

The Mayor and Council of Middletown

General Administration

19 W. Green Street
Middletown, DE 19709



PLANNING & ZONING MEETING

January 28, 2021

ATTENDEES: David Chillas, Chair
Morris Deputy, Town Manager
Frank Bailey, Fire Chief
Gene Bloemker
Donald Dibert
Bruce Orr
Joe Pontak
Gretchen Rachko
Charles Roberts
Craig Sherman
Scott Unruh

AGENDA:

1. 500 N. Cass Street – Minor Land Development Plan for the Middletown Training Center Expansion for Delaware Technical & Community College. The plan calls for a proposed expansion of a 490-square-foot, two-story elevator/stair addition to the existing building, as well as sidewalk connection and conversion of about 2,250 square-feet of existing gravel to asphalt paving in the rear parking lot. Tax Parcel No. 23-005.00-006.

Scott Parker with Duffield Associates presented the plan. The property is the old armory building, owned by the Town and leased to DelTech for offices and training space.

- The lot is approximately 4 acres, zoned C-2.
- The existing building is approximately 13,000 square feet; 1 story in the rear and 2 stories in the front.
- The purpose of the plan is to add an elevator and stairs for better access to the second level, approximately 490 GSF. The stair addition is centrally located on the south side of the building.
- Approximately 2,250 square-feet of the gravel parking lot will be paved; sidewalk connection will be constructed.

Moved by Joe Pontak and seconded by Gene Bloemker to recommend Mayor and Council approve 500 N. Cass Street, Minor Land Development for the Middletown Training Center Expansion for Delaware Technical & Community College. The plan calls for a proposed expansion of a 490 square-foot, two-story elevator/stair addition to the existing building, as well as sidewalk connection and conversion of about 2,250 square-feet of existing gravel to asphalt paving in the rear parking lot. Tax Parcel 23-005.00-006. Motion Carried Unanimously.

2. The Crossings at Silver Lake – Preliminary Major Subdivision Plan (revised) and Conditional Use for a 119-lot townhome subdivision with associated site improvements to be constructed on a 10.01 +/- acre parcel located in the southeast corner of the intersection of Main Street and Library

Drive. Additionally, the plan proposes lands to be dedicated to the Town of Middletown for the expansion of E. Green Street and E. Cochran Street. Tax Parcel No. 23-009.00-157.

Carl Chetty and Lou Voight from Chetty Builders presented the plan.

DelDOT representatives Bill Brockenbrough and Sarah Coakley attended to answer questions concerning traffic.

The following describes the project and provides changes and responses to comments received at the last meeting.

- The plan proposes 119 townhomes on 10 acres zoned C-2.
- All the roads and open space will be dedicated to the Town.
- The project was a collaboration between the County, the Town and DelDOT, about two years ago, and developed as a master plan for the placement of the library, YMCA, this plan, and the right-of-way for Green Street Extension and Cochran Street Extension. A portion of land to the east in Middletown Crossing will be used for open space.
- The parcel is part of the East Transportation District and included in DelDOT's studies to extend the downtown area.
- The right-of-way for Green and Cochran Street totals about 1.7 acres which could have been used for open space but instead was provided for the right-of-way of Cochran Street.
- The use of the parcel to the east was in consideration for the 1.7 acres of right-of-way which was additional open space from Middletown Crossing will provide an additional 1.5 acres of open space. The walking paths will stay the same and will be connected to the townhome project. A small tot-lot will also be installed for everyone to use.
- Some of the homes on Green Street have been pushed back to provide additional open space.
- The townhomes will feature superior design with 22-foot wide interior units, 24-foot wide end units, all brick facade to extend the downtown feel, alley loaded, two-car garages, two-car width driveways and alleys are 16-foot wide.
- Parking has been increased by adding parking on the south side of Hutchison Street and an overflow parking lot to the east. Parking now represents 2.7 spaces per unit; code require only 2 per unit. In addition, two parking spaces are in the garage. The streets are a minimum of 32-foot wide with parking on one side.
- A national builder will build the units.
- To answer the concern over the number of units, the plan meets the zoning code and the open space is addressed with the lot to the east.
- A traffic study was previously performed by DelDOT.
- Cluster mailboxes will be used and approved by the Post Master General. Multiple locations will be provided in areas where residents can pick up mail and not block traffic.
- The Fire Chief expressed concern with the distance between the driveways and the end units at the radius of the closest corner. The engineer said the comment pertains to the alleys not the main boulevard so it meets zoning.
- Chief Bailey asked that the roads be reviewed for ladder truck movement. The engineer has made adjustments to satisfy that concern.

DELDOT COMMENTS

DelDOT representatives Sarah Coakley and Bill Brockenbrough:

The plan being presented was included in the East Rt. 299 Traffic Improvement District. The traffic study included 119 townhouses. The exact design of the neighborhood was not known, just the number of units. The developer will be required to pay a fee per unit to fund traffic improvements in the Town.

Members of the Planning and Zoning Commission asked DelDOT general questions about the traffic impact study and how traffic is analyzed in a study.

If the plan is approved, the developer will be responsible to build Green east of the traffic circle and Library Avenue south of the traffic circle. The extension of Green Street to Dickenson Blvd. will be built at a future date. It is not part of this plan.

The intersection of Library Ave. and Rt. 299 is a right-in, right-out.

The level of service at intersections along Rt. 299 was analyzed in accordance with the guidelines of the East Rt. 299 traffic study.

Bill Brockenbrough made a comment that DelDOT discussed the need to consider how children will safely move through the development to the school and park. Mr. Chetty agreed to add additional walkways to help pedestrian movements.

P & Z Questions/Concerns and Chetty's Response

Gretchen Rachko: What's the price of the townhomes; how many bedrooms are in the units; was the plan reviewed by PLUS?

Chetty: Upper \$300's; 3 & 4 bedrooms. The plan was reviewed by PLUS about a week ago.

Rachko: Three or four bedrooms could mean 4 drivers; 2.7 parking spaces are not enough. She would like a copy of PLUS comments. She feels the project is too close to the elementary school and too much added responsibility on the crossing guard. Questioned the Conditional Use.

Chetty: The C-2 allows R-3 zoning with conditional use by Mayor and Council.

Joe Pontak: At the last meeting P&Z requested a lower number of homes. That number has not changed and a conditional use is being requested.

Chetty: The density is less than what was originally proposed. The current zoning would allow a big box or Wawa to be built on the lot and create more traffic.

Discussion continued on amount of traffic between C-2 and R-3 zoning, access and response time for emergency vehicles. The feeling is a lower number would help alleviate the emergency responders response time.

Bruce Orr asked for clarification on the number of parking spaces. The plan notes 238 and excludes garages. If garages are added into that calculation, that number almost doubles.

Mr. Chetty said the code does not indicate the inclusion of garage parking. Most other communities have one-car garages and one-car driveways – this plan doubles that and has wider streets and street parking. The travel width is wide enough for emergency responders and trash trucks.

Craig Sherman requested that the overflow parking in Middletown Crossing be removed – the developer said he has more parking than the code requires.

Discussion on fire truck moving analysis plan: Frank Bailey pointed out the overhang on the truck overhangs the side of the road on a couple of the turns and it is not satisfactory as shown. The radius of the streets need to be revised to allow fire truck movements. He questioned why Cochran Street doesn't connect on the east side of the plan.

Mr. Chetty said they didn't want the YMCA traffic to cut through the neighborhood. The sidewalk will be extended from north to south.

Discussion on the size of the garage door. 16' garage doors typically don't allow two cars to park in the garage.

Cluster Mail Receptacles: Basically up to Post Master but will suggest they be placed by parking/pull-off areas for safety.

Craig Sherman initiated discussion on connecting the paths between the overflow parking area to the east when the road is installed. He questioned the placement of the playground equipment.

Chetty responded the parking area layout will be adjusted; a new path will be installed and connected to the sidewalks. The path would extend to Rt. 299 and it could be connected across Cochran.

Discussion on receiving a more detailed plan showing turning radius changes, tot lot detail, etc.

Question on round-about. Morris Deputy responded the northern part of Library Avenue to Rt. 299 and the western part to Green Street to Catherine will be done when the library opens.

Chetty said they will make the connection on Library Drive between the southern part of the circle and the section on Cochran Street.

General questions/comments from the public (via Zoon) included concern with the number of units, safety concerns for school children, additional traffic, not enough open space, not enough parking, size of home and why is space in Middletown Crossing being used.

Moved by Joe Pontak and seconded by Gretchen Ratchko to table the project until a revised plan is presented with conditions as discussed. Motion Denied to Table 5 to 3.

Joe Pontak – Yea

Craig Sherman – Yea

Gretchen Ratchko – Yea

Don Dibert – Nay

Chip Roberts – Nay

Bruce Orr – Nay

Gene Bloemker – Nay

Scott Unruh - Nay

Moved by Bruce Orr and seconded by Scott Unruh to recommend Mayor and Council approve The Crossings at Silver Lake – Preliminary Major Subdivision Plan (revised) and Conditional Use for a 119-lot townhome subdivision with associated site improvements to be constructed on a 10.01+/-acre parcel located in the southeast corner of the intersection of Main Street and Library Drive. Additionally, the plan proposes lands to be dedicated to the Town of Middletown for the expansion of E. Green Street and E. Cochran Street.

Conditions of approval: (1) remove the over-flow parking lot shown on the Middletown Crossing land, and (2) design the turning radius off the alleys onto the streets running north and south to accommodate the tower ladder truck. Motion Carried 5 to 3.

Don Dibert – Yea

Chip Roberts – Yea

Bruce Orr – Yea

Gene Bloemker – Yea

Scott Unruh – Yea

Joe Pontak – Nay

Craig Sherman – Nay

Gretchen Ratchko - Nay

**3. 701 Industrial Drive – Conditional Use Permit request for a private school (The Genius School) in an M-I-zoned area. The Genius School is planned as a secular private learning establishment for children ages 6-17, operating Monday through Friday, from 7 a.m. to 4 p.m.
CU-01-21. Tax Parcel No. 23-010.00-041.**

TABLED – No representation

**4. 116 Sleepy Hollow Drive, Unit A – Conditional Use Permit request for a shipping/distribution center (Redirecionamiento Delaware LLC) in an M-I Zoned area. The location would receive products from Internet sources, repackaged and shipped by mail again.
CU-02-21. Tax Parcel No. 23-021.00-127.**

Denis Oliveira stated customers order products from the website (Amazon, Macy's, Ebay); his company receives the products, consolidate, package and re-ships by UPS, FEDX, etc.

- He has three employees with plans for a fourth in the future.
- No flammable products are handled.

Moved by Gene Bloemker and seconded by Charles Roberts to recommend Mayor and Council approve 116 Sleepy Hollow Drive, Unit A – Conditional Use Permit request for a shipping/ Distribution center (Redirecionamiento Delaware LLC) in an M-I zoned area. The location receives products from internet sources, repackaged and shipped by mail again. CU-02-21. Tax Parcel No. 23-021.00-127. Motion Carried Unanimously.

Moved by Don Dibert and seconded by Joe Pontak 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
Cc: Mayor and Council
Planning and Zoning Members
All Attendees
Duffield Associates