

PLANNING & ZONING MEETING

FEBRUARY 16, 2023

ATTENDEES: David Chillas, Chair
Morris Deputy, Town Manager
Frank Bailey, Fire Chief
Donald Dibert
Jenn Parrish
Joe Pontak
Gretchen Rachko
Charles Roberts
Keith Thompson

AGENDA:

1. 128 Patriot Drive, Unit 4 – Conditional Use Permit request for a kitchen appliance wholesale company (Alpha 6 Trading, Inc.) in an M-I zoned area. The company will import kitchen appliances from China and ship to retail stores in the eastern United States. CU-02-23. Tax Parcel No. 23-041.00-015.

Zeyao Liu, representing Alpha 6 Trading LLC, requested approval for the Conditional Use Permit to allow a kitchen appliance wholesale business at 128 Patriot Drive. Appliances will be purchased from China, only inventory will be stored at the warehouse. Appliances will be wholesaled to retailers in the eastern United States.

Moved by Keith Thompson and seconded by Joe Pontak to recommend Mayor and Council approve 128 Patriot Drive, Unit 4 – Conditional Use Permit request for a kitchen appliance wholesale company (Alpha 6 Trading, Inc.) in an M-I zoned area. The company will import kitchen appliances from China and ship to retail stores in the eastern United States. CU-02-23. Tax Parcel No. 23-041.00-015. Motion Carried Unanimously.

2. 100 Sandhill Drive – Conditional Use Permit request for a restaurant with a drive-thru (Taco Reho) in an M-I zoned area. CU-03-23. Tax Parcel No. 23-005.00-301.

Mitch Rosenfeld, representing the LaVida Group, requested approval to open a Taco Reho restaurant in the building previously occupied by the Steak 'n Shake restaurant at 100 Sandhill Drive. Minor cosmetic changes will be made to the exterior; the interior will be changed to reflect their restaurant.

Bob McLeish, Light House Construction Manager for the LaVida Group, said the restaurant will be a duplicate of their restaurant in Rehoboth – eat-in, as well as a drive-thru for take-out.

Jenn Parrish asked if parking is sufficient.

Mr. Rosenfeld said there are more than 40 spaces at the site. Seating is limited inside; roughly 50% of their business is drive-thru or carry out. Parking should be more than adequate.

Moved by Gretchen Rachko and seconded by Jenn Parrish to recommend Mayor and Council approve 100 Sandhill Drive – Conditional Use Permit request for a restaurant with a drive-thru (Taco Reho) in an M-I zoned area. CU-03-23. Tax Parcel No. 23-005.00-301. Motion Carried Unanimously.

3. Ordinance 22-11-02 to amend the Growth and Annexation Areas Map of the Town of Middletown Comprehensive Plan.

Morris Deputy: Tax Parcels 13-017.00-026, 027 and 028, total approximately 3.97 acres. The three properties are located on the easterly side of Summit Bridge Road, just south of Windmill Lane, and are shown incorrectly in the Comp Plan as a future M-I zoning; annexation should be a Commercial zoning classification. The previous Comp Plan showed the parcels with the future land use of commercial. The new Comp Plan mistakenly listed them with a future land use of manufacturing. The annexation process for these parcels started in November while the Comprehensive Plan Update was being reviewed by State Planning for approval.

Tax Parcel 23-010.00-049, approximately 3.97 acres, is located on Tower Lane in the MOT Park and is requesting to be rezoned from Commercial to M-I.

State Planning suggested the amendment to the Growth and Annexation Area Map and the rezoning be continued after the Comprehensive Plan approval was completed.

Moved by Joe Pontak and seconded by Don Dibert to recommend Mayor and Council adopt Ordinance 22-11-02 to amend the Growth and Annexation Areas Map of the Town of Middletown Comprehensive Plan. Motion Carried Unanimously.

4. DelDOT presentation regarding an update to the Middletown TID study.

Sireen Muhtaseb, TIS Group Manager from DelDOT’s Division of Planning, presented an informational overview of Traffic Impact Studies (TIS).

- Explained the process to obtain a TIS and scope of analysis.
- Explained the difference between a Traffic Operational Analysis (TOA) and Area Wide Study (AWS)

Morris Deputy informed the P & Z Members the annexations coming in on the south end of Town will likely fall under the TIS category for improvements, based on the information provided.

Sarah Coakley, Principal Planner and TID Manager with DelDOT, commented the process explained by Sireen for the TIS, is the most regular way to basically ensure developments are contributing to the cost of transportation improvements needed as a result of those

developments. The Transportation Improvement Districts are an alternative to the Traffic Impact Studies.

Ms. Coakley presented the history and update to the Westtown TID.

The following topics were also covered:

- What is a Transportation Improvement District and why create a TID
- The process of developing a Transportation Improvement District and how it works
- Westtown TID Cost Summary – Level of Service LOS D vs. LOS E

- Proposed projects for this year:
 - Levels Road and Patriot Drive intersection signalization
 - Intersection improvements at St. Anne’s Church Road and SR71/S. Broad St.
 - Single-lane Roundabouts at Bunker Hill intersections with Merrimac Avenue and Sandhill Drive
 - East Green St. Extension from Catherine Street to Dickenson Boulevard

- Transportation Improvements in the Easttown TID:
 - Extending Lake Street through The Highlands development
 - Extending Silver Lake Road north to connect to Lake Street Extended
 - Installed Roundabouts at Brick Mill Road and Hospital entrance; Brick Mill Road and Shallcross Lake Road (partially completed)
 - East Green Street Extension, Library Avenue
 - Connection over the railroad tracks
 - A signal and turn lane at Cedar Lane Road and Rt. 71 (N. Broad St.)
 - Additional thru lanes along the hospital frontage (only if hospital comes in)
 - Identified two potential connections from N. Broad Street to Middletown-Warwick Road:
 - (1) Middletown Square Shopping Center entrance to Ash Blvd. (Preferred)
 - (2) Greenlawn Blvd. to Popeye’s driveway if the Johnson Controls site is redeveloped

The northbound right turn at Frogtown Crossing will be eliminated if either one of the proposed connections is constructed.

Frank Bailey asked if the roundabouts were full size.

Ms. Coakley said they are.

Frank Bailey expressed his concern that a new connection from N. Broad to Middletown-Warwick Road will help the northbound traffic, but will not help alleviate the southbound traffic that backups at peak times (5pm +). He said traffic backs up to Armstrong Corner. He said he feels the only solution is to dualize the road.

Ms. Coakley said DelDOT expected traffic to be less on Middletown-Warrick Road with the opening of the US 301 bypass, compared to what it is.

Jenn Parrish asked if the Ash Blvd. connection would cause problems for Middletown Village residents.

It was indicated it would make it easier for the residents to go to the shopping center but didn’t see any reason to cause additional traffic for Middletown Village.

Jenn Parrish asked if anything is being done to help the Cedar Lane Road backup issue.

Ms. Coakley said Cedar Lane will be signalized and have turn lanes very soon, regardless of what else is done in this area.

Joe Pontak asked how the Town can add their input.

Ms. Coakley said she will take comments now or comments may be emailed (contact information was provided).

It was noted both reports will be on the Town's website and DeIDOT's website for review and comment.

Moved by Joe Pontak and seconded by Don Dibert to adjourn. Motion Carried Unanimously.

We believe these minutes accurately reflect what transpired; however, we will appreciate comments involving a different understanding of what occurred. Unless we are notified in writing to the contrary within 10 days after receipt, we will assume all in attendance concur with the accuracy of this transcription.

Respectfully Submitted,

Morris Deputy, Town Manager

Ry 2/21/23

Cc: Mayor and Council
P & Z members
All Attendees
Verdantas