENTS REQUIRED BY DELDOT SHALL BE COMPLETED IN ACCORDANCE WITH DELDOT'S

D. THE RPC SHALL BE SERVED BY SUSSEX COUNTY SEWER. THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS AND SPECIFICATIONS OF THE COUNTY ENGINEERING DEPARTMENT.

G. INTERIOR STREET DESIGN SHALL MEET OR EXCEED SUSSEX COUNTY'S STREET DESIGN REQUIREMENTS. THERE SHALL ALSO BE STREET LIGHTING AND SIDEWALKS ON AT LEAST ONE SIDE

H. NO WETLANDS SHALL BE INCLUDED WITHIN ANY INDIVIDUAL LOTS. ANY WETLAND BUFFERS REQUIRED BY SECTION 115-93(B) SHALL BE SHOWN ON THE FINAL SITE PLAN. NON-TIDAL

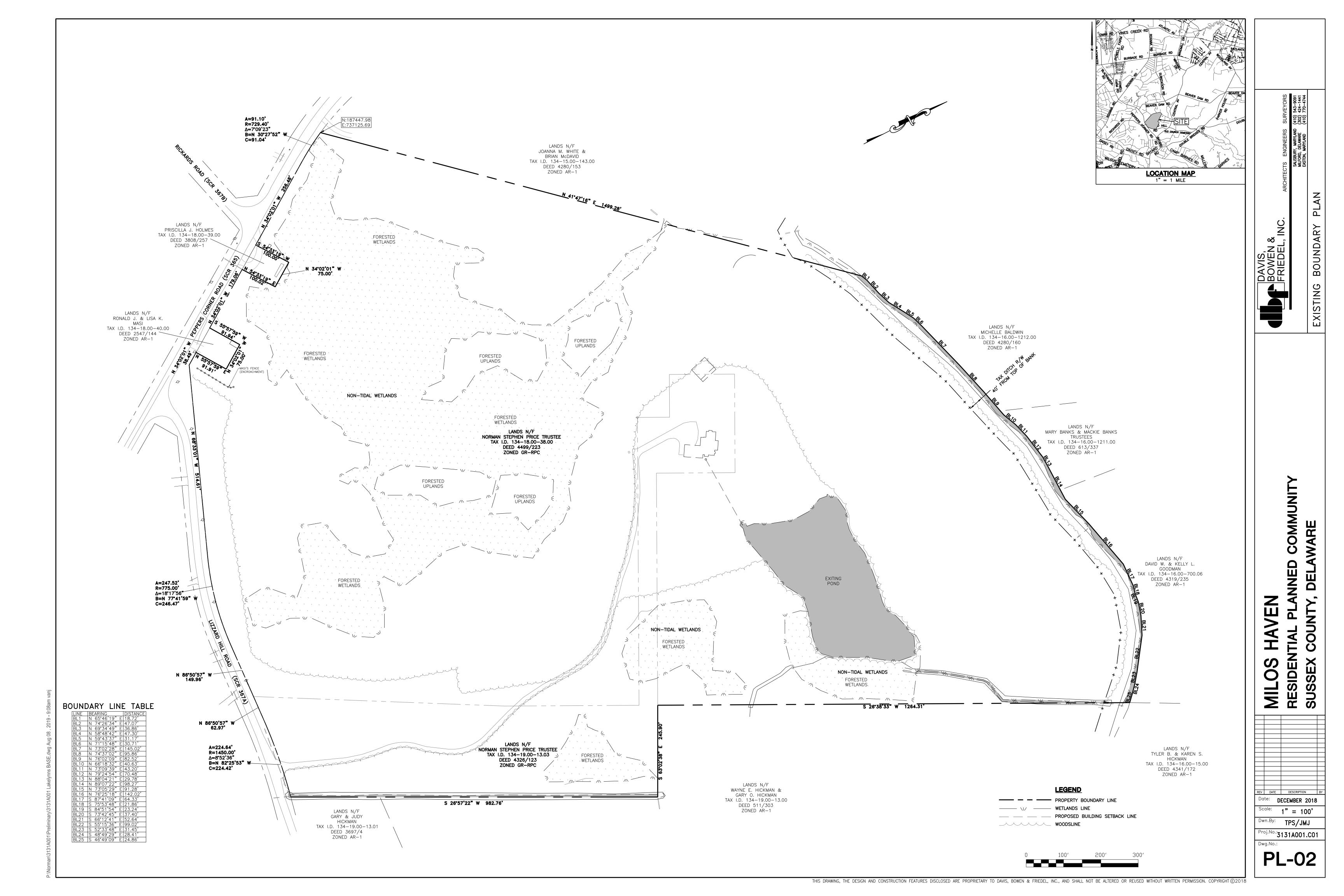
K. IF REQUESTED BY THE LOCAL SCHOOL DISTRICT. A SCHOOL BUS STOP SHALL BE PROVIDED BY THE ENTRANCE TO THE DEVELOPMENT, WITH THE LOCATION AND ANY RELATED PARKING

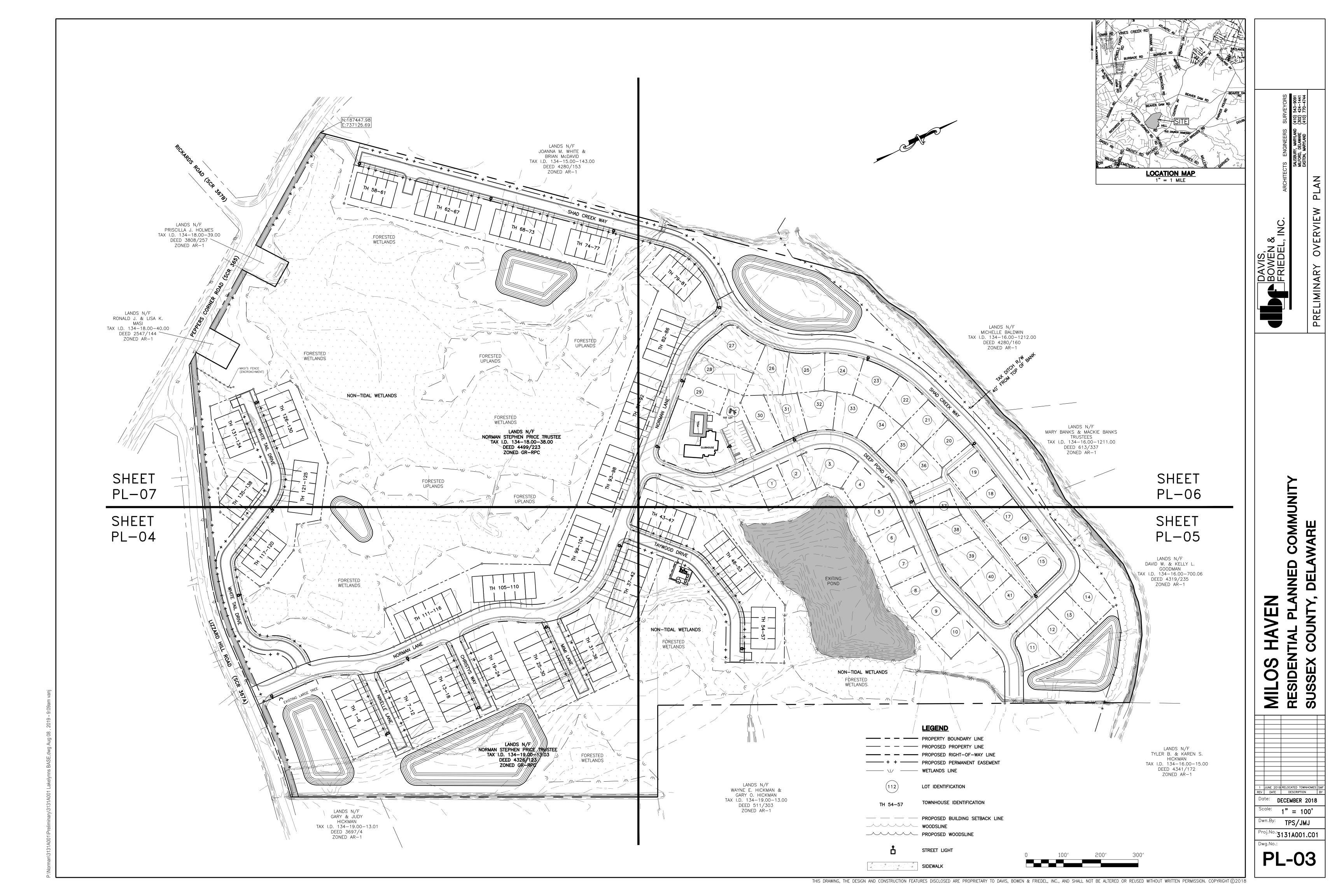
M.THE FINAL SITE PLAN SHALL CONTAIN THE APPROVAL OF THE SUSSEX CONSERVATION DISTRICT FOR THE DESIGN AND LOCATION OF ALL STORMWATER MANAGEMENT AREAS AND

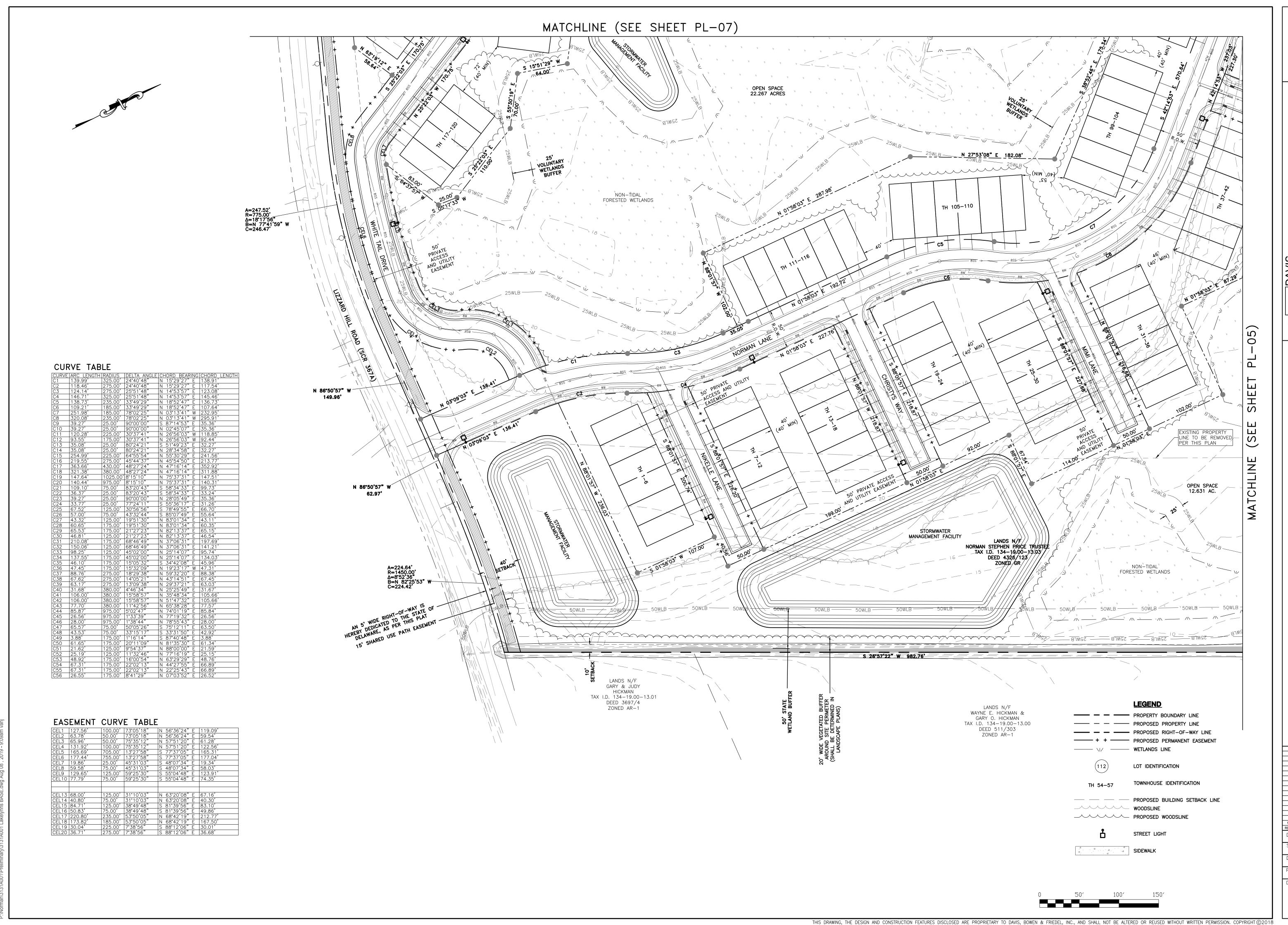
N. THE FINAL SITE PLAN SHALL INCLUDE A LANDSCAPE PLAN FOR ALL OF THE BUFFER AREAS, SHOWING ALL OF THE LANDSCAPING AND VEGETATION TO BE INCLUDED IN THE BUFFER

R. DEED RESTRICTIONS AND/OR COVENANTS AND CONDOMINIUM DOCUMENTS SHALL REFERENCE THAT AGRICULTURAL ACTIVITIES EXISTS NEARBY, AND THE AGRICULTURAL

P. CONSTRUCTION. SITE WORK, GRADING, AND DELIVERIES OF CONSTRUCTION MATERIALS, LANDSCAPING MATERIALS AND FILL TO AND FROM THE PROPERTY SHALL ONLY OCCUR FROM

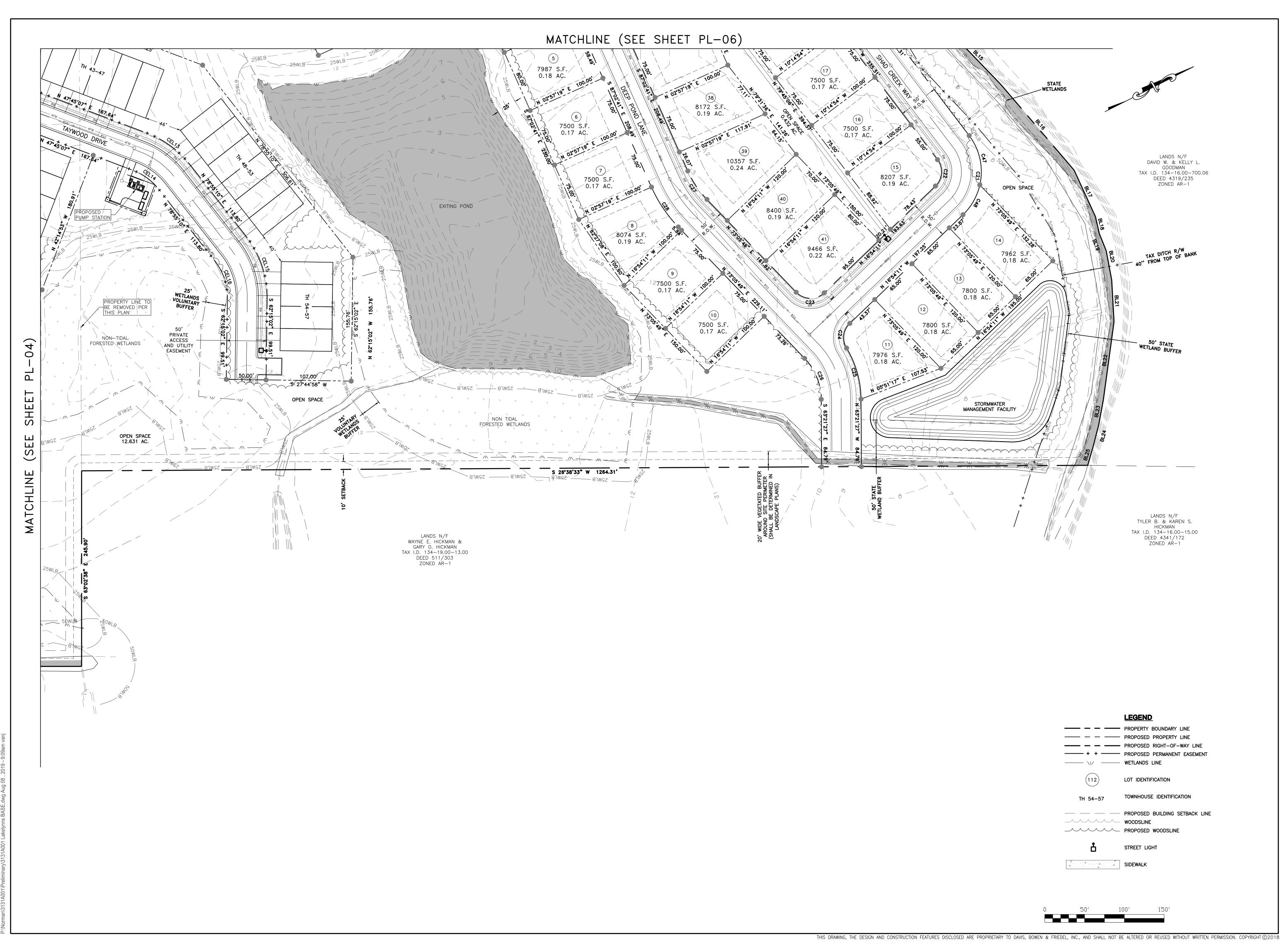




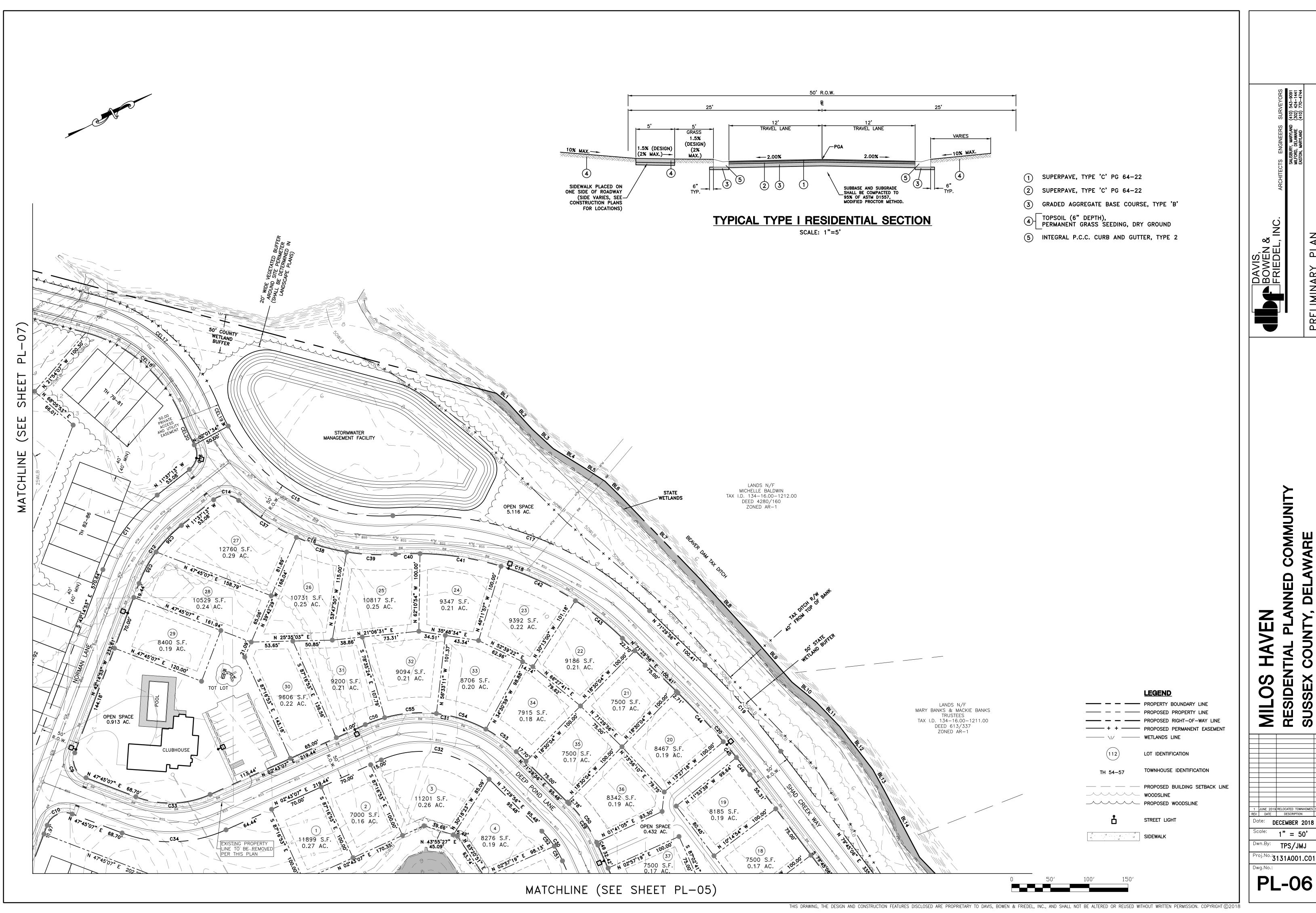


COMMUNITY **DELAWARE PLANNED** VEN COUNTY, RESIDENTIA SUSSEX Date: **DECEMBER 2018** Scale: 1" = 50' Dwn.By: TPS/JMJ Proj.No.:3131A001.C01

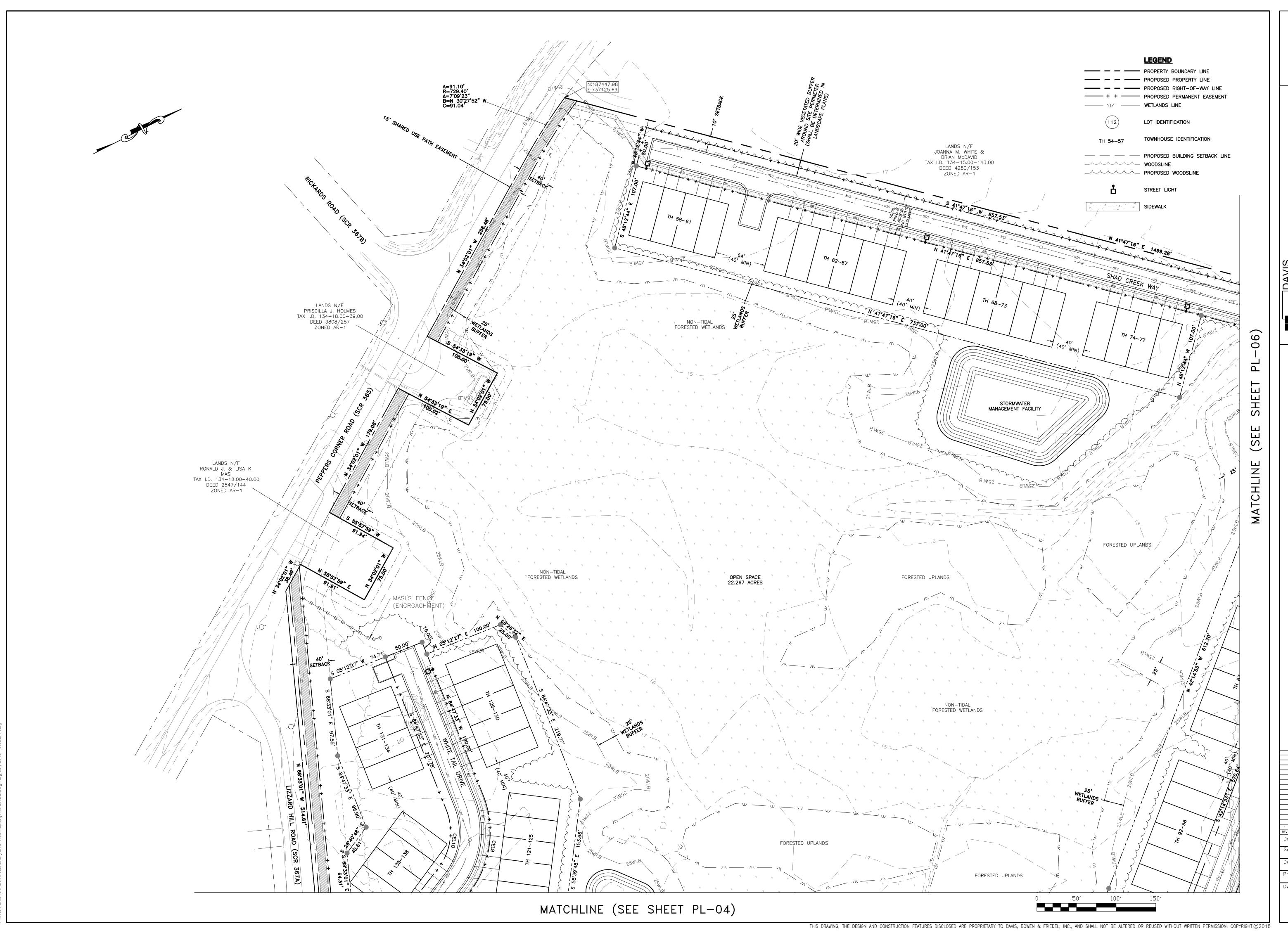
PEF



NED COMMUNITY DELAWARE RESIDENTIA Date: **DECEMBER 2018** Scale: 1" = 50' Dwn.By: TPS/JMJ Proj.No.:3131A001.C01 PL-05



COMMUNITY RESIDENTIA Date: **DECEMBER 2018** Scale: 1" = 50' Dwn.By: TPS/JMJ Proj.No.:3131A001.C01



NNED COMMUNITY , DELAWARE Date: **DECEMBER 2018** Scale: 1" = 50' Dwn.By: TPS/JMJ Proj.No.:3131A001.C01 PL-07

HAWTHORNE PHASE 2-6

DELDOT PHASING NOTES:

- 1. FOR THIS DEVELOPMENT, PHASE 1 SHALL CONSIST OF CONSTRUCTING A HAMMERHEAD ENTRANCE ALONG ROUTE 9 AND THE WORK LIMITS SHALL BE FROM STATION 129+05 TO STATION 131+00. THE ENTRANCE CAN BE USED ONLY TO THE 40TH CERTIFICATE OF OCCUPANCY. NO ADDITIONAL CERTIFICATE OF OCCUPANCIES SHALL BE ISSUED UNTIL THE PHASE II ENTRANCE AND ROADWAY IMPROVEMENTS HAVE BEEN COMPLETELY CONSTRUCTED, FINAL INSPECTED AND ACCEPTED BY THE DEPARTMENT.
- UPON THE ISSUANCE OF THE ENTRANCE CONSTRUCTION PERMIT BY THE SOUTH DISTRICT PUBLIC WORKS OFFICE, THE PHASE 1 ENTRANCE IMPROVEMENTS ALONG ROUTE 9 SHALL BEGIN CONSTRUCTION.
- 3. PRIOR TO THE ISSUANCE OF THE 1ST CERTIFICATE OF OCCUPANCY, THE PHASE 1 IMPROVEMENTS MUST BE COMPLETELY CONSTRUCTED, INSPECTED AND ACCEPTED BY DELDOT. THIS SHALL INCLUDE BUT NOT LIMITED TO CURBING, DRAINAGE (OPEN AND CLOSED) AND AUXILIARY LANES.
- 4. THE PHASE 1 ENTRANCE SHALL BE CONSTRUCTED TO ASSURE NO PONDING OF WATER EXISTS AFTER PAVING.
- 5. THE PHASE 1 ENTRANCE SHALL ASSURE THE INSTALLATION OF REQUIRED STORMWATER MANAGEMENT FACILITIES PER SUSSEX CONSERVATION DISTRICT.
- 6. THE PHASE 1 ENTRANCE PAVEMENT SHALL BE FLUSH WITH THE EXISTING PAVEMENT. THE PAVEMENT SECTION SHALL BE; 2-INCHES OF SUPERPAVE WARM MIX TYPE C, PG 64-22, 160 GYRATIONS OVER 5-INCHES OF BITUMIOUS CONCRETE BASE COURSE, 160 GYRATIONS OVER 8-INCHES OF GABC. PHASE II SHALL OVERLAY THE PHASE 1 PAVING WITH 2 INCHES SUPERPAVE WARM MIX TYPE C. UNTIL SUCH TIME THE PHASE II ENTRANCE IMPROVEMENTS ARE CONSTRUCTED, ANY REPAIRS TO THE PHASE 1 TYPE C WARM MIX SHALL BE THE SOLE EXPENSE OF THE DEVELOPER/CONTRACTOR, AS PER DELDOT'S DISCRETION.
- THE EXISTING SHOULDER ALONG THE NORTH SIDE OF SCR ROUTE 9 FROM 129+05 TO STATION 131+00 SHALL REQUIRE A 2" ROTOMILL AND OVERLAY.
- 8. INSTALL P.C.C. CURB TYPE 2 ALONG ROUTE 9 AND THE ENTRANCE RADII FROM STATION 129+05 TO STATION 131+00. THE CURB SHALL BE INSTALLED TO ACCOUNT FOR THE FUTURE 2-INCH OVERLAY AND DEPRESSED FOR THE CURB RAMPS. THE RAMPS SHALL HAVE A TEMPORARY WARM MIX WEDGE. THE SHARED-USE PATH SHALL BE INSTALLED AT SUCH TIME THE PHASE II ENTRANCE IMPROVEMENTS ARE CONSTRUCTED.
- 9. THE DEVELOPER SHALL SUBMIT A SECURITY AGREEMENT IN THE AMOUNT 150% OF THE ESTIMATED CONSTRUCTION COST OF THE ULTIMATE ENTRANCE IMPROVEMENTS ALONG ROUTE 9.
- 10. UPON THE APPLICATION OF THE 20TH BUILDING PERMIT, THE PHASE II ENTRANCE IMPROVEMENTS SHALL BEGIN CONSTRUCTION.
- 11. UPON APPLICATION OF THE 40TH BUILDING PERMIT, THE PHASE II ENTRANCE IMPROVEMENTS SHALL BE COMPLETELY CONSTRUCTED, FINAL INSPECTED AND ACCEPTED BY DELDOT. NO ADDITIONAL BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCIES SHALL BE ISSUED UNTIL THESE IMPROVEMENTS ARE COMPLETELY CONSTRUCTED, FINAL INSPECTED AND ACCEPTED BY DELDOT.
- 12. IF THE ENTIRE DEVELOPMENT OR ANY PHASE OF THIS DEVELOPMENT IS SOLD, IT WILL BE THE RESPONSIBILITY OF THE NEW OWNER/DEVELOPER TO MAKE AND/OR COMPLETE THE NECESSARY IMPROVEMENTS ASSOCIATED WITH THIS DEVELOPMENT. AS NOTED ON THE RECORD PLAN.

CONDITIONS OF APPROVAL:

- 1. THERE SHALL BE NO MORE THAN 254 LOTS WITHIN THE SUBDIVISION.
- 2. THE APPLICANT SHALL FORM A HOMEOWNERS' ASSOCIATION TO BE RESPONSIBLE FOR THE MAINTENANCE OF STREETS, ROADS, BUFFERS, STORM WATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS.
- 3. THE STORM WATER MANAGEMENT SYSTEM SHALL MEET OR EXCEED THE REQUIREMENTS OF THE STATE AND COUNTY. BEST MANAGEMENT PRACTICES SHALL BE USED IN THE MAINTENANCE OF THE SYSTEM.
- 4. ALL ENTRANCES SHALL COMPLY WITH ALL DELDOT REQUIREMENTS.
- 5. STREET LIGHTING SHALL BE PROVIDED, AND THE LOCATION OF THE STREET LIGHTS SHALL BE ON THE FINAL SITE PLAN.
- 6. SIDEWALKS SHALL BE INSTALLED ON BOTH SIDES OF ALL STREETS WITHIN THE SUBDIVISION, AND SHALL CONNECT WITH THE AMENITIES AND MULTI-MODAL PATHWAY ALONG ROUTE 9.
- 7. NO WETLANDS SHALL BE INCLUDED WITHIN ANY LOT LINES
- 8. AMENITIES, INCLUDING A CLUBHOUSE AND SWIMMING POOL SHALL BE CONSTRUCTED AND OPEN TO USE BY RESIDENTS OF THE DEVELOPMENT WITHIN 2 YEARS OF THE ISSUANCE OF THE FIRST RESIDENTIAL BUILDING PERMIT.
- 9. THERE SHALL BE A 50-FOOT WOODED BUFFER FROM ALL ADJACENT BOUNDARY LINES EXCEPT THE BOUNDARY LINE INCLUSIVE OF THE TAX DITCH, WHICH WILL HAVE A 60-FOOT EXISTING VEGETATIVE BUFFER.
- 10. THE FINAL SITE PLAN AND RESTRICTIVE COVENANTS SHALL CONTAIN A NOTICE ABOUT THE EXISTENCE OF A TAX DITCH WITHIN THE PROJECT AND SHALL DESCRIBE THE LOCATION AND DIMENSIONS OF THE TAX DITCH MAINTENANCE SYSTEM.
- 11. BUS STOP AREAS SHALL BE LOCATED AS NECESSARY THROUGHOUT THE PROJECT. THE DEVELOPER SHALL COORDINATE AND COOPERATE WITH THE LOCAL SCHOOL DISTRICT'S TRANSPORTATION MANAGER TO ESTABLISH THE SCHOOL BUS AREAS. THE LOCATION OF THESE BUS STOPS, WITH THE APPROVAL OF THE LOCAL DISTRICT, SHALL BE SHOWN ON THE FINAL SITE PLAN.
- 12. STREET NAMING SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE SUSSEX COUNTY MAPPING AND ADDRESSING DEPARTMENT.
- 13. THE FINAL SITE PLAN SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION.

NOTES:

- 1. FORESTED BUFFERS, STREETS, STORMWATER MANAGEMENT FACILITIES AND OTHER COMMON AREAS SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME AS A HOMEOWNER'S ASSOCIATION CAN PROVIDE FOR REQUIRED MAINTENANCE. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE FACILITIES WITHIN THE SITE.
- 2. SUBDIVISION STREETS CONSTRUCTED WITHIN THE LIMITS OF THE RIGHT-OF-WAY SHOWN ON THIS PLAN ARE PRIVATE AND ARE TO BE MAINTAINED BY THE DEVELOPER, PROPERTY OWNERS OR BOTH. THE STATE ASSUMES NO MAINTENANCE RESPONSIBILITIES FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- 3. THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. SUSSEX COUNTY AND THE STATE OF DELAWARE ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SIDEWALK.
- 4. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS AND SHALL BE SUBJECT TO ITS APPROVAL.
- 5. ACCESS TO ALL LOTS SHALL BE PROVIDED FROM THE PRIVATE SUBDIVISION STREETS PROPOSED WITH THIS PLAN. NO DIRECT ACCESS TO PUBLIC STREETS IS PROPOSED EXCEPT THE ENTRANCES SPECIFICALLY SHOWN ON THIS PLAN.
- 6. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED, IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
- 7. BASED UPON FLOOD INSURANCE RATE MAP (FIRM) NUMBERS 10005C0310K & 10005C0325K, DATED MARCH 16,2015; THE ENTIRE PROPERTY IS LOCATED IN AN AREA DESIGNATED AS ZONE "X" (UNSHADED), WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN.
- 8. THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IN THESE PLANS ARE BASED ON FIELD SURVEYS PERFORMED BY AXIOM ENGINEERING, L.L.C. FROM
- 9. ALL SUBDIVISION LOTS SHALL HAVE FIVE-FOOT-WIDE EASEMENTS ALONG ALL LOT LINES FOR A TOTAL EASEMENT WIDTH OF AT LEAST TEN (10) FEET ALONG A LOT LINE COMMON TO TWO LOTS. EASEMENTS ALONG PERIMETER BOUNDARIES OF THE SUBDIVISION SHALL BE TEN (10) FEET IN WIDTH ON THE INTERIOR SIDE OF THE BOUNDARY. NO BUILDING, STRUCTURE OR OTHER PERMANENT OBSTRUCTION SHALL BE PLACED ON ANY EASÉMENT.
- 10. THIS PLAN DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHT-OF-WAYS CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS PROVIDED.
- 11. ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.
- 12. THIS PROPERTY IS LOCATED IN THE VICINITY OF LAND USED PRIMARILY FOR AGRICULTURAL PURPOSES ON WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE INVOLVE NOISE, DUST, MANURE AND OTHER ODORS. THE USE OF AGRICULTURAL CHEMICALS AND NIGHTTIME FARM OPERATIONS. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON ACCEPTANCE OF ANY ANNOYANCE OR INCONVENIENCE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- 13. SEWER IS TO BE PROVIDED BY THE ARTESIAN WASTEWATER MANAGEMENT, INC., AND IS SUBJECT TO THE APPROVAL OF THE SUSSEX COUNTY ENGINEERING DEPARTMENT, AND THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC).
- 14. CENTRAL WATER IS TO BE PROVIDED BY ARTESIAN WATER COMPANY, AND IS SUBJECT TO THE APPROVAL OF DNREC AND THE STATE OF DELAWARE DIVISION OF PUBLIC HEALTH.
- 15. ARTESIAN WATER COMPANY, INC. AND ARTESIAN WASTEWATER MANAGEMENT, INC. ARE HEREBY GRANTED UNINTERRUPTED AND PERPETUAL EASEMENT WITHIN THE PRIVATE COMMUNITY STREET RIGHT OF WAY & OPEN SPACE.

THIS PLAN SUPERSEDES IN PART THE PREVIOUSLY RECORDED PLAN OF "HAWTHORNE" PLOT BOOK 219, PAGE 59 WHICH WAS RECORDED ON SEPTEMBER 4, 2015 AND PLAN OF "HAWTHORNE PHASE 2-5" PLOT BOOK 243, PAGE 91 WHICH WAS RECORDED ON MARCH 20, 2017 IN THE OFFICE

NET DENSITY:

SIDE YARD: REAR YARD:

MINIMUM LOT WIDTH

MINIMUM LOT SIZE (AR-1 CLUSTER)

AR-1 (CLUSTER) MINIMUM ZONING REQUIREMENTS

THE PURPOSE OF PLAN - TO RE-RECORD LOTS AS PART OF PHASE 2-6 OF THE SUBDIVISION AND AMEND THE GEOMETRY OF OPEN SPACE PARCELS A THROUGH J.

RECORD PLANS FOR RESIDENTIAL SUBDIVISION

GEORGETOWN HUNDRED & BROADKILL HUNDRED SUSSEX COUNTY, DELAWARE

> DBF PROJECT NO. 2269B001 NOVEMBER, 2018 **REVISED - 3-20-2019**



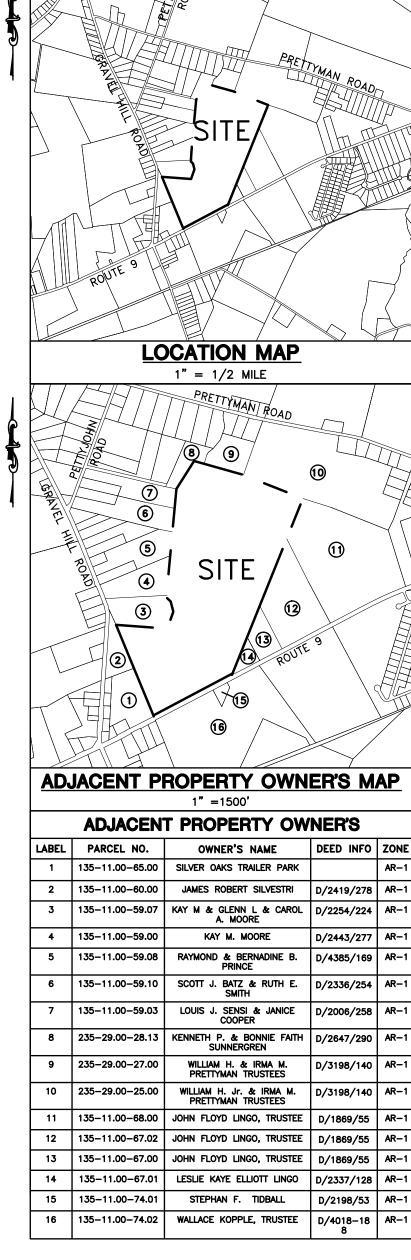
INDEX OF SHEETS	
R-01	RECORD TITLE
R-02	RECORD PLAN OVERVIEW
R-03 - R-08	RECORD PLANS

DATA COLUMN AREA CALCULATIONS LAND COVER LOT AREA PHASE 1 PHASE 2-6 TOTAL 8.39± AC. 46.17± AC. 54.56± AC. 2.50± AC. 13.71± AC. 16.21± AC. TAX MAP ID: 135-11.00-66.00 ROB THE RANGER, LLC OPEN SPACE 16255 SUSSEX HIGHWAY BRIDGEVILLE. DE 19933 PERCENT OPEN SPACE 23.0% 46.5% DEVELOPER: INSIGHT HOMES OPEN SPACE REQUIRED 16255 SUSSEX HIGHWA BRIDGEVILLE, DE 19933 PROPOSED OPEN SPACE AREAS PREPARED BY: DAVIS, BOWEN & FRIEDEL, INC. 23 NORTH WALNUT STREET PARCEL D PARCEL E PARCEL F PARCEL G PARCEL H MILFORD, DE 19963 PHONE (302) 424-1441 0.32 AC. FAX (302) 424-0430 0.60 AC. 0.40 AC. NAD 83 (DE STATE PLANE) PROPOSED USE: RESIDENTIAL DEVELOPMENT UNITS PROPOSED CONSTRUCTION: WOOD/CONCRETE BLOCK PHASE I 40 SINGLE FAMILY (1 CLUB HOUSE) PHASE 2-5 173 SINGLE FAMILY ZONING EXISTING ZONING: AR-1 AGRICULTURAL DISTRICT 254 SINGLE FAMILY (1 CLUB HOUSE) PROPOSED ZONING: AR-1 AGRICULTURAL DISTRICT FORESTED BUFFER REQUIREMENTS 60 FT. (AS NOTED) 50 FT. (AS NOTED) EXISTING SITE AREA: 132.5521 ACRES PROPOSED MAXIMUM BUILDING HEIGHT: 42 FT. (2-1/2 STORIES) SITE AREA TOTALS EXISTING PHASE 1: SANITARY SEWER: ARTESIAN WASTEWATER MANAGEMENT, INC. PHASE 2-6 SINGLE FAMILY: WATER SUPPLY: ARTESIAN WATER COMPANY, INC. A NOTICE TO PROCEED WITH CONSTRUCTION WILL NOT BE ISSUED FOR THIS PROJECT UNTIL: MAXIMUM DENSITY: 12 UNITS/ACRE 1 - THE REGIONAL WASTERWATER FACILITY APPROVED BY DNREC TO SERVICE

1.92 UNITS/ACRE

7,500 S.F.

THIS PROJECT IS SUBSTANIALLY UNDER CONSTRUCTION; AND 2 - THE DESIGN OF THE CORRESPONDING TRANSMISSION SYSTEM TO CONNECT THIS PROJECT TO SAID WASTEWATER FACILITY HAS BEEN APPROVED BY DNREC AND THE COUNTY ENGINEER.



FEMA FLOOD MAP D/2443/277 AR-1 WILLIAM H. Jr. & IRMA M. D/3198/140 AR-1 LESLIE KAYE ELLIOTT LINGO D/2337/128 AR-1 1" = 1200'SOILS DATA SOIL NAME SUSSEX CONSERVATION DISTRICT EVESBORO LOAMY SAND, 0-2 PERCENT SLOPES EVESBORO LOAMY SAND, 5-12 PERCENT SLOPES FALLSINGTON SANDY LOAMS, 0-2 PERCENT SLOPES GALESTOWN LOAMY SAND, 0-5 PERCENT SLOPES HAMBROOK SANDY LOAM, 0-2 PERCENT SLOPES HAMMONTON LOAMY SAND, 0-2 PERCENT SLOPES HAMMONTON SANDY LOAM, 0-2 PERCENT SLOPES PEPPERBOX-ROSEDALE COMPLEX, 2-5 PERCENT SLOPES ROCKAWALKIN LOAMY SAND, 0-2 PERCENT SLOPES WOODSTOWN SANDY LOAM, 0-2 PERCENT SLOPES

SUSSEX COUNTY PLANNING & ZONING APPROVAL

DATE SUSSEX COUNTY PLANNING & ZONING STAFF

WETLANDS CERTIFICATION

SUSSEX COUNTY COUNCIL PRESIDENT

Edward M. Launay, PWS, STATE THAT THERE ARE NO WATERS OF THE UNITED STATES INCLUDING WETLANDS SUBJECT TO THE CORPS OF ENGINEERS REGULATORY PROGRAM DELINEATED UPON PHASE 6 OF THIS PROPERTY AS DETERMINED USING MY PROFESSIONAL JUDGMENT IN ACCORDANCE WITH THE 1987 CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, REGULATIONS AND SUPPLEMENTAL GUIDANCE (33 CFR 328.3(a)(8), Waters of the U.S. Definition/CECW-OR, 10-7-1991, Questions and Answers on the 1987 COE Manual/CECW-OR, 9-26-1990, RGL 90-7/CECW-OR, 3-6-1992, Clarification and Interpretation of the 1987 Manual). THIS DELINEATION HAS NOT BEEN CONDUCTED FOR USDA PROGRAM OR AGRICULTURAL

DATE

IN ACCORDANCE WITH DNREC TIDAL WETLAND MAPS, THERE ARE NO STATE REGULATED WETLANDS ON THE SITE.

EDWARD M. LAUNAY, PWS No. 875 SOCIETY OF WETLANDS SCIENTISTS CORPS OF ENGINEERS. CERTIFIED WETLAND DELINEATOR WDCP93MD0510036B

ENGINEER'S STATEMENT

JAMIE L. SECHLER, P.E., HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF

NWI WETLANDS MAP

by JAMIE L. SECHLER. P.E. DAVIS, BOWEN & FRIEDEL, INC. 23 NORTH WALNUT STREET MILFORD, DELAWARE, 19963

OWNER'S STATEMENT

HEREBY CERTIFY THAT I AM THE OWNER OF THE SUBDIVISION PROPERTY SHOWN AND DESCRIBED ON THIS PLAN, AND THAT THE SUBDIVISION SHOWN REPRESENTS MY ACT, AND THAT I DESIRE THE PROPERTY TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS, ORDINANCES AND REGULATIONS. I HEREBY CERTIFY THAT ALL CLEARING, GRADING, CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE PURSUANT TO THE APPROVED PLAN, AND THAT ALL RESPONSIBLE PERSONNEL INVOLVED IN THE LAND DISTURBING ACTIVITIES WILL HAVE A SEDIMENT AND STORMWATER MANAGEMENT CERTIFICATION FROM THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. I HEREBY AUTHORIZE THE RIGHT OF ENTRY FOR PERIODIC ON SITE INSPECTIONS BY THE STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL COMPLIANCE PERSONNEL AND/OR AUTHORIZED AGENTS. ALL EASEMENTS AND RIGHT-OF-WAY DEDICATIONS SHOWN ON THIS PLAN ARE ESTABLISHED IN PERPETUITY AS PER THIS PLAN. UNLESS SPECIFICALLY IDENTIFIED AS A TEMPORARY CONSTRUCTION EASEMENT.

ROBERT LISLE, MANAGER ROB THE RANGER, LLC. 16255 SUSSEX HIGHWAY

BRIDGEVILLE, DE 19933

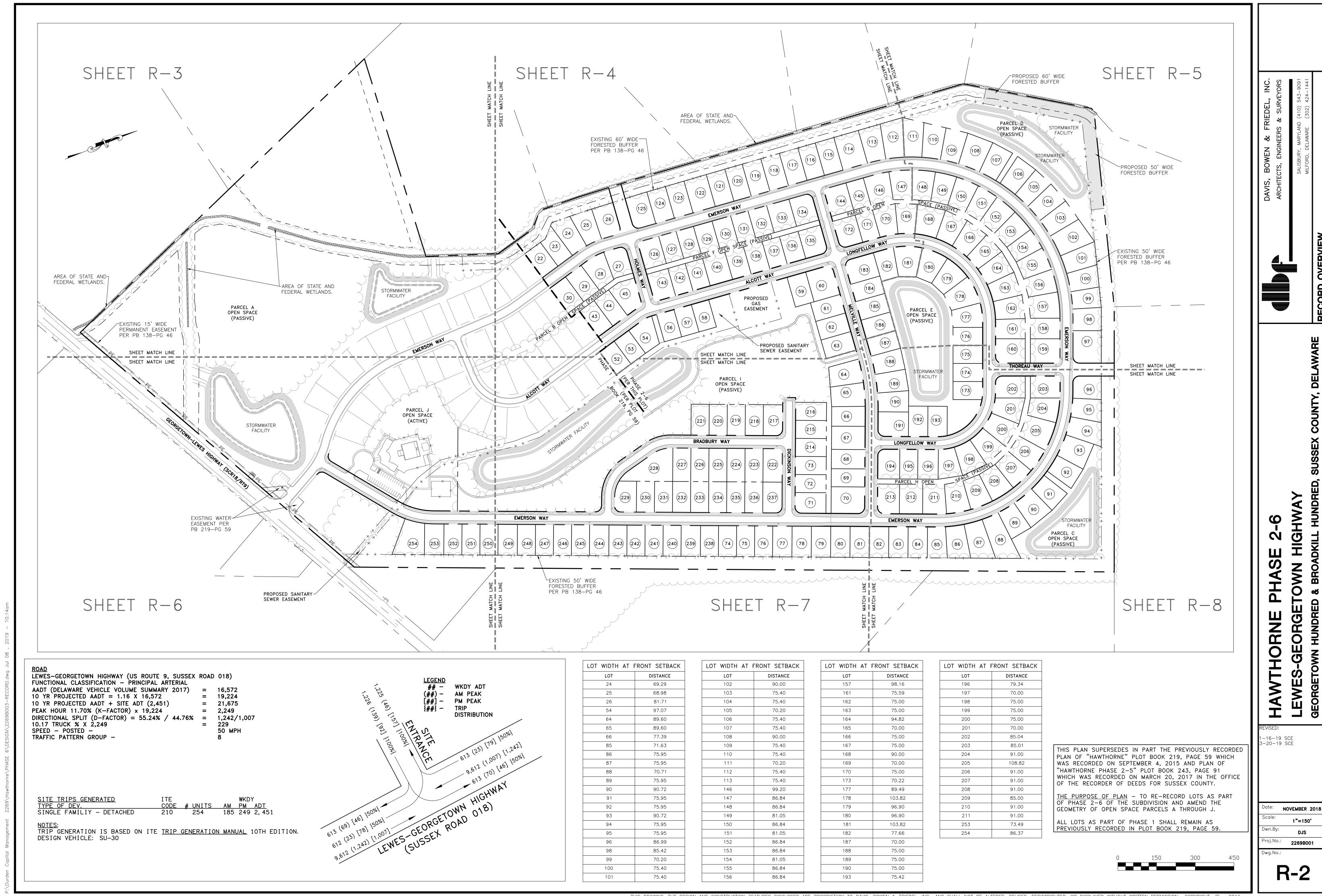


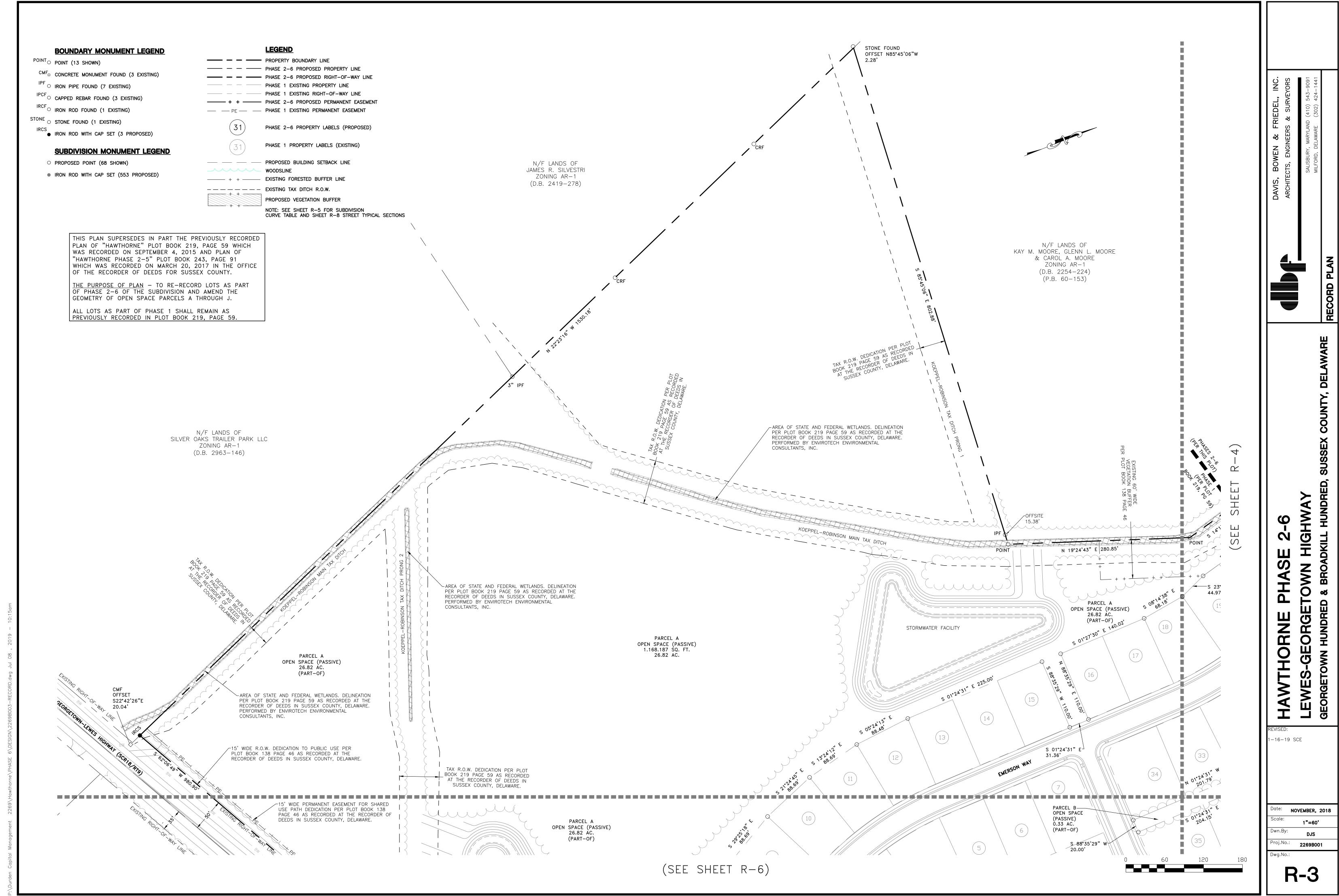
DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS, ENGINEERS & SURVEYORS

MILFORD, DELAWARE (302) 424-1441

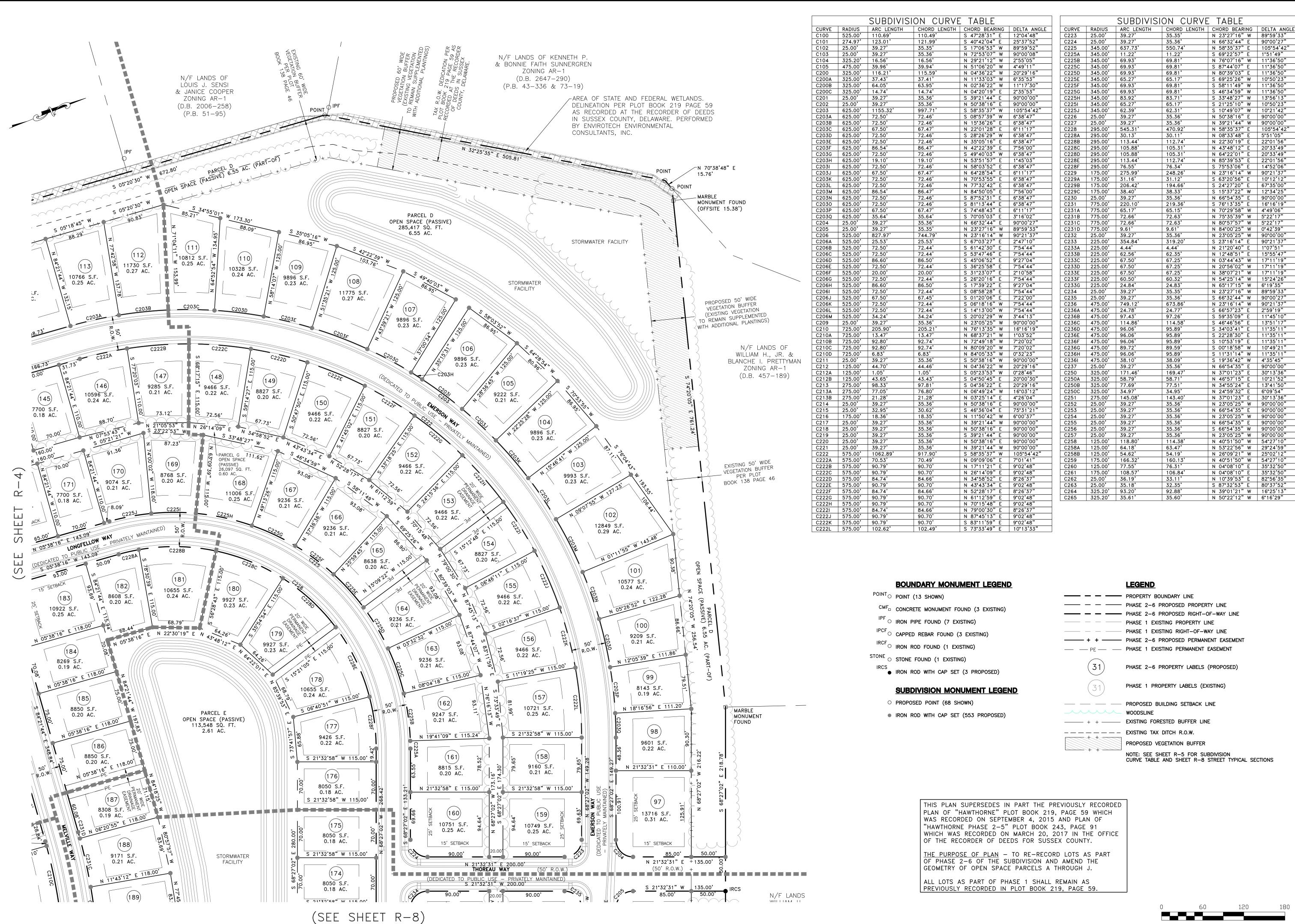
OF THE RECORDER OF DEEDS FOR SUSSEX COUNTY.

ALL LOTS AS PART OF PHASE 1 SHALL REMAIN AS PREVIOUSLY RECORDED IN PLOT BOOK 219, PAGE 59.









S 15°37'22" W 12°34'25" N 66°54'35" E 90°00'00" S 76°13'35" E 16°16'19" N 70°29'58" W 4°49'06" N 75°35'39" W 5°22'17" N 80°57'57" W 5°22'17" N 84°00'25" W 0°42'39" N 23°05'25" W 90°00'00" S 23°16'14" E 90°21'37" N 21°20'40" E 1°07'51" N 12°48'51" E N 03°44'43" W 17°11'19" N 20°56'02" W 17°11'19" N 38°07'21" W 17°11'19" N 54°25'14" W 15°24'26 N 65°17'15" W 6°19'35" N 23°27'16" W 89°59'33 S 66°32'44" W 90°00 N 23°16'14" W 90°21'3 S 66°57'23" E 2°59'19 S 59°35'09" E 11°45'1 S 46°46'56" E S 34°03'41" E S 22°28'30" E 11°35'11" S 10°53'19" E 11°35'11" S 00°18'58" W 10°49'21" S 11°31'14" W 11°35'11 S 19°36'42" W 4°35'45" N 66°54'35" E 90°00'00" N 37°01'23" E 30°13'36" N 46°57'15" E 10°21'52" N 34°55'24" E 13°41'50" N 24°59'32" E 6°09'54" N 37°01'23" E 30°13'36" N 66°54'35" E 90°00'00 N 23°05'25" W 90°00'00 N 66°54'35" E S 66°54'35" W 90°00'00 N 23°05'25" W 90°00'00' N 40°51′50″ W 54°27′10″ N 53°22′56″ W 29°24′59″ N 26°09′21″ W 25°02′12″ N 40°51′50″ W 54°27′10″ N 04°08'10" E 35°32'50' N 10°39'53" E 82°56'35' S 87°32'53" E 80°37'52' N 50°22'12" W 6°16'29" PHASE 1 EXISTING RIGHT-OF-WAY LINE ----- PHASE 2-6 PROPOSED PERMANENT EASEMENT PHASE 1 EXISTING PERMANENT EASEMENT

ORG

1-16-19 SCE 3-20-19 SCE

NOVEMBER, 2018

1"=60"

2269B001

