PLANNING & ZONING MEETING

MAY 16, 2024

ATTENDEES: **David Chillas, Chairman**
Morris Deputy, Town Manager
Frank Bailey, Fire Chief
Donald Dibert
Billy Duck
Chuck McCausland
Jenn Parrish
Joe Pontak
Gretchen Rachko
Charles Roberts
Keith Thompson

AGENDA:

1. <u>120 Silver Lake Road – Preliminary Minor Land Development Plan for 63 additional parking spaces as part of a parking lot expansion project at Middletown High School, along with the required stormwater management and associated signage and striping</u>.
Tax Parcel No. 23-007.00-193.

Dakota Laidman-Murray with Landmark Science and Engineering, presented the Minor Land Development Plan.

- The parking lot at Middletown High School is being expanded for teacher parking to allow more students to park in the front of the school.
- 63 additional spaces are proposed.

Moved by Joe Pontak and seconded by Chip Roberts to recommend Mayor and Council approve 120 Silver Lake Road – Preliminary Minor Land Development Plan for 63 additional parking spaces as part of a parking lot expansion project at Middletown High School, along with the required stormwater management and associated signage and striping. Motion Carried Unanimously.

2. <u>235 Academy Lane – Conditional Use Permit request for a home-based handmade craft business (2 Sisters Little Shop, LLC) in an R-2 zoning area. CU-15-24</u>.
Tax Parcel No. 23-001.00-083.

Wanda Meadows requested approval to operate a home-based, handmade craft business (elastic hair ties) in the basement of her home. She has a full-time job; this is a part-time supplemental job.

Joe Pontak asked if the hair ties are just shipped from her home.
Ms. Meadows said, yes just small packages are shipped.

Gretchen Rachko asked if any customers would come to the home.
Ms. Meadows replied no.

Moved by Gretchen Rachko and seconded by Keith Thompson to recommend Mayor and Council approve 235 Academy Lane, Conditional Use Permit request for a home-based, handmade craft business (2 Sisters Little Shop, LLC) in an R-2 zoning district. CU-15-24. Motion Carried Unanimously.

3. <u>128 Patriot Drive, Unit 4 – Conditional Use Permit request for an office, materials storage and floor covering service (Floor Coverings International of Middletown) in an M-I zoned area. CU-16-24</u>. Tax Parcel No. 23-041.00-015.

Dave Sisson requested Conditional Use Permit approval to open a Floor Coverings International franchise business. The space will be used for office and floor material storage. No hazardous material will be stored on site.

Moved by Chuck McCausland to recommend Mayor and Council approve 128 Patriot Drive, Unit 4 – Conditional Use Permit request for an office, materials storage and floor covering service, Floor Coverings International of Middletown, in an M-I zoned area. CU-16-24. Motion Carried Unanimously.

4. <u>128 Patriot Drive, Unit 8 – Conditional Use Permit request for a cheerleading, tumbling and dance facility (M.O.T. All-Stars) to expand into Unit 8 (already occupies Unit 7). Current business teaches children ages 3-18 cheer, tumbling and dance classes. CU-17-24</u>. Tax Parcel No. 23-041.00-015.

Tabby Wollaston explained her business is growing and more space is required for the kids. Suite 8 has become available and she would like to lease it as it is next to Units 6 and 7, which she currently occupies.

Joe Pontak questioned the amount of occupancy and parking required.
Ms. Wollaston said her space is fine for the current enrollment. She said she hasn't outgrown her space, but because Unit 8 joins her current space, she wants to take the opportunity to lease it while it's available. She pointed out that most of the businesses in the building are all day time businesses. Her classes are held in the evening and holds only one or two day time classes. Usually the parents drop off their kids and come back to pick them up.

Moved by Keith Thompson and seconded by Chip Roberts to recommend Mayor and Council approve 128 Patriot Drive, Unit 8, Conditional Use Permit request for a cheerleading, tumbling and dance facility (M.O.T. All-Stars) to expand into Unit 8 (already occupies Unit 7). Current business teaches children ages 3-18 cheer, tumbling and dance classes. CU-17-24. Motion Carried Unanimously.

5. <u>110 Patriot Drive, Suites G & H – Conditional Use Permit request for a baseball training academy (Delmarva Aces Baseball & Softball, Inc.) in an M-I zoned area. These units will expand the academy into Suites G & H, as well as their currently-occupied Suite F in the building. CU-18-24</u>. Tax Parcel No. 23-041.00-006.

Chase Rosenquist, Director of Delmarva Aces North, requested approval to expand into the adjoining Suite H, to provide more training space for the kids. The business currently occupies

Suites F and G. No more than 30 people occupy the building at one time; no additional people will be using the facility.

Moved by Chuck McCausland and seconded by Chip Roberts to recommend Mayor and Council approve 110 Patriot Drive, Suites G and H, Conditional Use Permit request for a baseball training academy (Delmarva Aces Baseball & Softball, Inc.) in an M-I zoned area. These units will expand the academy into Suites G and H, as well as their currently-occupied Suite F in the building. CU-18-24. Motion Carried Unanimously.

6. <u>1050 Industrial Drive – Conditional Use Permit request for a cardiology practice (Cardiology Physicians, LLC) in an M-I zoned area. CU-19-24</u>. Tax Parcel No. 23-012.00-016.

Debbie Falkenstein, Practice Administrator for Cardiology Physicians, requested approval to open their business at 1050 Industrial Drive, to better serve their patients in the area. Over 5,000 patients from this area travel to their location in Christiana (Abby Medical Center), and Wilmington (Folkstone Plaza). It will be a full service, full time cardiology practice in Middletown.

Chip Roberts asked how many doctors will be at the location.
Ms. Falkenstein said they currently have 11 physicians; one or two will be here during the week, as well as a full time nurse practitioner. A vascular physician will be on rotation through the area. All types of diagnostic testing will be done on-site; patients will not have to travel to Christiana.

Frank Bailey questioned access to the building for emergency personnel, stretchers, etc.
Chris Burn, representing the owner of the building, said Cardiology Physicians will be located on the first floor and have double-door access for emergency personnel, stretchers, etc.

Joe Pontak asked about parking.
Mr. Burn said they have a full service parking lot. The other spaces in the building are used for offices; it's not a high-traffic area.

Moved by Gretchen Rachko and seconded by Joe Pontak to recommend Mayor and Council approve 1050 Industrial Drive, Conditional Use Permit request for a cardiology practice (Cardiology Physicians, LLC) in an M-I zoned area. CU-19-24. Motion Carried Unanimously.

7. <u>201 Oakwood Place – Conditional Use Permit request for a home-based life-coaching business in an R-1B zoned area. The purpose of life coaching is to assist individuals in pursuit of dealing with real life problems and overcoming obstacles while making decisions, adjustments, or changes to their lives. CU-20-24</u>. Tax Parcel No. 23-025.00-022.

Lisa Rhodan requested approval to operate a life-coaching business from her home at 201 Oakwood Place.

Gretchen Rachko expressed concern with parking because the address is in a neighborhood; she asked how many clients are expected.
Ms. Rhodan said most of the business will be conducted online; only family and friends will come to her home. For any face-to-face meeting, she would meet clients in a coffee shop, library or restaurant.

Joe Pontak suggested putting a condition on the number of clients permitted at the house at one time in the motion.

Chuck McCausland asked Ms. Rhodan what she thought the number of clients would be at her house.
Ms. Rhodan said she doesn't have strangers in her home. People coming to her home would only be family and friends, just as everyone has.

Gretchen Rachko commented the reason for the questions regarding the number of clients coming to the home is because the application states "coaching can be conducted online, by telephone and face-to-face".

Moved by Joe Pontak and seconded by Keith Thompson to recommend Mayor and Council approve 201 Oakwood Place, Conditional Use Permit request for a home-based, life-coaching business in an R-1B zoned area, with the condition there are no more than five (5) patients at one time at the residence. The purpose of life coaching is to assist individuals in pursuit of dealing with real life problems and overcoming obstacles while making decisions, adjustments or changes to their lives. CU-20-24. Motion Carried Unanimously.

Moved by Joe Pontak and seconded by Gretchen Rachko 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 – 5/21/24
Cc: Mayor & Council
P & Z Members
All Attendees
Verdantas