

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
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jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

PLANNING & ZONING COMMISSION

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



Sussex County

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302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 27th, 2022

Application: CU 2270 Mitchell Racetrack

Applicant: Gregory P. Mitchell
18288 Phillips Hill Road
Laurel, DE 19956

Owner: Gregory P. Mitchell
18288 Phillips Hill Road
Laurel, DE 19956

Site Location: Lying on west side of Coverdale Rd. (S.C.R 525) approximately 900' north of the intersection of Hastings Farm Road (S.C.R. 526) and Coverdale Road

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Operation of an outdoor racetrack

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Ms. Green

School District: Seaford School District

Fire District: Seaford Fire Department

Sewer: N/A

Water: N/A

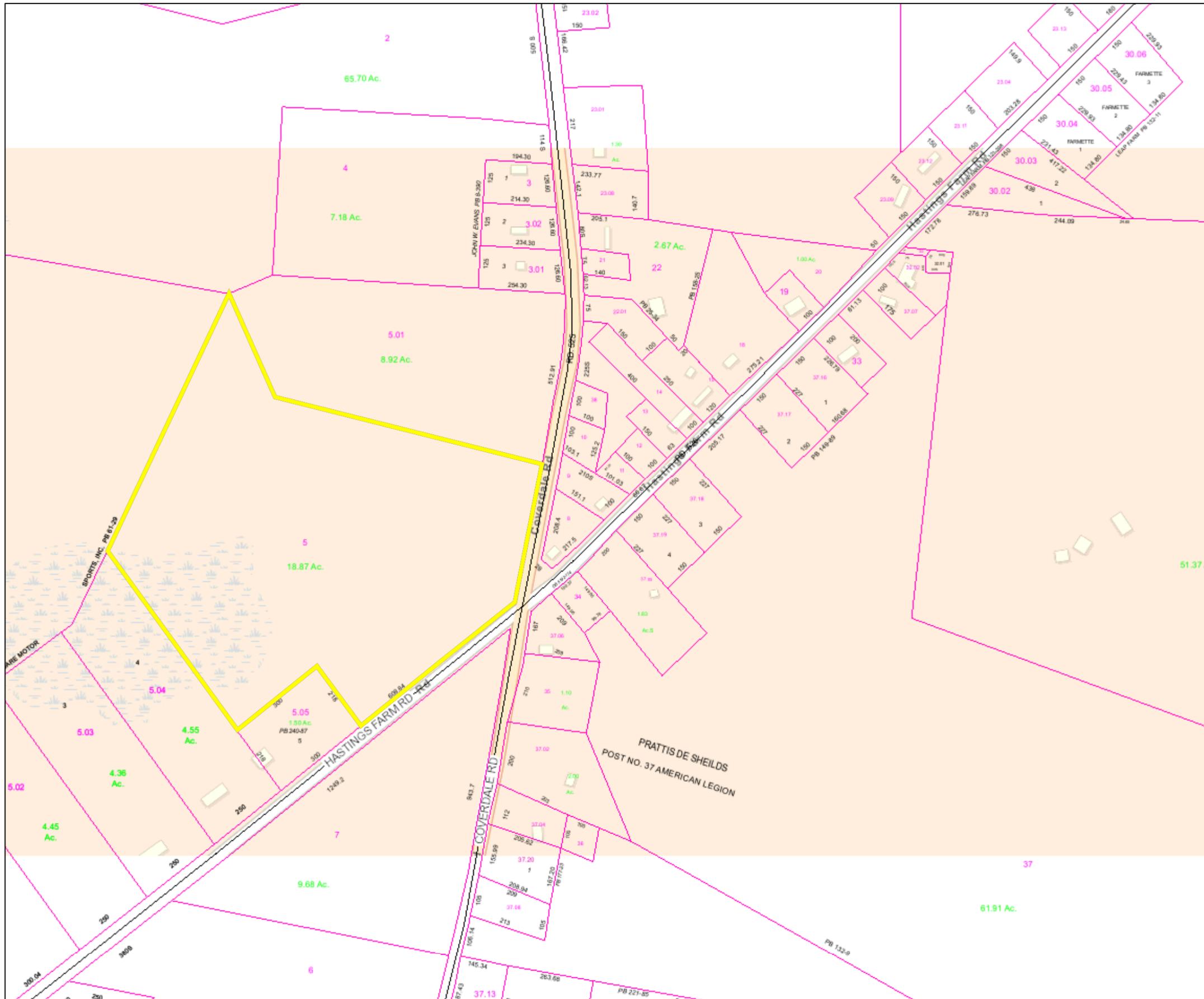
Site Area: 27.79 acres +/-

Tax Map ID.: 231-9.00-5.00 & 231-9.00-5.01





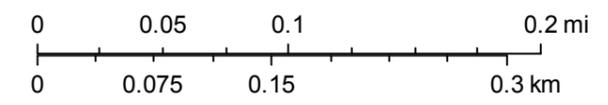
Sussex County



PIN:	231-9.00-5.00
Owner Name	MATR LLC
Book	4657
Mailing Address	18288 PHILLIPS HILL RD
City	LAUREL
State	DE
Description	NW/COR RDS 525 526
Description 2	
Description 3	
Land Code	

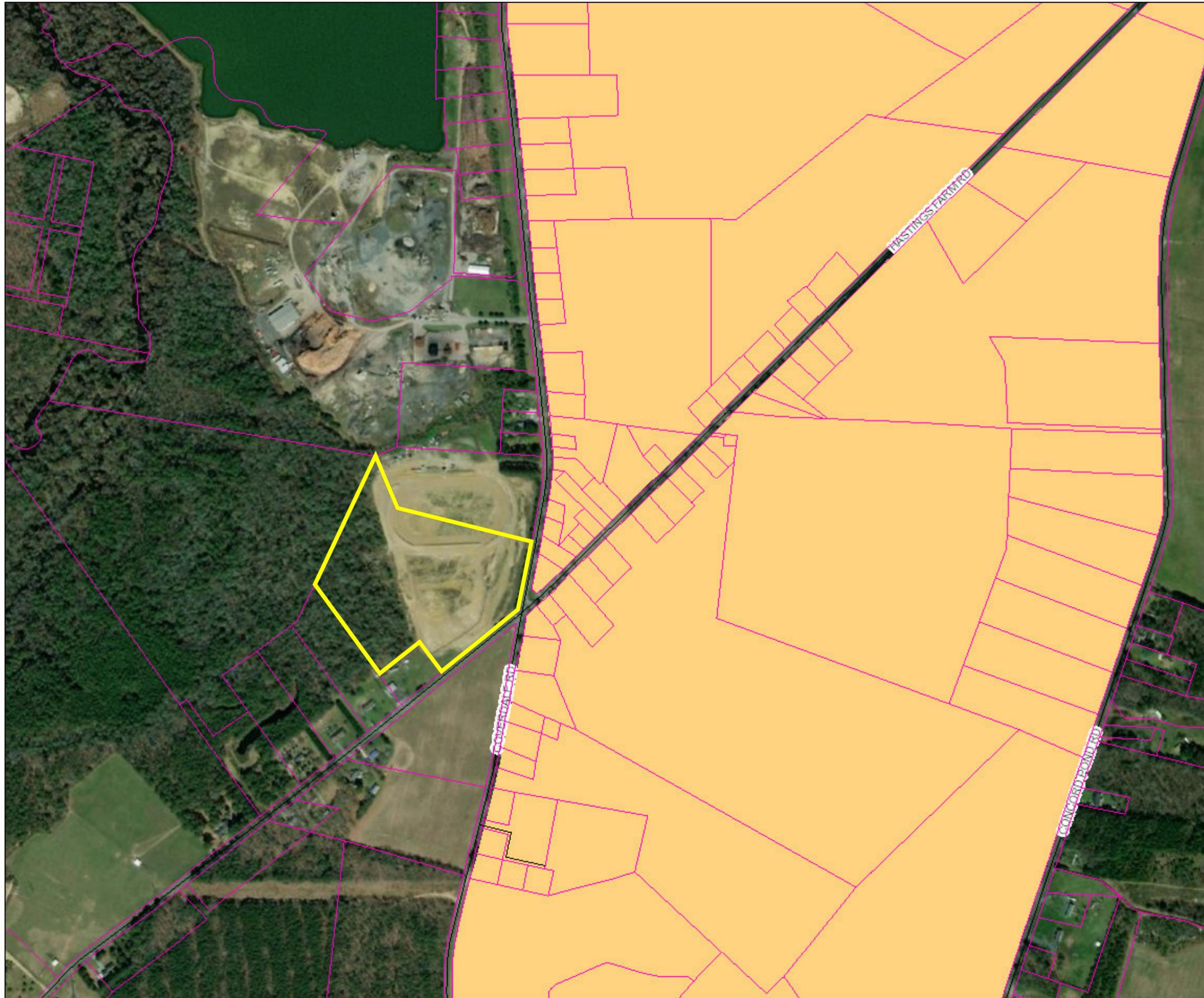
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| polygonLayer | Override 1 |
| | Tax Parcels |
| | Streets |
| | County Boundaries |

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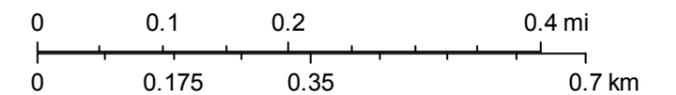
Sussex County



PIN:	231-9.00-5.00
Owner Name	MATR LLC
Book	4657
Mailing Address	18288 PHILLIPS HILL RD
City	LAUREL
State	DE
Description	NW/COR RDS 525 526
Description 2	N/A
Description 3	N/A
Land Code	

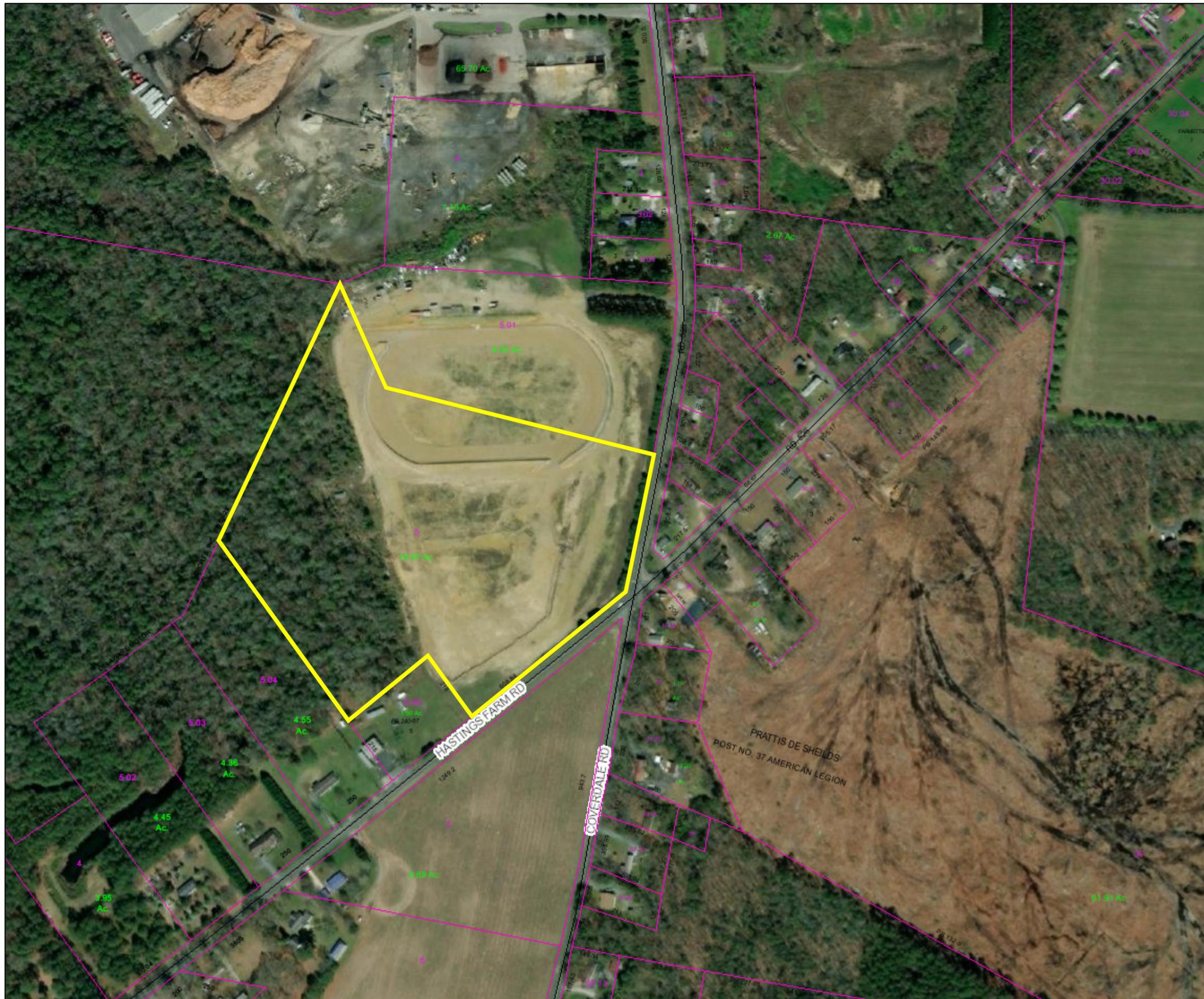
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- Override 1
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- Override 1
- Tax Parcels
- Streets

1:9,028





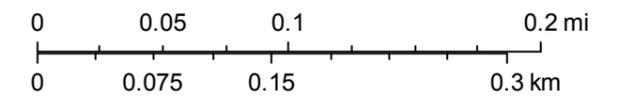
Sussex County



PIN:	231-9.00-5.00
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Description	NW/COR RDS 525 526
Description 2	
Description 3	
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries

1:4,514



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Memorandum

To: Sussex County Planning Commission Members
From: Jesse Lindenberg, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: January 20, 2022
RE: Staff Analysis for CU 2270 Gregory P. Mitchell

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2270 Gregory P. Mitchell to be reviewed during the January 27, 2022, 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 Tax Parcel: 231-9.00-5.00 and 5.01 for an outdoor racetrack. The parcel is lying on the northwest side of the intersection of Hastings Farm Road (S.C.R. 526) and Coverdale Road (S.C.R. 525). The parcel consists of 27.81 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 parcel has a designation of "Low Density." The surrounding and adjacent properties located to the north, south, east and west of the subject property also lie within the "Low Density" and the "Existing Development Area" Future Land Use Map designations.

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density areas are intended to support agricultural uses and low-density single-family housing. Specifically, the Comprehensive Plan states that single family homes have a density of up to two dwelling units to the acre. It is envisioned that the Low-Density Areas allow for businesses that support nearby residents and the agricultural economy. More intense commercial uses could be limited in scale and impact. While residential growth is expected, the Comprehensive Plan intends for the rural landscape to be maintained and for farmland to be preserved in select locations.

The subject property is zoned Agricultural Residential (AR-1). The adjacent properties to the north, south, and east of the subject site are zoned Agricultural Residential (AR-1) and adjacent properties to the west of the subject site are zoned Medium Residential (MR).

Since 1971, there have been 14 Conditional Use applications within a one-mile radius of the application site. Of the 14 Conditional Use applications within a one-mile radius, 10 have been approved, 2 have been denied, and 2 have been withdrawn.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional use for an outdoor racetrack, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.



File #: CU 2270
202102542
202102543

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use
Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

22382 Coverdale Rd. Seaford, DE 19973

Type of Conditional Use Requested:

Be able to race 4 cyl FWD cars, 4 cyl Pickup Trucks and any other 4 cyl. race cars.

Tax Map #: 231-9.00-5.00 + 5.01 Size of Parcel(s): 27.81

Current Zoning: AR-1 Proposed Zoning: _____ Size of Building: _____

Land Use Classification: Low Density

Water Provider: None Sewer Provider: None

Applicant Information

Applicant Name: Gregory P. Mitchell
Applicant Address: 18288 Phillip Hill Rd
City: Laurel State: DE Zip Code: 19956
Phone #: 302-519-9748 E-mail: mittlefordsspeedway@gmail.com

Owner Information

Owner Name: Same
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____
Agent/Attorney/Engineer Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

___ Completed Application

___ Provide eight (8) copies of the Site Plan or Survey of the property

- o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- o Provide a PDF of Plans (may be e-mailed to a staff member)
- o Deed or Legal description

___ Provide Fee \$500.00

___ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

___ DeIDOT Service Level Evaluation Request Response

___ PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Gregory P. Mitchell

Date: 2-22-21

Signature of Owner

Gregory P. Mitchell

Date: 2-22-21

For office use only:

Date Submitted: _____

Fee: \$500.00 Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

November 13, 2020

Mr. Jamie Whitehouse, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Gregory P. Mitchell / MATR, LLC** conditional use application, which we received on October 14, 2020. This application is for an approximately 27.79-acre assemblage of parcels (Tax Parcels: 231-9.00-5.00 and 5.01). The subject land is located at the northwest corner of the intersection of Hastings Farm Road (Sussex Road 526) and Coverdale Road (Sussex Road 525), northeast of Seaford. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to utilize the property for an auto racing speedway.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Hastings Farm Road where the subject land is located is 351 vehicles per day. As the subject land also has frontage along Coverdale Road, the annual average daily traffic volume along that road segment is 3,270 vehicles per day.

The traffic impact of the proposed use necessarily varies with the frequency and size of the events. Generally, DelDOT bases its decision to require a Traffic Impact Study (TIS) on traffic volumes that recur on a daily or weekly basis. Large enough auto racing events may require coordination with our Transportation Management Center but they cannot be properly addressed by the TIS process.

Regarding DelDOT's warrants for requiring a TIS, events that would generate more than 50 vehicle trips in any hour and more than 500 vehicle trips per day would meet these warrants. Events generating more than 200 vehicle trips in any hour and / or more than 2,000 vehicle trips per day would be considered to have a Major impact to local area roadways. Because we expect the typical auto racing event to generate no more than 50 vehicle trips in any hour and no more than 500 vehicle trips per day, we recommend that this conditional use application be considered without a TIS.



Mr. Jamie Whitehouse
Page 2 of 2
November 13, 2020

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.
County Coordinator
Development Coordination

TWB:cjm

cc: Gregory P. Mitchell / MATR, LLC, Applicant
Russell Warrington, Sussex County Planning & Zoning
Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne K. Laws, Sussex County Review 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
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

June 7, 2010

Thomas Morris
8115 Hearn Pond Road
Seaford, DE 199973

RE: Middleford Raceway
Northwest Corner of Route 525 and Route 526
Tax Map I.D. 231-9.00 Parcel 5.00 and 5.01

Dear Mr. Morris:

Please be advised that it has been brought to the attention of this Department that the type of races has been expanded at the Middleford Raceway. It has been reported that racing of small 4-cycle trucks is taking place at the Raceway. There was an advertisement in Sussex Guide for the races.

Be advised that the Middleford Raceway is a non-conforming raceway and was limited to go-cart and motorcycle racing. Micro-midget racing was permitted since the engines were of a motorcycle type.

Racing automobiles and trucks is not permitted under the non-conforming use status. If the promoters desire to continue this type of racing, it will be necessary that they apply for a Conditional Use of the property to expand the raceway for the additional type of races.

The property is zoned AR-1 Agricultural Residential. The Zoning Ordinance reference is: Chapter 115, Article IV, Section 115-22 (Conditional Use) references "racetracks, any type, including horses, stock cars or drag racing". Continuation of the racing reported shall be considered a violation of the Zoning Ordinance and legal action will be taken.

Please respond upon receipt of this letter so that this Department can file your response to establish if any further action will be necessary.

Should you have any questions, please do not hesitate to contact me at this Department.

Sincerely,

Lawrence B. Lank
Director of Planning and Zoning

Cc: Vincent Robertson, Assistant County Attorney

Matthew & Stacey Long
35158 Lynch Road
Millsboro, DE 19966

October 18, 2021

Sussex County Planning & Zoning Department
2 The Circle
PO Box 417
Georgetown, DE 19947

RE: Conditional Use Application
Letter of Support
Middleford Speedway
22382 Coverdale Road
Seaford, DE 19973

Sussex County Planning & Zoning Commissioners:

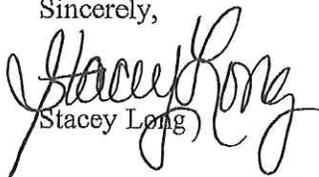
This letter is in reference to the conditional use application filed by Gregory Mitchell for a motorsports track at the address stated above on Tax Map Parcel #'s 231-9.00-5.00 & 5.01. As lifelong fans of dirt track racing, we encourage you to support the endeavor of Gregory Mitchell for a dirt track at this location. This property has been utilized in this same capacity for as long as I can remember.

Dirt track racing is a fun, family-oriented activity that is well needed in today's society. This teaches young children, teens and adults about healthy competition while being respectable and sportsman like towards one another. What better way for families to spend time together while doing something they enjoy and love. Taking this away from the community is not only detrimental to the racers, but also to the supporting fans.

In closing, I urge you to make the appropriate decision in allowing this use to continue on this property and continuing the lifelong dream of the Mitchell family.

Thank you for your consideration on this matter.

Sincerely,


Stacey Long

Matthew Long



Sussex County Planning & Zoning

Dear Commission Members

RECEIVED

JAN 20 2022

SUSSEX COUNTY
PLANNING & ZONING

I am writing this letter to express my support for Middleford Speedway. Mr Mitchell has spent considerable time, effort and money to improve the facility to make it a quality racetrack.

I am the promoter of the Eastern 600 sprint Championship Series and have worked closely with Mr. Mitchell and I have seen that he runs safe, efficient operation with a quality staff.

With the track changing race dates to Saturday nights that should work well and not cause any holdups on people trying to get home from work on Friday nights.

With his promotion of the speedway, he is bringing business into the area and pulling many visitors from the beach communities to the track and businesses in the local area.

The speedway holds special nights to support local organizations and has a American Cancer Society that in it's first year donated close to \$10,00 to their worthy cause.

In conclusion, the speedway does not do any harm or hurt anyone in the community. They do not run late with their events they keep dust from the track to a minimum, and do not produce and mor noise that a street motorcycle on the highway that you hear all night long.

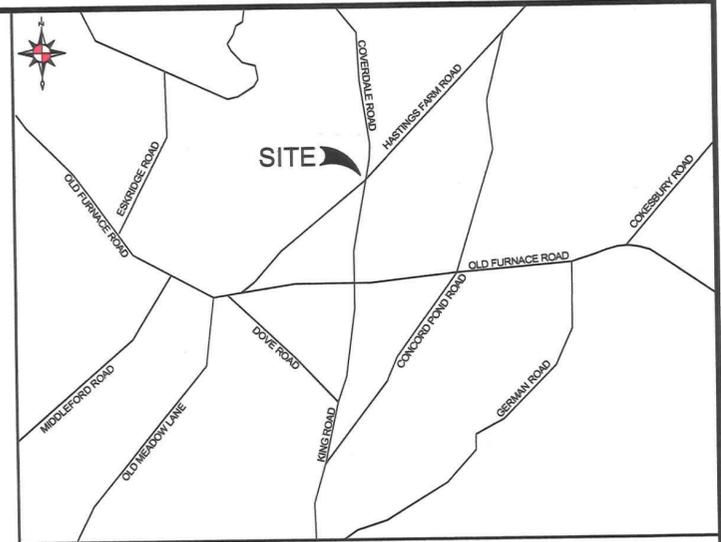

Kenneth Kreiger

627 Old Quaker Rd

Lewisberry, PA 17339

NOTES

1. THE BOUNDARY INFORMATION SHOWN HEREON WAS DERIVED FROM THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE AND WAS SUPPORTED BY BOUNDARY MONUMENTS FOUND/LOCATED DURING OUR FIELD RUN SURVEY.
2. A TITLE SEARCH WAS NEITHER REQUESTED NOR PREPARED FOR THE SUBJECT PARCEL SHOWN HEREON, THEREFORE, THIS PLAN DOES NOT VERIFY THE EXISTENCE OF ANY RIGHTS OF WAY OR EASEMENTS WHICH MAY AFFECT THIS PARCEL OTHER THAN THE INFORMATION SHOWN ON THIS PLAN.
3. THE SUBJECT PARCELS SHOWN HEREON WERE IMPROVED WITH A DIRT RACE TRACK AND MOTOCROSS TRACK AT THE TIME OF THIS LAND SURVEY.
4. THE ENTRANCE TO THE RACETRACK APPEARS TO BE LOCATED ON THE LANDS OF WILLIAM STACK (TM 231-9.00-4.00) AS SHOWN. IN ADDITION, THERE ARE SEVERAL UTILITY POLES AND FENCING ASSOCIATED WITH THE RACE TRACK LOCATED ON THE STACK LANDS.
5. THE INTENT OF THIS LAND SURVEY IS TO ESTABLISH THE BOUNDARY LINES ON THE GROUND OF THE LANDS TO BE CONVEYED TO GREGORY P. MITCHELL (T.M. 231-9.00-5.00 & 5.01) ACCORDING TO THE STANDARDS ESTABLISHED BY SUSSEX COUNTY AND THE STATE OF DELAWARE.



VICINITY MAP
NOT TO SCALE

SITE DATA

OWNER:	SPEED CITY, LLC 11455 HASTINGS FARM RD SEAFORD, DELAWARE 19973
BUYER:	GREGORY P. MITCHELL
SURVEYOR:	STEVEN M ADKINS LAND SURVEYING, LLC 28283 DUKES LUMBER ROAD LAUREL, DE 19956
TAX MAP:	231-9.00-5.00 & 5.01
DEED REF:	BOOK 4105, PAGE 270
PLOT REF:	BOOK 240, PAGE 87 & BOOK 61, PAGE 29
LOT AREA:	PARCEL 5.00 - 18.878 ACRES PARCEL 5.01 - 8.930 ACRES
LOT USE:	DIRT RACE TRACK
SEWER/WATER:	PRIVATE
ZONING:	AR-1
ROAD FRONTAGE:	817.42 FEET± (SCR 525 - COVERDALE ROAD) 608.98 FEET± (SCR 526 - HASTINGS FARM ROAD)
NEAREST TOWN:	SEAFORD, DE

LEGEND

- IRON PIPE FOUND
- ⊙ CAPPED IRON PIPE FOUND
- ⊕ CONCRETE MONUMENT FOUND
- ⊗ CAPPED IRON ROD SET
- UNMARKED BOUNDARY POINT
- x - EXISTING FENCE
- ⊙ EXISTING UTILITY POLE

SURVEYOR'S CERTIFICATION

I, STEVEN M. ADKINS, HEREBY ATTEST THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND ADHERES TO THE LAND SURVEYING STANDARDS ESTABLISHED BY THE STATE OF DELAWARE

Steven M. Adkins 1/13/17
STEVEN M. ADKINS LS-700 DATE

N/F
THE NATURE CONSERVANCY
3690/101
(231-8.00-3.00)

N/F
GRAVELLY BRANCH, LLC
4316/238
(231-9.00-2.00)

N/F
WILLIAM R. STACK
1600/302
(231-9.00-4.00)

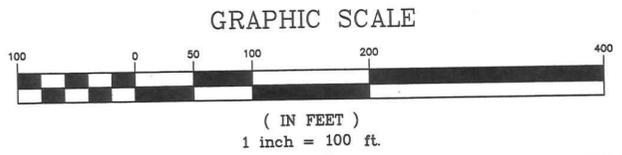
N/F
LARRY STEVEN DESHIELDS
1151/193
(231-9.00-3.01)

LANDS TO BE CONVEYED TO
GREGORY P. MITCHELL
8.930 ACRES
"IMPROVED"
(WOODLANDS/DIRT RACING TRACK)
231-9.00-5.01

LANDS TO BE CONVEYED TO
GREGORY P. MITCHELL
18.878 ACRES
"IMPROVED"
(WOODLANDS/DIRT RACING TRACK)
231-9.00-5.00

N/F
LSF9 MASTER PARTICIPATION TRUST
4623/52
(333-11.00-39.00)

N/F
SPEED CITY, LLC
PB 240, PAGE 87
(333-11.00-5.02)



STEVEN M. ADKINS
Land Surveying, LLC
28734 Seaford Road
Laurel, DE 19956
(302) 875-3555 - Office

A BOUNDARY SURVEY FOR
THE LANDS TO BE CONVEYED TO
GREGORY P. MITCHELL
22382 COVERDALE ROAD
NANTICOKE HUNDRED
SUSSEX COUNTY, DELAWARE

DATE:	REV:
01/13/17	
PROJECT #:	
2018099.00	
SCALE:	
1" = 100'	
DRAWN BY:	
S.M.A.	
CHECKED BY:	
S.M.A.	