

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



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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: January 26th, 2023

Application: C/Z 1975 – Gregory & Patricia White

Applicant: Gregory and Patricia White
955 Beacon Lane
Vero Beach, FL 32963

Owner: Gregory and Patricia White
955 Beacon Lane
Vero Beach, FL 32963

Site Location: Lying on the southwest side of Vine Creek Road (Rt. 26) approximately 450-feet northwest of the intersection of Vines Creek Road, Atlantic Avenue (Rt. 26), Assurance Avenue and Powell Farm Road (S.C.R. 365).

Current Zoning: Medium Density Residential (MR) Zoning District

Proposed Zoning: Medium Commercial (C-2) Zoning District

Proposed Use: N/A

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire Department

Sewer: Private Septic (parcel 107.00 located within Sewer Tier 1)

Water: Private Well

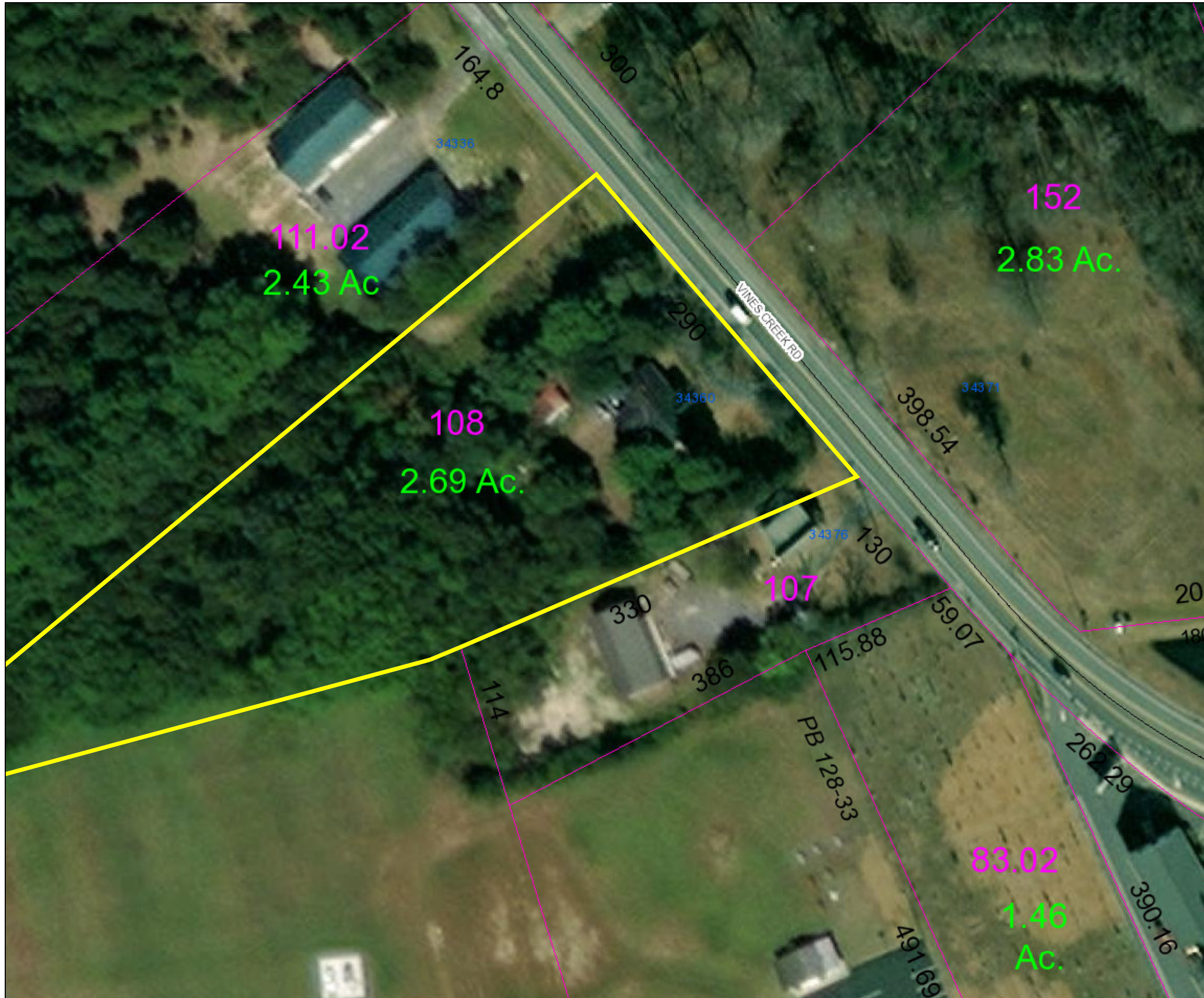
Site Area: 3.64 acres +/-

Tax Map ID: 134-11.00-107.00 & 108.00



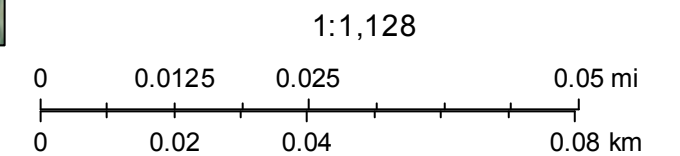


Sussex County



PIN:	134-11.00-108.00
Owner Name	WHITE GREGORY T
Book	5092
Mailing Address	955 BEACON LN
City	VERO BEACH
State	FL
Description	HWY.#26 DAGSBORO
Description 2	TO CLARKSVILLE
Description 3	2.69 AC
Land Code	

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



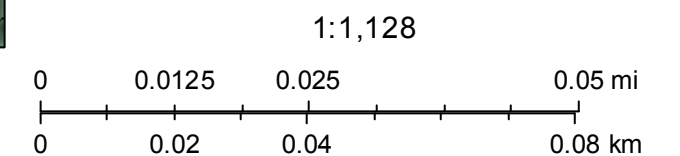


Sussex County



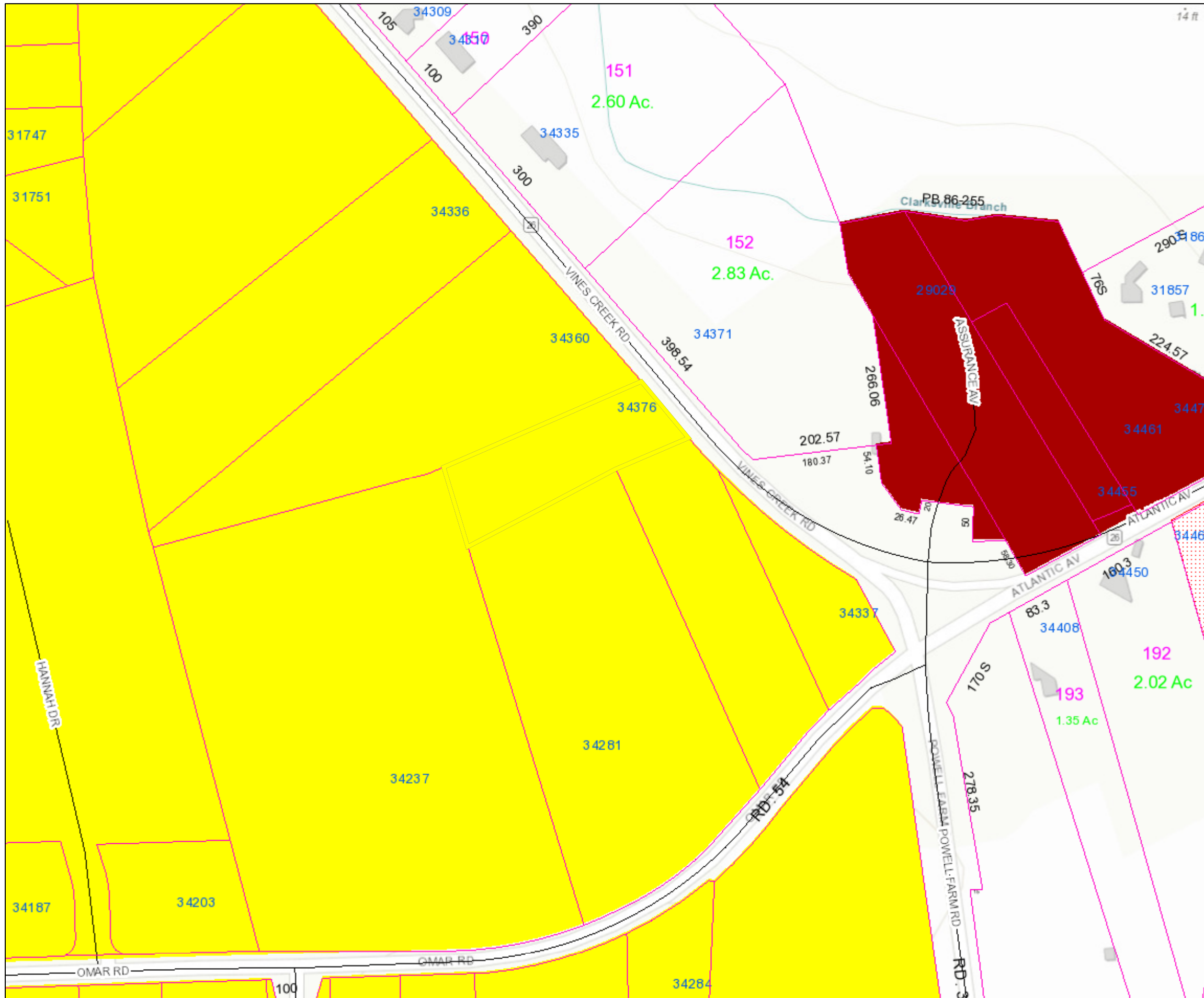
PIN:	134-11.00-107.00
Owner Name	WHITE GREGORY T PATRICIA P
Book	2940
Mailing Address	55 BEACON LN
City	VERO BEACH
State	FL
Description	S/W RT 26
Description 2	DAGSBORO TO CLARKS
Description 3	LOT
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- ⋮ Tax Parcels
- 911 Address
- Streets
- County Boundaries



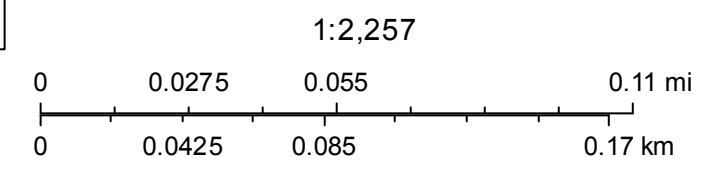


Sussex County



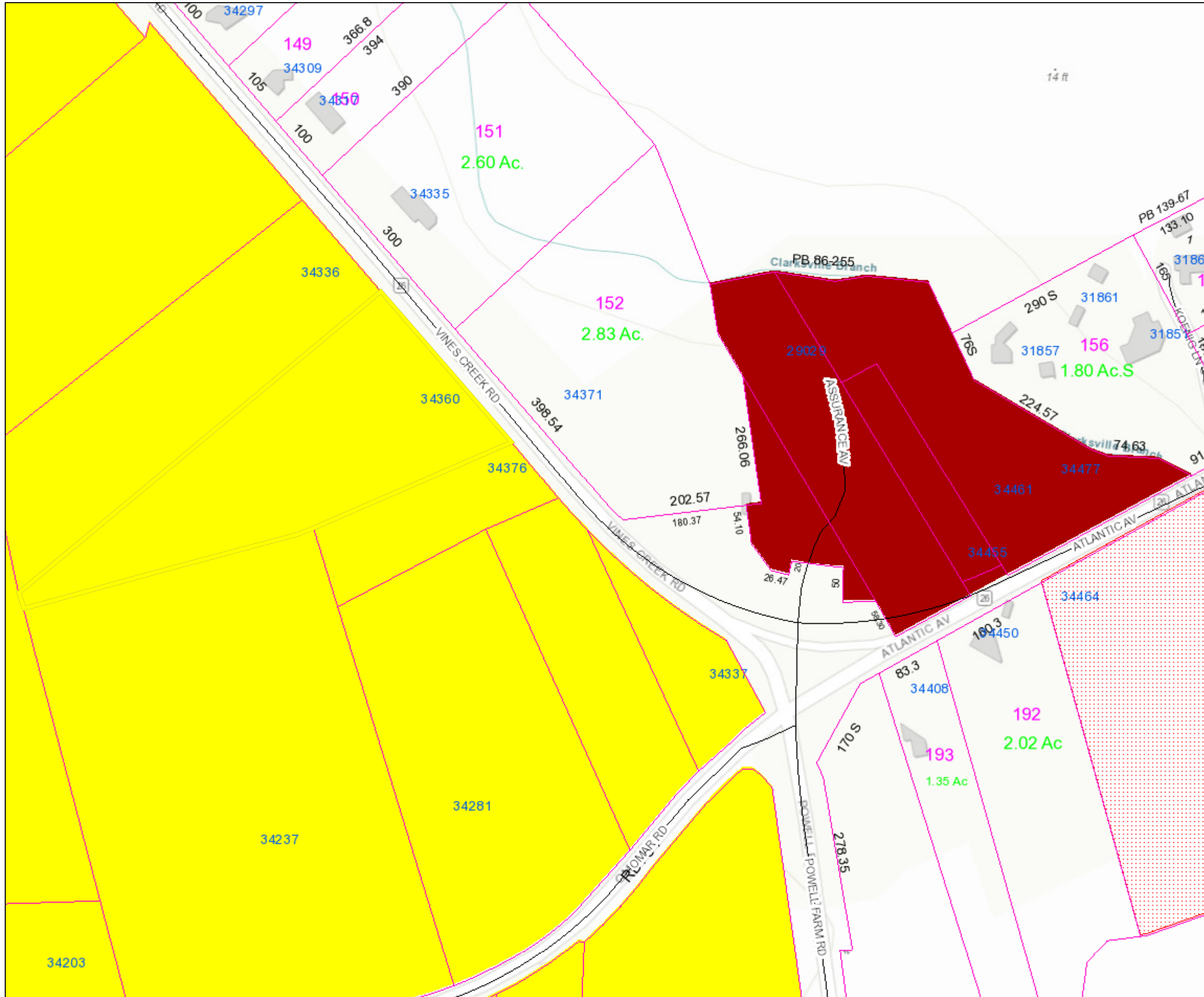
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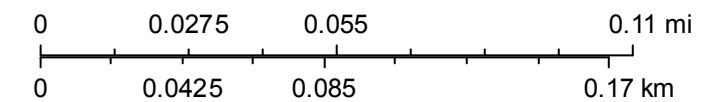
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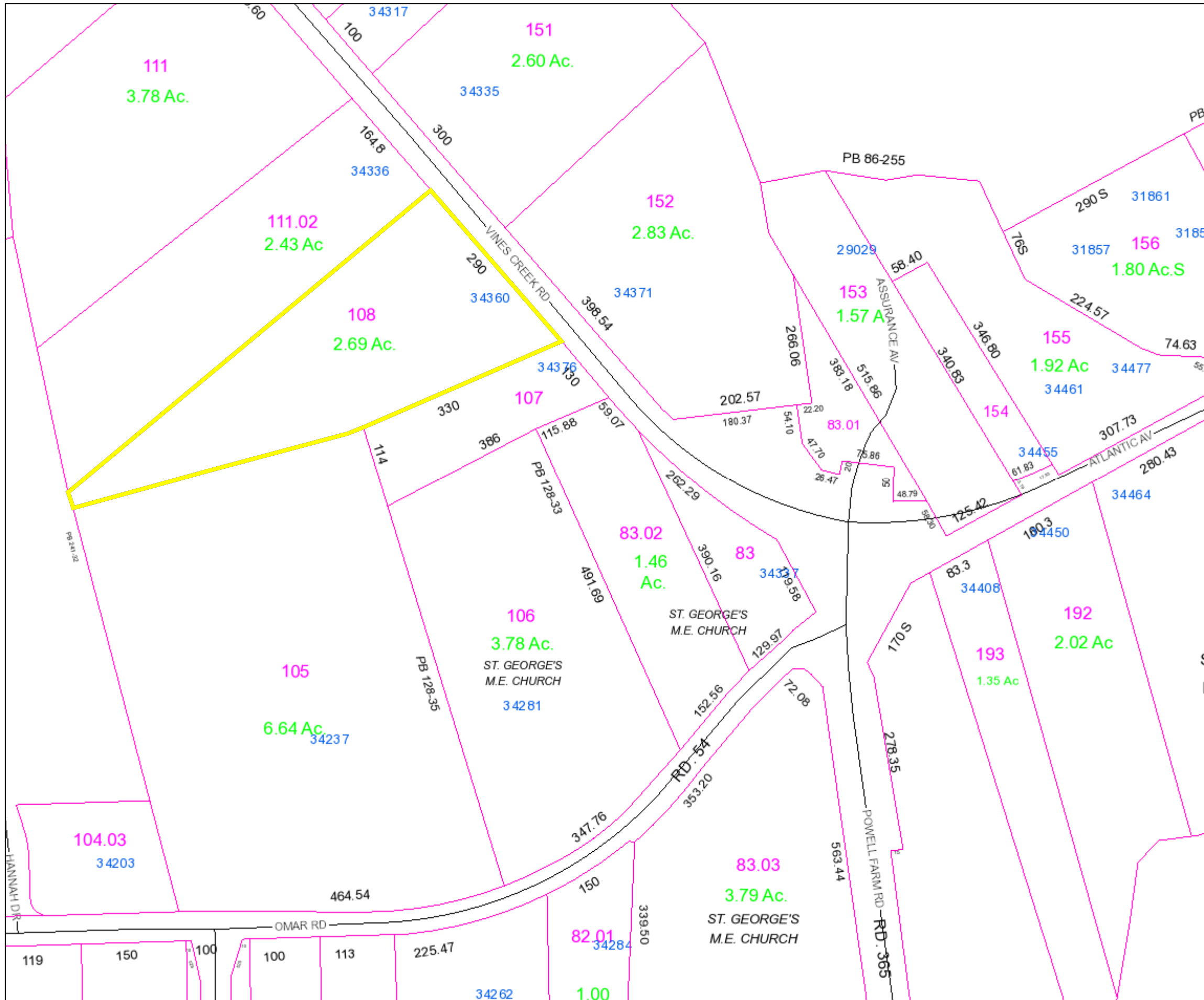
- polygonLayer**
 Override 1
- polygonLayer**
 Override 1
- Tax Parcels
- 911 Address
- Streets

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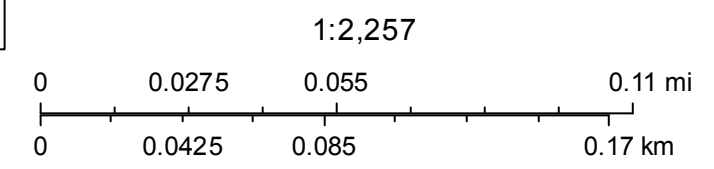


Sussex County



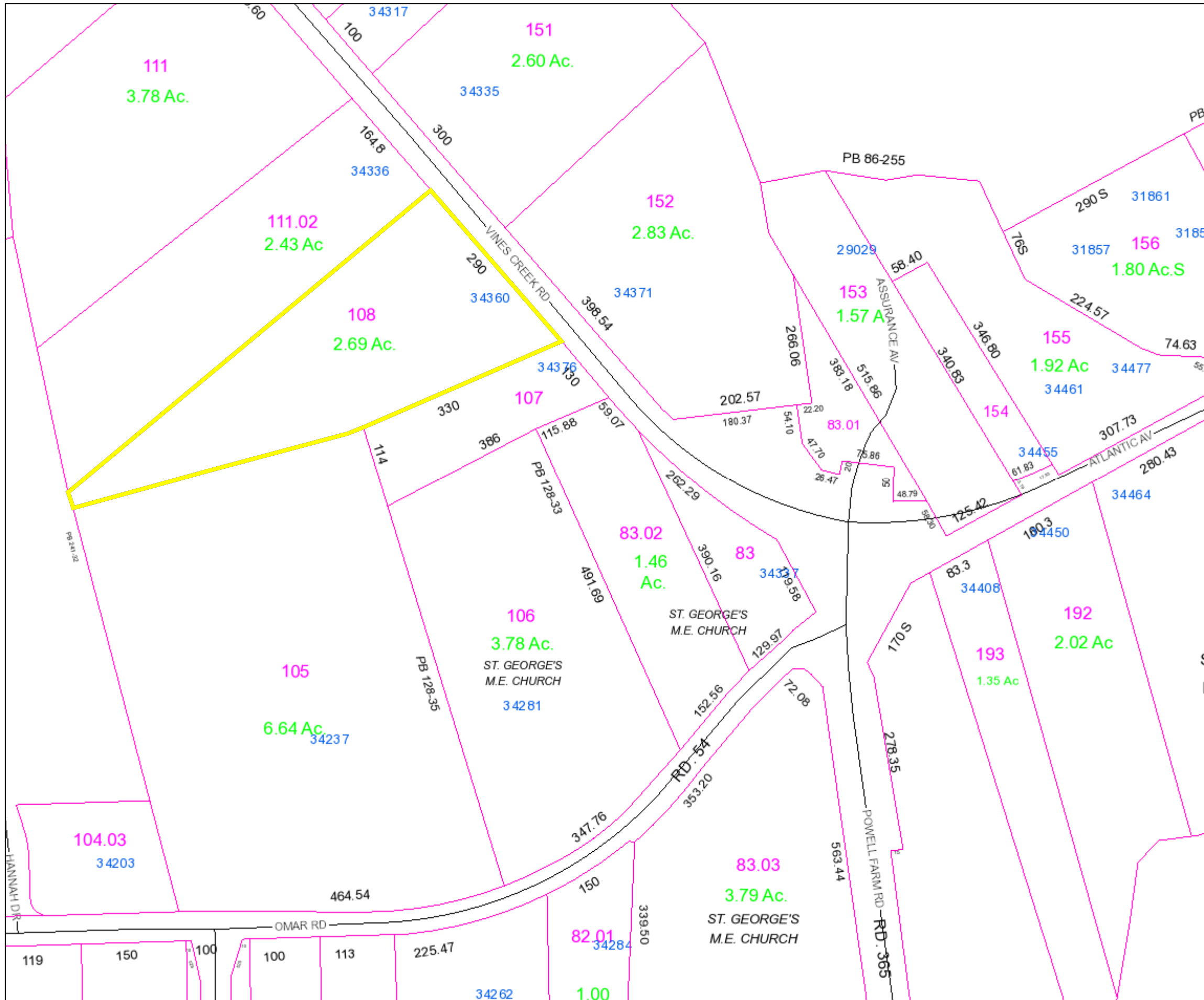
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Override 1
- polygonLayer
Override 1
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- County Boundaries





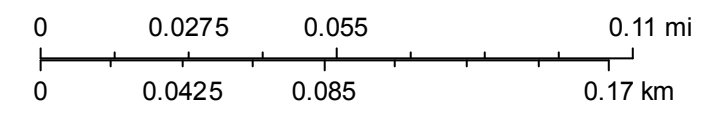
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- | | |
|--------------|-------------------|
| polygonLayer | Override 1 |
| polygonLayer | Override 1 |
| : : : | Tax Parcels |
| 911 | 911 Address |
| — | Streets |
| - - - | County Boundaries |

1:2,257



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Memorandum

To: Sussex County Planning Commission Members
From: Elliott Young, Planner I
CC: Vince Robertson, Assistant County Attorney, and applicant
Date: January 10, 2023
RE: Staff Analysis for CZ 1975 Gregory & Patricia White

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1975 Gregory & Patricia White to be reviewed during the January 26, 2023, 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 Change of Zone for Tax Parcel 134-11.00-107.00 & 108.00 to allow for a change of zone from a Medium Density Residential (MR) District to a Medium Commercial (C-2) District. The property is lying on the southwest side of Vines Creek Road (Rt. 26) approximately 450-foot northwest of the intersection of Atlantic Avenue (Rt. 26), Assurance Avenue and Powell Farm Road (S.C.R. 365). The parcels to be rezoned contains 3.64-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 "Coastal Area." The adjoining parcels to the north, west, east, and south also have a Future Land Use Map designation of "Coastal Area".

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided special environmental concerns are addressed. 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 Medium Density Residential (MR) Zoning District. Adjacent parcels to the north, south and west are also zoned Medium Density Residential (MR) Zoning District. The properties to the east across Vines Creek Road are zoned Agricultural Residential (AR-1) Zoning District and the parcels further to the east are zoned Commercial Residential (CR-1) Zoning District.

The 2018 Sussex County Comprehensive Plan Outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land



Use Categories,” the Medium Commercial Zoning District (C-2) is listed as an applicable zoning district in the “Coastal Area.”

Since 2011, there has been five (5) Change of Zone applications within a 1-mile radius of the application site. The First application being, Change of Zone No. 1738 for a change of zone from AR-1 (Agricultural Residential) to B-1 (Neighborhood Business). This application was approved by the County Council at their meeting of December 3rd, 2013 and was adopted through Ordinance No. 2331. The Second Application was Change of Zone No. 1789 for a change of zone from AR-1 (Agricultural Residential) to CR-1 (Commercial Residential). This application was approved by the County Council at their meeting of April 5th, 2016 and was adopted through Ordinance No. 2439. The third application was Change of Zone No. 1798 for a change of zone from AR-1 (Agricultural Residential) and CR-1 (Commercial Residential) to C-1 (General Commercial). This application was approved by the County Council at their meeting of June 21st, 2016 and was adopted through Ordinance No. 2457. The fourth application was Change of Zone No. 1840 for a change of zone from AR-1 (Agricultural Residential) to CR-1 (Commercial Residential). This application was approved by the Sussex County Council at their meeting of January 30th, 2018 and was adopted through Ordinance No. 2544. The fifth and last application was for Change of Zone No. 1980 for a change of zone from AR-1 (Agricultural Residential) to C-3 (Heavy Commercial). This application was approved by the County Council at their meeting of June 7th, 2022 and was adopted through Ordinance No. 2857.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from an Medium Density Zoning District (MR) to a Medium Commercial (C-2) Zoning District could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.

File #: 1975

202202394
202202395

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

34360 & 34376 Vines Creek Road, Dagsboro, DE 19939; TMP 134-11.00-107.00, 108.00

Type of Conditional Use Requested:

Request to rezone TMP NOs. 134-11.00-107.00, 108.00 (parcels to be combined) from MR Medium Residential to C2 Medium Commercial.

Tax Map #: See Above.

Size of Parcel(s): 3.64 Acres +/-

Current Zoning: MR

Proposed Zoning: C2

Size of Building: N/A

Land Use Classification: Residential

Water Provider: _____

Sewer Provider: _____

Applicant Information

Applicant Name: Gregory T. White and Patricia P. White

Applicant Address: 955 Beacon Lane

City: Vero Beach

State: FL

Zip Code: 32963

Phone #: (302) 542-9552

E-mail: greggwhiteconstruction@yahoo.com

Owner Information

Owner Name: See Applicant Information

Owner Address: _____

City: _____

State: _____

Zip Code: _____

Phone #: _____

E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Baird Mandalas Brockstedt LLC; Mackenzie M. Peet, Esq.

Agent/Attorney/Engineer Address: 1413 Savannah Road, Suite 1

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 645-2262

E-mail: mackenzie@bmbde.com

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FEB 17 2022

SUSSEX COUNTY
PLANNING & ZONING



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

Date: _____

Signature of Owner

Angie T. White
134-11.00-107.00, 108.00

Date: 2/14/2022

For office use only:

Date Submitted: _____
Staff accepting application: _____
Location of property: _____

Fee: \$500.00 Check #: _____
Application & Case #: _____

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

NICOLE MAJESKI
SECRETARY

January 27, 2022

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 T. White and Patricia P. White** proposed land use application, which we received on January 20, 2022. This application is for an approximately 3.84-acre assemblage of parcels (Tax Parcels: 134-11.00-107.00, 108.00). The subject lands are located on the south side of Vines Creek Road (State Route 26) about 300 ft north of the intersection with Omar Road (Sussex Road 365). The subject land is currently zoned MR (Medium Density Residential), with a proposed zoning of C2 (Medium Commercial) for a possible future self-storage facility.

Per the 2019 Delaware Vehicle Volume Summary, the annual average daily traffic volumes along Vines Creek Road from Omar Road to Stephen Drive, is 11,632 vehicles per day.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

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FEB 17 2022

SUSSEX COUNTY
PLANNING & ZONING



Mr. Jamie Whitehouse
Page 2 of 2
January 27, 2022

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

Please contact Ms. Annamaria Furrato, at Annamaria.Furrato@delaware.gov, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:afm

cc: Gregory T. White and Patricia P. White, Applicant
Elliot Young, Sussex County Planning & Zoning
David Edgell, Coordinator, Cabinet Committee on State Planning Issues
Todd Sammons, Assistant Director, Development Coordination
Scott Rust, South District Public Works Manager, Maintenance & Operations
Steve McCabe, 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
Claudy Joinville, Project Engineer, Development Coordination
Annamaria Furrato, Project Engineer, Development Coordination

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

TO: **Jamie Whitehouse**

REVIEWER: **Chris Calio**

DATE: **1/3/2023**

APPLICATION: **CZ 1975 Gregory and Patricia White**

APPLICANT: **Gregory and Patricia White**

FILE NO: **NM-1.03**

TAX MAP &
PARCEL(S): **134-11-107.00 & 108.00**

LOCATION: **Lying on the northeast side of Vines Creek Road (Rt.26),
appromimately 425 feet northwest of the intersection of Vines
Creek Road, Atlantic Ave.(Rt. 26), Assurance Ave. and Powell
Farm Road (SCR 365).**

NO. OF UNITS: **Up zoning from MR to C-2**

GROSS
ACREAGE: **2.83**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

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 1**
- (3). Is wastewater capacity available for the project? **Yes** 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 \$6,600.00** per EDU. Please contact **Denise Burns** 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? **N/A**
- (8). Comments: **Parcel 134-11.00-108.00 is contiguous to the Sussex County Unified Sanitary Sewer District and annexation and connection to the system is mandatory.**
- (9). Is a Sewer System Concept Evaluation required? **Yes, Contact Utility Planning at 302-855-7370 to apply**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**
- (11). **All residential roads must meet or exceed Sussex County minimum design standards.**

UTILITY PLANNING & DESIGN REVIEW APPROVAL:



John J. Ashman
Director of Utility Planning & Design Review

Xc: Hans M. Medlarz, P.E.
Lisa Walls
Denise Burns

Policy for Extending District Boundaries

1. Property owner (developer) and/or his representative shall make a request to the Utility Planning Division for a Sewer System Concept Evaluation.
2. Property owner (developer) and/or his representative shall meet with the applicable planning and zoning agency to determine if zoning is appropriate for the development being planned.
3. With appropriate zoning, property owner (developer) and/or his representative shall send a letter (with appropriate application fee as listed below) requesting the Sussex County Council to consider extending the water and/or sanitary sewer district boundaries. (Sussex County Code)

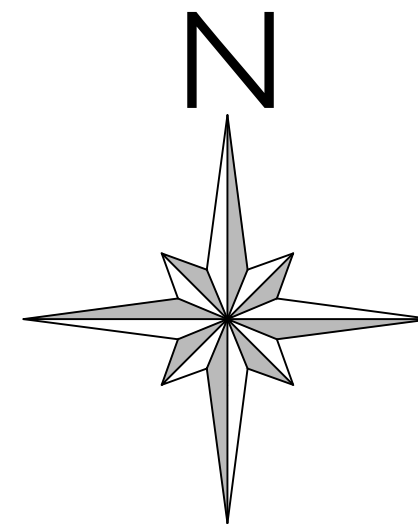
Application Fees	
Less than 2 acres	\$500.00
2.1 -9.99 acres	\$750.00
10 - 150.00 acres	\$1,500.00
Greater than 150.00 acres	\$2,500.00

4. The Sussex County Engineering Department shall present, for Sussex County Council's consideration, posting of notices for the proposed extension of the district boundaries.
5. The Sussex County Council approves posting notices for the proposed extension of the boundaries. (If approval to post the notices is not given, the appropriate fee is refunded.)
6. Within ninety days of the posting of the notices, the Sussex County Council approves/disapproves extending the boundaries.
7. The Sussex County Council approves/disapproves of the extension of the water and/or sanitary sewer pipelines under the appropriate Sussex County Ordinance.

PRELIMINARY SITE PLAN EXHIBIT FOR WHITE MINI-STORAGE

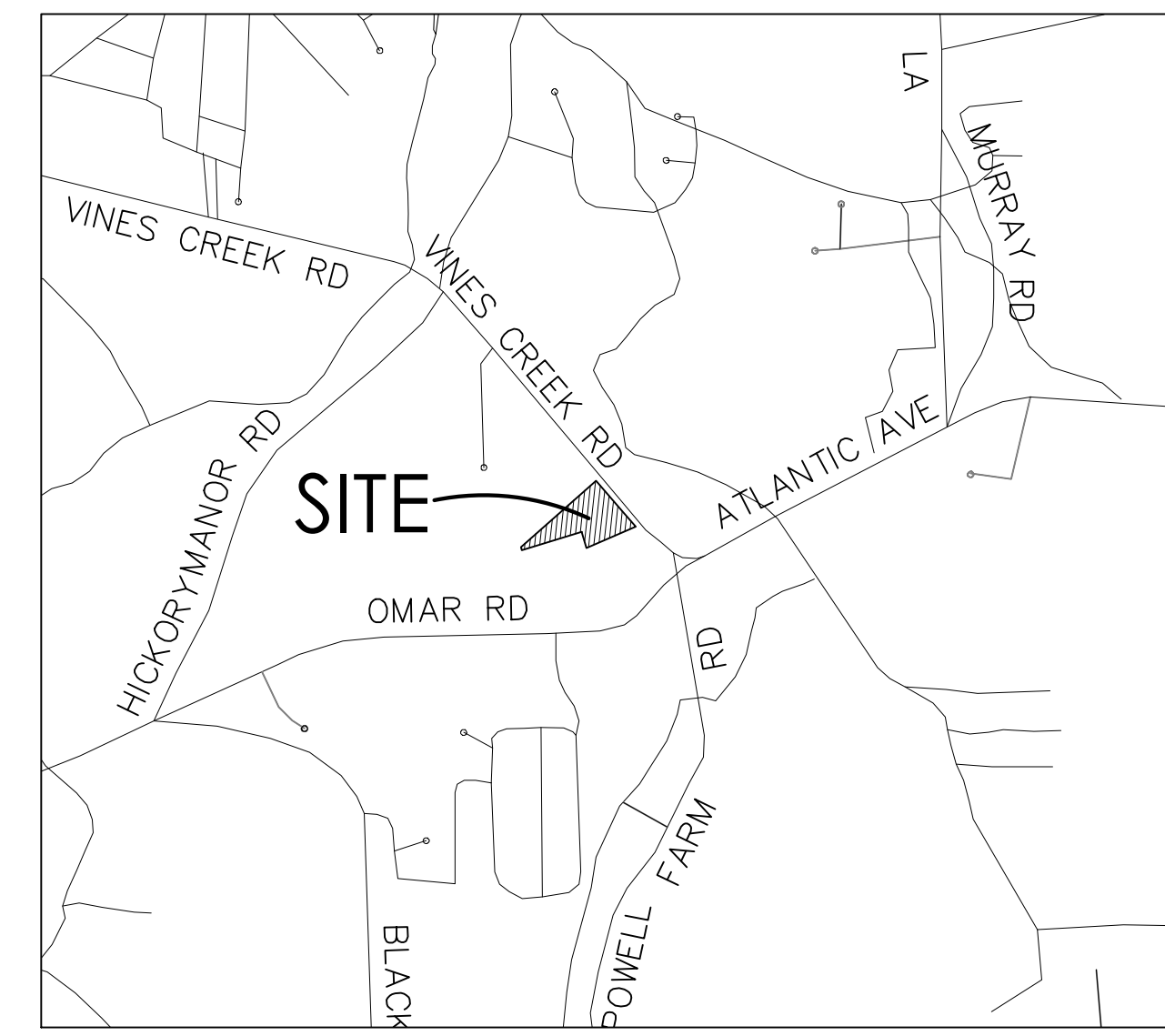
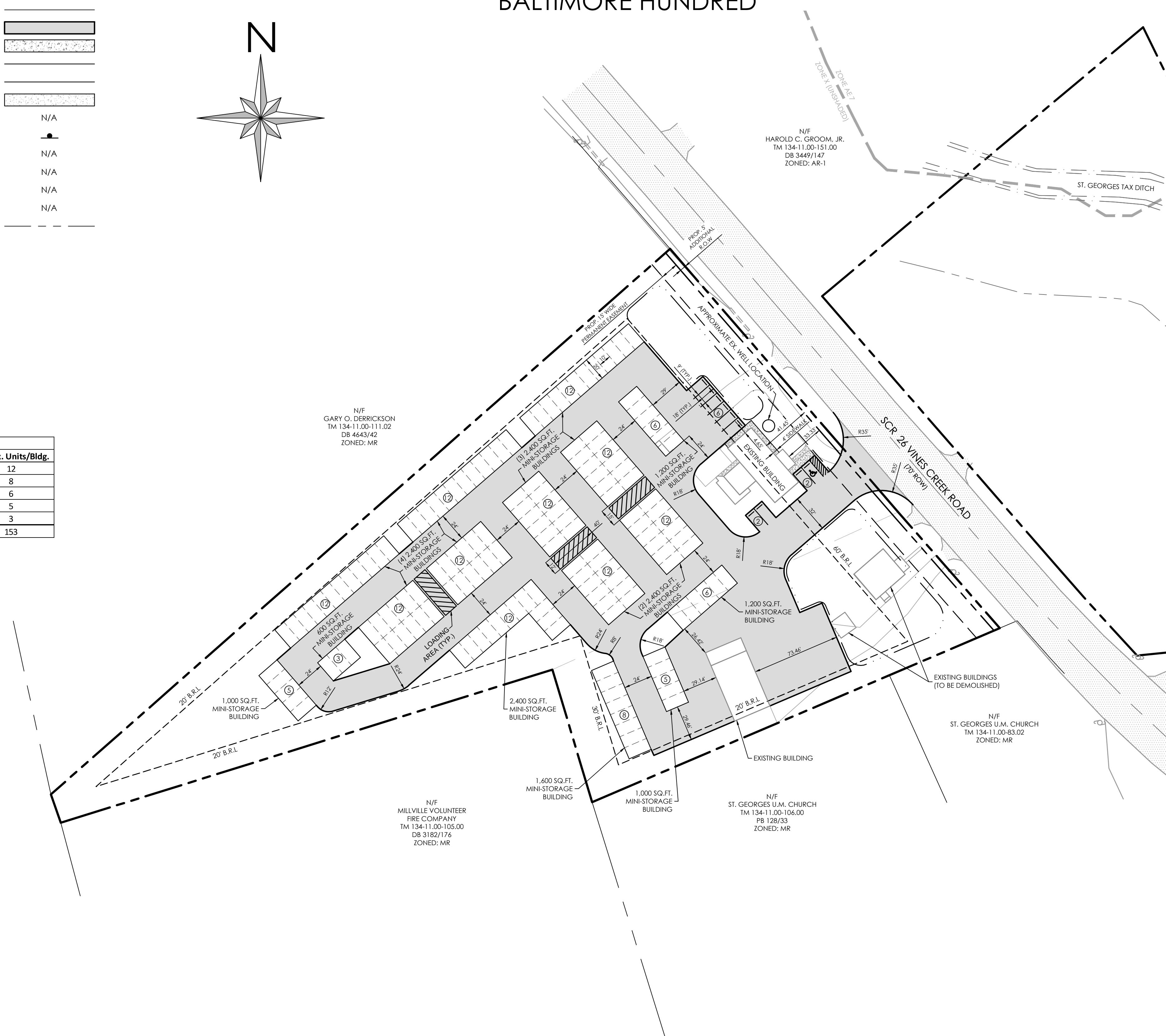
134-11.00-107.00 & 108.00

SUSSEX COUNTY, DELAWARE
BALTIMORE HUNDRED



	EXISTING	PROPOSED
PROPERTY LINE	— — — — —	— — — — —
EASEMENT LINE	- - - - -	- - - - -
SETBACK LINE	— — — — —	— — — — —
CONCRETE MONUMENT FOUND	CMF □	N/A
IRON PIPE FOUND	IPF ●	N/A
BENCH MARK	ELEV. x 19.25	N/A
SPOT ELEV. LABEL	x 19.25	19.25
MAJOR CONTOUR	- - - - -10	- - - - -10
MINOR CONTOUR	- - - - -7	- - - - -7
ROAD CENTERLINE	— — — — —	— — — — —
EDGE OF CONCRETE	— — — — —	— — — — —
EDGE OF PAVEMENT	— — — — —	— — — — —
EDGE OF GRAVEL	— — — — —	N/A
PAINT STRIPE	— — — — —	— — — — —
CURB	— — — — —	— — — — —
PAVEMENT HATCH	[Hatched Box]	[Hatched Box]
CONCRETE HATCH	[Dotted Box]	[Dotted Box]
BUILDING OUTLINE	— — — — —	— — — — —
SIDEWALK	— — — — —	— — — — —
SIDEWALK HATCH	[Hatched Box]	[Hatched Box]
FENCE LINE	— — — — —	N/A
SIGN	— — — — —	— — — — —
EDGE OF WETLAND	— ψ — ψ —	N/A
FLOODPLAIN	- - - - -	N/A
UTILITY POLE	⊕	N/A
TAX DITCH	- - - - -	N/A
TAX DITCH ROW	- - - - -	- - - - -

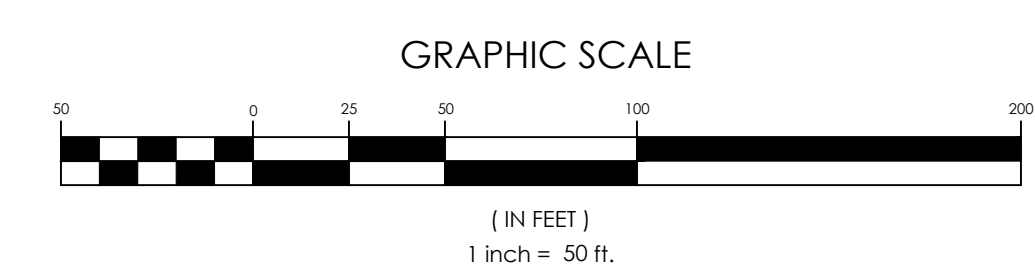
Building Type	Building Sq.ft	Quantity	Approx. Units/Bldg.
Mini Storage	2400	10	12
Mini Storage	1600	1	8
Mini Storage	1200	2	6
Mini Storage	1000	2	5
Mini Storage	600	1	3
Total Bldg. Sq.ft	30600	Total Units	153



SITE DATA

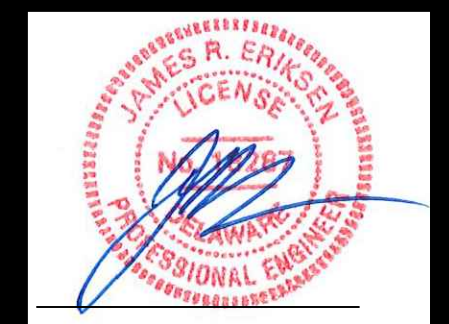
- OWNER/DEVELOPER: GREGORY WHITE
955 BEACON LANE
VERO BEACH, FL 32963
CONTACT: GREGORY WHITE
- ENGINEER: SOLUTIONS IPEM
303 NORTH BEDFORD STREET
GEORGETOWN, DE 19947
PHONE: 302-297-9215
CONTACT: JIM ERIKSEN, PE
EMAIL: JERIKSEN@SOLUTIONSIPEM.COM
- TAX MAP: 134-11.00 PARCELS 107.00, 108.00
- EXISTING ZONING: MR
- PROPOSED ZONING: C-2
- EXISTING # OF LOTS: 2
- PROPOSED # OF LOTS: 1
- DEED REFERENCES: 2940/339 (PARCEL 107.00)
5092/317 (PARCEL 108.00)
- SETBACKS:
FRONT: 40'
SIDE: 5' (20' ADJOINING A RESIDENTIAL DISTRICT)
REAR: 5' (30' ADJOINING A RESIDENTIAL DISTRICT)
MAX. BUILDING HEIGHT: 42'
- GROSS SITE AREA = 3.64 AC ± (158,380 SF)
TOTAL BUILDING AREA = 0.79 AC ± (34,520 SF)
PAVEMENT AREA = 1.25 AC ± (54,241 SF)
TOTAL IMPERVIOUS AREA = 2.04 AC ± (88,761 SF)
- FLOOD ZONE: PROPERTY IS LOCATED IN FLOOD ZONE X UNSHADED - AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN, PER FIRM MAP NUMBER 10005C0495K. MAPS REVISED MARCH 16, 2015.
- WATER SUPPLY: DOMESTIC WELL
- SANITARY SEWER: SUSSEX COUNTY
- BOUNDARY AND TOPOGRAPHY INFORMATION PROVIDED BY TRUE NORTH LAND SURVEYING DATED 1/27/2022 AND LAND TECH LAND SURVEYING, LLC DATED 12/28/2005. ELEVATIONS ARE BASED ON NAVD 88 AND COORDINATES ARE BASED ON DELAWARE STATE PLANE, NAD83.
- AUTOMATIC SPRINKLERS ARE NOT PROPOSED FOR THIS STRUCTURE.
- TYPE OF CONSTRUCTION: NFPA TYPE V (000)
- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS AND AS SHOWN ON THESE PLANS.
- A LOCK BOX CONTAINING KEYS FOR FIRE DEPARTMENT ACCESS TO THE BUILDINGS ARE REQUIRED. CONTACT THE LOCAL FIRE CHIEF FOR ORDERING INFORMATION AND LOCATION OF THE BOX ON THE BUILDING.
- EXISTING USE: SINGLE FAMILY HOMES
(1,934 SQFT EX. HOME AND 1,986 SQFT EXISTING POLE BARN)
- PROPOSED USE: MINI-STORAGE FACILITY
- PARKING REQUIRED: = 1 SPACE/200 SQFT OFFICE BUILDING
1,934 SQFT HOME TO BE CONVERTED TO OFFICE
= $\frac{1934}{200} = 9.67 = 10$ SPACES
- PARKING PROVIDED: 10 SPACES

NOTE: PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE



solutions
IPEM
INCORPORATED
SURVEYING & ENGINEERING

303 North Bedford Street
Georgetown, DE 19947
T. 302.297.9215
3003 Merritt Mill Road
Salisbury, MD 21804
F. 410.572.8853
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Seal 1/3/2022
Date

NO.	DATE	DESCRIPTION

PRELIMINARY SITE PLAN EXHIBIT
for
WHITE MINI-STORAGE
SUSSEX COUNTY, DELAWARE
Prepared for: Client

Date:	1-3-2023	Job Number:	G22043	Scale:	1"=50'	Drawn By:	EDT	Designed By:	ANW	Approved By:	JRE
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Sheet No.: 1

File Name: G22043-Preliminary-SitePlan



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

December 16, 2022

Jim Eriksen
Solutions IPEM
303 North Bedford Street
Georgetown, DE 19947

RE: PLUS review – 2022-11-10; White Mini-Storage Parcels 107 & 108

Dear Mr. Eriksen:

Thank you for meeting with State agency planners on November 16, 2022 to discuss the proposed plans for the White Mini-Storage on Parcels 107 & 108. According to the information received, you are seeking review of a rezoning and site plan for mini storage on a parcel zoned MR (Medium Density Residential) with proposed zoning of AR-1 (Agricultural Residential) and a Conditional Use.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. **The developers will also need to comply with any Federal, State, and local regulations regarding this property. We also note that as Sussex County is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.**

Strategies for State Policies and Spending

This project is located in a Level 2 investment area, which is consistent with the 2020 Strategies for State Policies and Spending. This site is also located in the Coastal area of the Sussex County comprehensive plan.

Investment Level 2 reflects areas where growth is anticipated by local, county, and State plans in the near-term future. Development in Level 2 is consistent with the 2020 Strategies for State Policies and Spending; therefore, the Office of State Planning Coordination has no objections to this rezoning and site plan provided it meets the relevant codes and ordinances of Sussex County.

There were questions at the PLUS meeting as to why the owner of this property would request a downzoning to AR-1 and apply for a conditional use for a commercial storage facility on this site

while also applying to the county to upzone an AR-1 zoned property across the street to C-3 for a similar commercial storage facility. In the PLUS meeting the representative stated that they may move forward with an upzoning to C-2 for this property instead of what was stated on the application. If the applicant chooses to apply to the county for a different zoning than what was reviewed through PLUS, the rezoning may not be required to come through PLUS again; however, that determination would be made by the county.

According to Sussex County, commercial storage facilities may be appropriate as a Conditional Use in the Agricultural Residential (AR-1) Zoning District given specific site considerations. To rezone this property for a use that may be allowed under a conditional use would open this land to a wide range of new uses including heavy commercial and manufacturing uses that are of a greater scale and intensity than the proposed storage facility if the storage units do not come to fruition. The county should determine if the uses allowed under the proposed zoning are appropriate for this area.

Code Requirements/Agency Permitting Requirements

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The site access on Vines Creek Road (Delaware Route 26) must be designed in accordance with DelDOT's Development Coordination Manual, which is available at <http://www.deldot.gov/Business/subdivisions/index.shtml?dc=changes>.
- Pursuant to Section 1.3 of the Manual, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there and how to prepare for it is located at https://www.deldot.gov/Business/subdivisions/pdfs/Meeting_Request_Form.pdf?08022017.
- Section 1.6 of the Manual addresses principles for the location of site entrances. DelDOT anticipates requiring the developer to align the site entrance with the entrance proposed by PLUS application 2022-11-09, White's Mini Storage Parcel 152 on the southwest side of Delaware Route 26, Tax Parcel: 134-11.00-152.00.
- Each segment of State maintained road is assigned a Functional Classification in accordance with the States Functional Classification Map. Definitions of these classifications are found in Sections 1.6.4 to 1.6.8 of the Manual. The existing design of the road is not required to meet the design standards of the functional classification at the time the classification is assigned. All access designs shall meet the standards set forth in the Manual for the assigned functional class of the frontage road and/or affected segment of road. The developer is responsible for improving the segment of road along their site's frontage to meet the design standards of the road's functional class.

Questions regarding the requirement to improve the site frontage should be directed to the Sussex County Review Coordinator, Mr. Kevin Hickman. Mr. Hickman may be reached at Kevin.Hickman@delaware.gov or (302) 760-2461.

- Section 1.7 of the Manual addresses fees that are assessed for the review of development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review and the Construction Stage Fee when construction plans are submitted for review.
- Per Section 2.2.2.1 of the Manual, Traffic Impact Studies (TIS) are warranted for developments generating more than 500 vehicle trip ends per day or 50 vehicle trip ends per hour in any hour of the day. Using the 11th edition of the Institute of Transportation Engineers' Trip Generation Manual, DelDOT estimates that the subject development, consisting of 34,486 square feet of mini warehousing space, would generate 50 vehicle trip ends per day and estimates the weekday morning and evening peak hour trip ends at 3 and 5, respectively. Therefore, a TIS would not be required.
- As necessary, in accordance with Section 3.2.5 and Figure 3.2.5-a of the Manual, DelDOT will require dedication of right-of-way along the site's frontage. By this regulation, this dedication is to provide a minimum of 40 feet of right-of-way from the physical centerline of Delaware Route 26. The following right-of-way dedication note is required, **"An X-foot wide strip of right-of-way from the centerline is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
- In accordance with Section 3.2.5.1.2 of the Manual, DelDOT will require the establishment of a 15-foot wide permanent easement across the property frontage. The location of the easement shall be outside the limits of the ultimate right-of-way. The easement area can be used as part of the open space calculation for the site. The following note is required, **"A 15-foot wide permanent easement is hereby dedicated in fee simple to the State of Delaware, acting by and through the Delaware Department of Transportation."**
- Referring to Section 3.4.2.1 of the Manual, the following items, among other things, are required on the Record Plan:
 - A Traffic Generation Diagram. See Figure 3.4.2-a for the required format and content.
 - Depiction of all existing entrances within 450 feet of the proposed entrance on Delaware Route 26.
 - Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- Section 3.5.4.2 of the Manual addresses requirements for Shared Use Paths (SUP) and sidewalks. For projects in Level 1 and 2 Investment Areas, installation of paths or sidewalks along the frontage on State-maintained roads is required.
- In accordance with Section 3.8 of the Manual, storm water facilities, excluding filter strips and bioswales, shall be located a minimum of 20 feet from the ultimate State right-of-way along Delaware Route 26.
- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrances and how long those lanes should be. The worksheet can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at <http://www.deldot.gov/Business/subdivisions/index.shtml>.
- In accordance with Section 5.14 of the Manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments regarding specific resources does not indicate that there are not additional constraints or environmental issues on site, nor does it indicate DNREC support of a project.

DNREC reviewers have no objections to the proposed rezoning.

Comments related to the proposed site plan are included below.

Concerns Identified Within the Development Footprint

Stormwater Management

This application proposes greater than 5000 square feet of land disturbing activities, therefore, this project will be subject to Delaware's *Sediment and Stormwater Regulations*.

Requirements:

- A Sediment and Stormwater Plan must be developed, then approved by the appropriate plan review agency prior to any land disturbing activity taking place on the site. For this project, the plan review agency is the Sussex Conservation District.
- Additionally, to address federal requirements, construction activities that exceed 1.0 acre of land disturbance require Construction General Permit coverage through submittal of an electronic Notice of Intent for Stormwater Discharges Associated with Construction Activity. This form must be submitted electronically (<https://apps.dnrec.delaware.gov/enoi/>, select Construction Stormwater General Permit) to the DNREC Division of Watershed Stewardship, along with the \$195 fee.
- Schedule a project application meeting with the appropriate plan review agency prior to moving forward with the stormwater and site design. As part of this process, you must submit a Stormwater Assessment Study.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Tax Ditches

The project lies within the vicinity of the St. Georges Tax Ditch Watershed. Tax ditches are man-made channels created to move normal water flow off agricultural lands. The project site possesses no tax ditches and is currently not subject tax ditch ROWs.

Requirements:

- Development of the site may result in a change to the drainage pattern and associated tax ditch watershed boundary. To change existing tax ditch watershed boundaries, a Court Order Change must be submitted by the DNREC Drainage Program. To initiate this process, complete and submit the attached Land Development Project Review Request form. An aerial drainage map has been provided for your reference.
- All precautions should be taken to ensure the project does not hinder any off-site drainage upstream or create any off-site drainage problems downstream due to increases in stormwater.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

Tax Ditch Mapper: de.gov/taxditchmap

Tax Ditch guidelines: <https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf>

Wastewater Disposal Systems – Small Systems

An expired site evaluation (reference #: 476813) exists under the parcel number 134-11.00-107.00 and an existing gravity system exists under the tax parcel number 134-11.00-108.00 in the Small System Branch database.

Requirements:

- Contact the DNREC Commercial and Government Services Section to discuss requirements for properly abandoning these systems.

Contact: DNREC Commercial and Government Services Section at (302) 856-4561

Website: <https://dnrec.alpha.delaware.gov/water/groundwater/septic-systems/>

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Proposed Project Parcel Flood Concern

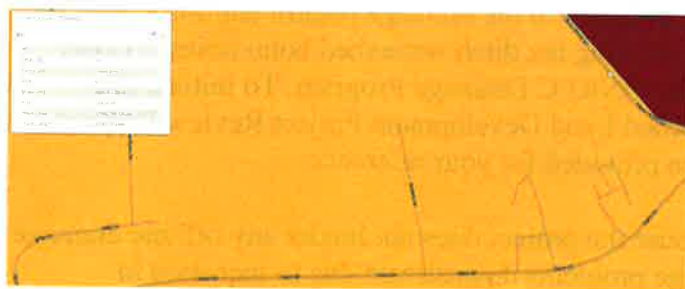
- This parcel is located within an area of **Minimal Flood Concern of 1000 years or greater.**

Parcel Status within County Evacuation Zone Location

- The parcel is located within Sussex County’s Evacuation Zone C.

Symbology

Show in map legend



DE_EvacuationZone

Zone

- A
- B
- C
- D

State Historic Preservation Office – Contact Carlton Hall 302-736-7400

- The DE SHPO has record of a historic house (S02486) on the parcel that burned down in 1998.
- The State Historic Preservation Office has no information for the house that would indicate the age of the dwelling.
- A possible cemetery is reported within the parcel based on previous survey of the area (S12625).
- Furthermore, the area has high potential for the existence of precontact archaeological resources.
- This is due to the project area containing several environmental factors that would have been conducive to human occupation, some of which include a risen and stable landform, well drained soils, and immediate access to fresh water.
- Lastly, as the area contains high archaeological potential and disturbance in the parcel seems minimal, this office will be requesting that archaeological survey be completed prior to any ground disturbing activity.
- It important that developer be aware of the Unmarked Human Burials and Human Skeletal Remains Law of 1987 (Delaware Code: Title 7, Chapter 54), which pertains to the discovery and disposition process of such remains. Abandoned or unmarked family cemeteries are very common in Delaware, especially on historic farm sites, rural areas, or open space lands. Disturbing unmarked burials triggers Delaware's Unmarked Human Burials and Human Skeletal Remains Law of 1987 (Delaware Code: Title 7, Chapter 54), and such discoveries can result in substantial delays while the procedures required under this law are carried out. The Delaware State Historic Preservation Office recommends that the owners and/or developers have a qualified archaeological consultant investigate this project area for the presence of such a cemetery. If one is discovered and delineated, it is very costly to have it archaeologically excavated and the burials moved.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

This document is for information purposes only and does not constitute any type of approval from the Delaware State Fire Marshal's Office.

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulations (DSFPR):

Fire Protection Water Requirements

- This site shall comply with Delaware State Fire Prevention Regulation 702, Chapter 6, Fire Flow Table 1, to include 15 foot setback for exposure hazards on the same property and 15 foot minimum set back from all property lines.

Fire Protection Features

- All structures over 10,000 sqft aggregate will require automatic sprinkler protection.
- Buildings greater than 10,000 sqft, 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements.
- Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the Delaware State Fire Prevention Regulations.
- Show Fire Lanes and Sign Detail as shown in the Delaware State Fire Prevention Regulations.
- Proposed building may be required to meet the Large Area Building requirements from Regulation 702, Chapter 5 of the Delaware State Fire Prevention Regulations.
- All mini-storage buildings greater than 2,500 square feet in area and where any of the individual storage units are separated by less than a 1-hour fire resistance-rated barrier shall require an automatic sprinkler system be installed throughout.

Mini-Storage Building is defined as a storage occupancy partitioned into individual storage units, with a majority of the individual units not greater than 750 square feet in area, and that are rented or leased for the purposes of storing personal or business items where all of the following apply:

(1) the storage units are separated from each other by less than a 1-hour fire resistance rated barrier,

(2) the owner of the facility does not have unrestricted access to the storage units, and

(3) the items being stored are concealed from view from outside the storage unit.

Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision must be constructed so fire

department apparatus may negotiate it.

- Any dead-end road more than 300 feet in length shall be provided with a turn-around or cul-de-sac arranged such that fire apparatus will be able to turn around by making not more than one backing maneuver. The minimum paved radius of the cul-de-sac shall be 38 feet. The dimensions of the cul-de-sac or turn-around shall be shown on the final plans. Also, please be advised that parking is prohibited in the cul-de-sac or turn around.
- The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

Gas Piping and System Information

- Provide type of fuel proposed and show locations of bulk containers on plan.

Required Notes

- Provide a note on the final plans submitted for review to read “All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations”
- Proposed Use
- Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- Square footage of each structure (Total of all Floors)
- National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- Note indicating if building is to be sprinklered
- Name of Water Provider
- Letter from Water Provider approving the system layout
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Recommendations/Additional Information

This section includes a list of site-specific suggestions that are intended to enhance the project. These suggestions have been generated by the State Agencies based on their expertise and subject area knowledge. **These suggestions do not represent State code requirements.** They are offered here in order to provide proactive ideas to help the applicant enhance the site design, and it is hoped (**but in no way required**) that the applicant will open a dialogue with the relevant agencies to discuss how these suggestions can benefit the project.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- The applicant should expect a requirement that any substation and/or wastewater facilities will be required to have access from an internal driveway with no direct access to Delaware Route 26.
- The applicant should expect a requirement that all PLUS and Technical Advisory Committee (TAC) comments be addressed prior to submitting plans for review.
- Please be advised that the Standard General Notes have been updated and posted to the DelDOT website. Please begin using the new versions and look for the revision dates of March 21, 2019 and March 16, 2022. The notes can be found at <https://www.deldot.gov/Business/subdivisions/>

Department of Natural Resources and Environmental Control – Contact Clare Quinlan 302-735-3480

Removal of Forest

The preliminary plan proposes the elimination of approximately 0.9 of 1.0 acres of forest on the site.

- Removing forested areas for development should be avoided to the greatest extent possible. Forests filter water for improved water quality, provide habitat for wildlife, absorb nutrients, infiltrate stormwater, moderate temperatures, and store atmospheric carbon which would otherwise contribute to climate change.
- To reduce impacts to nesting birds and other wildlife species that utilize forests for breeding, it is recommended that tree clearing not occur from April 1st to July 31st. Likewise, avoid mowing open space areas and grass filter strips during the same timeframe, as various species of birds utilize these areas for nesting sites.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/conservation/>

Stormwater Management

- Where the site and soil conditions allow, integrate runoff reduction techniques including infiltration basins, bioretention (rain gardens), filter strips, and pavers to encourage on-site stormwater infiltration and reduce runoff.
- For improved stormwater management, preserve existing trees, wetlands, and passive open space.

Plan review agency contact: Sussex Conservation District at (302) 856-2105 or (302) 856-7219.

Website: <https://www.sussexconservation.org/>

General stormwater contact: DNREC Sediment and Stormwater Program at (302) 739-9921.

E-mail: DNREC.Stormwater@delaware.gov.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/sediment-stormwater/>

Drainage

- All existing ditches on the property should be evaluated for function and cleaned, if needed, prior to the construction of the project.
- Environmental permits or exemptions may be required by the County Conservation District (Standard Plan), the DNREC Sediment and Stormwater Program (eNOI/NOT), Army Corp of Engineers, and/or DNREC Wetlands and Subaqueous Lands Section prior to clearing and/or excavating ditch channels.

Contact: DNREC Drainage Program at (302) 855-1930.

Website: <https://dnrec.alpha.delaware.gov/drainage-stormwater/>

Tax Ditch Mapper: de.gov/taxditchmap

Tax Ditch guidelines: <https://documents.dnrec.delaware.gov/swc/Drainage/Documents/Tax-Ditch-Land-Development-Guidelines.pdf>

Water Quality (Pollution Control Strategies)

This site lies within the Indian River Bay Watershed. Surface water quality in this watershed does not meet Federal and/or State Water Quality Standards and a Pollution Control Strategy is in place for this watershed.

- Implement vegetated buffers with a width of at least 100 feet around all water features on or adjacent to the site.
- Reduce impervious surfaces on the project site by eliminating areas of impervious pavement and/or using pervious pavement where practicable.
- Reduce stormwater runoff by integrating infiltration basins, bioretention (rain gardens), filter strips, and by preserving existing trees, wetlands, and passive open space.
- Reduce the necessity for nutrient application by maintaining open space as meadow or forest planted exclusively with native plants. Native plants are well-suited to our climate and require limited maintenance.

Contact: DNREC Division of Watershed Stewardship's Watershed Assessment Section at (302) 739-9939.

Website: <https://dnrec.alpha.delaware.gov/watershed-stewardship/>

Wildlife Displacement

Development of this site is anticipated to displace local wildlife. Delaware is home to a rich array of wildlife species, which greatly depend on forests and other habitat types for food, water and cover.

- Removing forested areas for development, especially mature forests, should be avoided to the greatest extent possible. Forests are a key habitat type for wildlife in Delaware.
- Deer, groundhogs, and rabbits will browse on ornamental landscaping. Reduce the potential for future conflicts with wildlife by maintaining large blocks of forest, as opposed to small pockets of wooded areas.

Contact: DNREC Division of Fish and Wildlife, Species Conservation and Research Program at (302) 735-3600.

Website: <https://dnrec.alpha.delaware.gov/fish-wildlife/wildlife/>

Additional Sustainable Practices

- Consider using renewable energy infrastructure such as solar or geothermal to reduce energy costs and further reduce pollution created from offsite generation. Grant funds and incentives are available for Delmarva Power customers through the DNREC Green Energy Fund, which includes several funding types through the state's major electric utilities (<https://dnrec.alpha.delaware.gov/climate-coastal-energy/renewable/assistance/>).
- Include space for recycling dumpsters within the preliminary site design stage. These can be placed adjacent to trash dumpsters.
- Incorporate nonmotorized connectivity and install bicycle racks where feasible to help facilitate non-vehicular travel modes.
- Use efficient Energy Star rated products and materials in construction and redevelopment. Energy efficient appliances use less energy over time. This saves consumers and businesses money, while also helping to reduce pollution from power generation.
- Use structural paint coatings that are low in Volatile Organic Compounds to help protect air quality. Air pollution from new construction is generated through the use of maintenance equipment, paints, and consumer products like roof coatings and primers.
- Use recycled materials, such as reclaimed asphalt pavement, to reduce heat island effects on paved surfaces, prevent landfill waste, and lower material costs.

Contact: DNREC Division of Climate, Coastal & Energy at (302) 735-3480.

Website: <https://dnrec.alpha.delaware.gov/climate-coastal-energy/>

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

Population

- The county's population density of **265.60** per square mile is based on the US 2020 Census report, an increase from 2010 at **208.90** persons per square mile.
- The specific census block(s) the project is located on has a total population of **93** though, with development, this will undoubtedly change.
- The adjacent blocks aggregate, bringing the area to a total population of **567**.

FEMA National Risk Index

- The FEMA National Risk Index is an online mapping application that identifies communities most at risk of 18 natural hazards: Avalanche, Coastal Flooding, Cold Wave, Drought, Earthquake, Hail, Heat Wave, Hurricane, Ice Storm, Landslide, Lightning, Riverine Flooding, Strong Wind, Tornado, Tsunami, Volcanic Activity, Wildfire, and Winter Weather. The FEMA National Risk Index is calculated by multiplying the Expected Annual Loss times the Social Vulnerability and dividing that by the Community Resilience.

Expected Annual Loss

× Social Vulnerability

+ Community Resilience

= Risk Index

- According to FEMA's National Risk Index, the parcel(s) is considered **relatively moderate** for overall natural hazard risks.
- Community Resilience is a consequence reduction risk component and a community risk factor that represents the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions, and withstand/recover rapidly from disruptions. Social Vulnerability is a consequence-enhancing risk factor that represents the susceptibility of social groups to the adverse impacts of natural hazards.
- Its community resilience and social vulnerability are rated as **relatively moderate**.

Renewable Energy Commitment

- Regarding energy use and consumption, the parcel utilizes **electricity** as the predominant fuel for heating purposes.
- DEMA strongly encourages the use of renewable energies and high-efficiency appliances and utilities. Regarding utilities, DEMA suggests incorporating 90% series furnaces/HVAC systems; the closer to 99%, the better, as well as A/C units of 20 Seer or greater. DEMA recommends using tankless water heaters, and battery backup systems for sump pumps to reduce potential water damage from power failure. Lastly, DEMA encourages the integration of modern and emerging technologies, such as the potential for electric vehicles in garages/parking lots, green roofs where applicable and allowable, and the like.
- DEMA recommends and encourages the *County Evacuation Zone Location* to be made publicly available to businesses and patrons through signs, pamphlets, or other means.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason, therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP
Director, Office of State Planning Coordination

Attachments:

Sussex County Planning and Zoning Comments
Sussex County Engineering Comments



Visit de.gov/plus for updates

**Preliminary Land Use Service (PLUS) Meeting
Meeting will be conducted on-line and in person
Room 133, Haslet Armory**

122 Martin Luther King Jr. Blvd., South

Please see <https://publicmeetings.delaware.gov/> for link to on-line access

November 16, 2022

Applicants should arrive at least 15 minutes before their appointed time. Times are approximate and are subject to change.

Public comment will be heard at the end of each PLUS application after the State Agencies have shared their comments with the applicants. Each person wishing to comment on the application under review will have up to 3 minutes.

- I. 8:30 AM **Pre-Meeting Discussion – PLUS Reviewers**
- II. 9:00 AM **Review and Discussion: 755 Governor Lea Road (2022-11-01)**
County: New Castle **Municipality:** Unincorporated
Location: 755 Governor Lea Road, New Castle.
Project: Review of a site plan for the construction of seven warehouses totaling 84,840 sf on 15.6 acres zoned HI (Heavy Industrial).
- III. 9:30 AM **Review and Discussion: Jamison Corner Commerce Center (2022-11-03)**
County: New Castle **Municipality:** Unincorporated
Location: Jamison Corner Road & US Hwy. 301
Project: Review of a site plan for the construction of three warehouses and one self-storage facility on 25 acres zoned BP (Business Park).
- IV. 10:00 AM **Review and Discussion: Leander Lakes III (2022-11-06)**
County: Kent **Municipality:** Dover
Location: Part of 2285 Forest Avenue, Dover
Project: Review of a site plan for the construction of 200 dwelling units on 25 acres zoned RM-2 (Medium Density Residence Zone) & COZ-1 (Corridor Overlay Zone 1).
- V. 10:30 AM **Review and Discussion: 422 S. Erin Avenue (2022-11-07)**
County: Kent **Municipality:** Felton
Location: 422 S. Erin Avenue, Felton.
Project: Review of a Comprehensive Plan Amendment to revise the Future Land Use Map from the 2018 Comprehensive Plan for Parcel #8-0-129.17-01-3.00-0001 from Residential to Commercial.
- VI. 10:45 AM **Review and Discussion: Long Family of Sussex County (2022-11-04)**

County: Sussex **Municipality:** Selbyville
Location: West side of US Route 13 and east of Cypress Road.
Project: Review of a Comprehensive Plan Amendment to revise the Future Land Use Map for two parcels from Shopping Business or Trade to Residential.

The proposed project is located within the City/Town/Growth and Annexation Area of the Town of Selbyville. The Sussex County Engineering Department does not have comments for this project.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

Review and Discussion: Coy Investments, LLC – Sullivan’s Landscaping (2022-11-05)

County: Sussex **Municipality:** Selbyville
Location: South side of Cemetery Road and East of Cypress Road.
Project: Review of a Comprehensive Plan Amendment to revise the Future Land Use Map for two Parcels from Residential to Shopping, Business or Trade.

The proposed project is located within the City/Town/Growth and Annexation Area of the Town of Selbyville. The Sussex County Engineering Department does not have comments for this project.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

VII. 11:15 AM LUNCH

VIII. 12:15 PM **Review and Discussion: Dagsboro Thorogoods Solar 1 (2022-11-02)**

County: Sussex **Municipality:** Unincorporated
Location: Southeast side of Thorogoods Road, approximately 1800 feet east of US 113.
Project: Review of a site plan for a community solar project on 25 acres zoned AR-1.

The project is within a Tier 2 area for wastewater planning. Sussex County does not currently have a schedule to provide sanitary sewer to these parcels. The Sussex County Engineering Department recommends the project receive wastewater service from a public utility or municipality.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

IX. 12:45 PM **Review and Discussion: Ash Property (2022-11-08)**

County: Sussex County **Municipality:** Unincorporated
Location: 20565 & 20581 John J. Williams Highway.
Project: Review of a proposed rezoning to rezone two parcels from AR-1 to C-3 for mini-storage on 2.3 acres.

The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is

to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- X. 1:00 PM **Review and Discussion: White Mini-Storage Parcel 152 (2022-11-09)**
County: Sussex **Municipality:** Unincorporated
Location: Northeast side of Vines Creek Road, approximately 611 feet west of intersection with Omar Road.
Project: Review of a rezoning and site plan to change the zoning from AR-1 to C-3 for mini-storage on 2.3 acres.

The proposed project is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

- Review and Discussion: White Mini-Storage Parcels 107 & 108 (2022-11-10)**
County: Sussex **Municipality:** Unincorporated
Location: Southwest side of Vines Creek Road, approximately 611 feet west of intersection with Omar Road.

Project: Review of a rezoning and site plan to change the zoning from MR to AR-1 with a Conditional Use for mini-storage on 3.64 acres.

Parcel 107 is located within a Tier 1 area within the Sussex County Unified Sanitary Sewer District and connection to the sewer system is mandatory.

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

Parcel 108 is located within a Tier 2 area and is contiguous to the Sussex County Unified Sanitary Sewer District. Annexation and connection to the sewer system is required.

A “Use of Existing Infrastructure Agreement” is required for new projects. Sussex County Code, Chapter 110, requires that the Engineer and/or Developer request a Sewer System Concept Evaluation (SSCE) from the Utility Planning & Design Review Department for the project by providing the parcel(s) estimated equivalent dwelling units (EDU) for the project, along with payment of a \$1,000.00 fee for the evaluation and must be approved prior to approval of construction plans. The fee is to be payable to Sussex County Council. The Department will review the parcel(s) and EDU, confirm capacity, provide the connection point and define any additional parcels that must be served as part of the project. Should it be determined that a pump station is required for the project, additional information may be requested. This information will be conveyed to the engineer and/or developer. The Department will use this information when reviewing construction drawings to verify that the correct connection point is used, and all required parcels are served.

The proposed development will require a developer installed collection system in accordance with Sussex County standards and procedures.

One-time system connection charges will apply. Please contact the Utility Permits Division at 302 855-7719 for additional information on charges.

For questions regarding these comments, contact Chris Calio, Sussex County Engineering Department at (302) 854-5088

The agenda items times are approximate and subject to change. This agenda is subject to change to include additional items or the deletion of items, which arise at the time of the meeting.

IV. Review and Discussion: White Mini-Storage Parcels 107 & 108 (2022-11-10)

Location: West side of Vines Creek Road (Route 26) approximately 600 feet west of the intersection with Omar Road (S.C.R. 54).

Project: Review of a proposed rezoning of two parcels to accommodate a proposed commercial storage facility on two parcels totaling 3.27 acres +/-.

Sussex County Department of Planning & Zoning Comments

The applicant is required to participate in a pre-application meeting with the County. Please contact the Planning and Zoning Department to schedule a pre-application meeting with staff to discuss the proposed project by calling (302)855-7878 or you may reach out to Michael Lowrey at michael.lowrey@sussexcountyde.gov.

Following submission to the County, staff will review the Preliminary Site Plan, where more detailed comments will be provided to the Applicant. At the PLUS stage of review, staff wish to limit comments to high-level comments only.

Please note that the following are informal staff comments, and do not prejudice any decision that the Sussex County Planning & Zoning Commission may wish to make as part of any application submitted to the Department.

Tax Parcel ID(s): 134-11.00-107.00 & 134-11.00-108.00

Zoning: The parcels are currently zoned Medium-Density Residential (MR). The proposed Medium Commercial (C-2) permits the proposed commercial storage use by-right. Staff note that no office square footage is indicated and no parking is provided on the plan. If any office use is included at the site, the provision of parking would be required under (§115-162).

Proposed: The project proposes a change of zone from (MR) to (C-2) to accommodate improvements including (34,486) square feet of commercial storage, an access road, loading areas, and related improvements on (2) parcels comprised of (3.27) acres. The Applicant has submitted an accompanying application for a PLUS review of a separate site immediately adjacent across Vines Creek Road that proposes a zoning change from (AR-1) to (C-3) to allow for similar storage facility use. It is unclear why differing zoning proposals [(C-2) vs. (C-3)] have been submitted for the same storage use on opposite sides of Vines Creek Road. Staff note that although the proposed use is permitted by-right in Medium Commercial (C-2) Zoning District, this change would introduce a wide range of new uses on the parcel. Many of which, including the varied commercial and manufacturing uses permitted by-right in (C-2), are commonly of a greater scale and intensity than the proposed commercial storage.

Density: N/A

Applicability to Comprehensive Plan: The project lies within the Growth Area and is categorized as “Coastal Area” (per the 2018 Comprehensive Plan). Coastal Areas are growth areas that the County encourages only the appropriate forms of concentrated new development, especially when environmental features are in play (2018 Sussex County



Comprehensive Plan, 4-9). The Coastal Area designation is intended to recognize the characteristics of both anticipated growth and ecologically important and sensitive characteristics (2018 Sussex County Comprehensive Plan, 4-15). The Plan also notes that larger scale non-residential uses in Coastal Areas “should be confined to selected locations with access along arterial roads” and noting that more intense uses should be “near major intersections” (2018 Sussex County Comprehensive Plan, 4-15). The Medium Commercial (C-2) Zoning District is listed as an Applicable Zoning District within the Coastal Area according to Table 4.5-2 “Zoning Districts Applicable to Future Land Use Categories” as listed within Sussex County’s 2018 Comprehensive Plan Update (2018 Sussex County Comprehensive Plan, 4-25).

Open Space Provisions: N/A

Interconnectivity: The Commission desire to see interconnectivity between proposed developments in order to prevent only one-way-in, one-way-out access in the event that an emergency should occur on the property in the future. The site is situated on a corridor with commercial development to the north. Although the site borders an inaccessible institutional use to south, staff encourage the Applicant to include design options that include connection to current or future uses adjacent to the north.

Transportation Improvement District (TID): The proposed project is not located within the Henlopen TID.

Agricultural Areas: The site is located within the vicinity of parcels which appear to be actively farmed. Please include on any plans submitted the Agricultural Use Protection notice located in (§99-6(G)(1)) of the County Code. This language shall also be included within any subsequent deed restrictions, leases, or agreements of sale for the property.

Forested Areas: The Applicant notes that there are presently (1.0) acres of existing forest on the site and that (0.9) acres will be removed. Therefore, the site is retaining (0.1) acres of forested area. Staff appreciate efforts to conserve as many mature trees as possible on the project site.

Wetlands/Waterways: The Application notes that no wetlands or Tax Ditch ROWs present on the site. This is accurate according to current data available to Sussex County Planning & Zoning.

Site Considerations (Flood Zones, Tax Ditches, Groundwater Recharge Potential etc.): The property is located within Flood Zone “X” as indicated in the Applicant’s Conceptual Land Use Plan. This is accurate according to current data available to Sussex County Planning & Zoning. The site is located within areas of “fair” and “good” Groundwater Recharge according to Sussex County GIS data. Please note this on any plans in order to comply with the provisions of Chapter 89 “Source Water Protection” of the Sussex County Code (§89-7). Staff note that the site is not within a wellhead protection area.

