

# The Mayor and Council of Middletown

General Administration

19 W. Green Street  
Middletown, DE 19709



## PLANNING & ZONING MEETING

NOVEMBER 21, 2019

**ATTENDEES:** David Chillas, Chairman  
James Taylor, Duffield Associates  
Frank Bailey, Fire Chief  
Gene Bloemker  
Robert Hutchison  
Joe Pontak  
Gretchen Rachko  
Charles Roberts  
Craig Sherman  
Scott Unruh

- AGENDA:**
1. Review Ordinance 19-11-02 for the annexation of lands (10+/- acres) owned by Richard Money on Middle Neck Road.
  2. 705 Middletown-Warwick Road - Conditional Use Permit request for a dry cleaning establishment, including equipment, within the existing Walmart building. Tax Parcel No. 23-022.00-186. CU-13-19.
  3. 5018 Summit Bridge Road - Amended Record Land Development Plan for Wawa Gas Station and convenience Store. The amendment calls for moving the electric car charging stations to the area of the parking lot that will front Summit Bridge Road from their previous location in the rear parking lot. Tax Parcel 23-075.00-001.
  4. 605 N. Broad Street - Minor Land Development Plan for a 3,090 square-foot apparatus building for New Castle County's EMS services. The proposed building will have three (3) bays with additional rooms for storage and support of the emergency vehicles and equipment. The plan will also reconfigure the parking area at the site. Tax Parcel No. 23-005.00137.
  5. 200 S. Ridge Avenue - Minor Land Development Plan for Tommy's Express Car Wash, a 4,504 square-foot automated car wash business with 16 parking spaces. The project is located at the southeast corner of the intersection of South Ridge Avenue and Lake Seymour Drive. Tax Parcel No. 23-021.00-578.
  6. 700 and 710 Hedgelawn Way - Preliminary Major Land Development Plan for a 9,950 square-foot restaurant and associated parking and access ways in a C-3 zoned area. Tax Parcel Nos. 23-065.00-007 and 23-065.00-008.

*Tabled*

**1. Review Ordinance 19-11-02 for the annexation of lands (10+/- acres) owned by Richard Money on Middle Neck Road.**

James Taylor, on behalf of Morris Deputy, added that this parcel was approved by Mayor and Council and the Planning Commission for future annexation. The parcel is within the growth area and the request is consistent with the Comprehensive Plan. This 10-acre parcel will be added to the previously annexed adjoining parcel.

***Moved by Charles Roberts and seconded by Joe Pontak to recommend Mayor and Council adopt Ordinance 19-11-02 as read by Chairman Chillas for the annexation of lands (10+/- acres) owned by Richard Money on Middle neck Road. Motion Carried Unanimously.***

**2. 705 Middletown-Warwick Road – Conditional Use Permit request for a dry cleaning establishment, including equipment, within the existing Walmart building. Tax Parcel No. 23-022.00-186. CU-13-19.**

Sander Williams with One Architecture, represented the applicant. Conditional Use approval is requested to permit a dry cleaning/laundry service business to be located within the existing Walmart at 705 Middletown-Warwick Road.

- Approximately 2100 square-feet located adjacent to the main entrance will be used for the dry cleaning/laundry operation (the previous McDonald's location in Walmart).
- The area will be fully sprinklered.
- No exterior improvements are anticipated for the project.
- The dry cleaning equipment will be a modern, state-of-the-art fully enclosed system, using environmentally friendly solvents.
- No solvents will be introduced into the atmosphere or the wastewater system in any significant amounts.
- Additional equipment for spot treatment, pressing and steaming of garments will be installed. Minor amounts of solvents will be used for of these processes, which will be captured in self-containing reservoirs.
- The steam machines will be powered by a stand alone boiler using treated water.
- The laundry service will use non-phosphate detergent. Effluent produced is well within allowable limits set by the Town's Ordinance for wastewater treatment.
- No large quantities of solvents will be stored on the premises and all fluids will be disposed of thoroughly in a responsible waste management process.

Craig Sherman questioned the amount of water to be used versus what was used by McDonald's. Sander Williams: Two washers and dryers will be available. They anticipate 7 to 9 loads of laundry per day and project about 550 to 850 GPD. The dry cleaning operation does not produce any significant wastewater. The system contains both the solvent and detergent inside the machine and does not have a separate compartment for solvent – it's a misting system.

Frank Bailey asked if there is room for expansion.  
Mr. Williams said they do not anticipate any expansion.

Frank Bailey asked if there was one egress door.  
Mr. Williams said no additional entry is proposed for the business; tenants will enter through the Walmart entrance, drop off their cleaning as they enter the store and pick it up when they finish shopping.

***Moved by Robert Hutchison and seconded by Scott Unruh to recommend Mayor and Council approve the Conditional Use Permit request for a dry cleaning establishment, including equipment, within the existing Walmart building. Tax Parcel No. 23-022.00-186. CU-13-19. Motion Carried Unanimously.***

**3. 5018 Summit Bridge Road – Amended Record Land Development Plan for Wawa Gas Station and convenience Store. The amendment calls for moving the electric car charging stations to the area of the parking lot that will front Summit Bridge Road from their previous location in the rear parking lot. Tax Parcel 23-075.00-001.**

Tabled by applicant.

**4. 605 N. Broad Street – Minor Land Development Plan for a 3,090 square-foot apparatus building for New Castle County’s EMS services. The proposed building will have three (3) bays with additional rooms for storage and support of the emergency vehicles and equipment. The plan will also reconfigure the parking area at the site. Tax Parcel No. 23-005.00137.**

Ted Williams and Mike Briscoe, Landmark Engineers presented the plan proposing a 3,090 square-foot addition to the existing paramedic station located at 605 N. Broad Street.

- Three parking bays will be constructed. The paramedic vehicles will enter from the back and pull through to the front exit.
- The addition will have an area for medical waste as well as a shower for the paramedics.
- The number of parking spaces will be reduced slightly, but more than required are available.
- Stormwater runoff will not be increased.
- They are working with DelDOT to allow the paramedic vehicles to make a left turn onto Broad Street to go south. The entrance will be changed to accommodate only emergency vehicles. Signage will be installed indicating the exit south is for emergency vehicles only.

Robert Hutchison asked if more response vehicles will be provided with the additional space. Mr. Williams said it’s built for 3 vehicles. It will allow the paramedics to have better response time within town limits and the development outside of town.

Frank Bailey asked if the perimeter of the building is still accessible. Mike Briscoe said nothing has changed the accessibility of the perimeter.

Craig Sherman: Will the right-in/right-out change after adjusting the entrance for the emergency vehicles?  
Mr. Briscoe: The right-in/right-out will remain; the center entrance is only for emergency vehicles. DelDOT has approved the entrance.

Dave Chillas asked if the addition had an entrance door as well as the garage doors. Mr. Williams said there is a door in the existing building and the addition will have a door.

***Moved by Robert Hutchison and seconded by Gene Bloemker to recommend Mayor and Council approve the Minor Land Development Plan for a 3,090 square-foot apparatus building for New Castle County’s EMS services. The proposed building will have three (3) bays with additional rooms for storage and support of emergency vehicles and equipment. The plan will also***

***reconfigure the parking area at the site. Tax Parcel No. 23-005.00-137. Motion Carried Unanimously.***

**5. 200 S. Ridge Avenue – Minor Land Development Plan for Tommy’s Express Car Wash, a 4,504 square-foot automated car wash business with 16 parking spaces. The project is located at the southeast corner of the intersection of South Ridge Avenue and Lake Seymour Drive. Tax Parcel No. 23-021.00-578.**

Doug Liberman with Larson Engineers and Ed Gilmore presented the plan proposing a Tommy’s Express Car Wash.

- A 4,504 square-foot facility is proposed on the southeast corner of Lake Seymour Drive and South Ridge Avenue.
- The lot is 2.6 acres in the Westtown Town Center.
- The remaining portion of the lot is marked for future development.
- The entrance is located off Lake Seymour Drive.
- The two entry lanes will allow stacking for up to 8 cars each.
- Wash time is approximately 2 minutes.
- 16 vacuums are located on the east side of the building.
- Landscape plans propose plantings along Lake Seymour Drive, South Ridge Avenue and buffering around the trash compactor.
- An architectural rendering was displayed showing a metal panel building with varying roof heights; architectural features on all sides of the building; windows in the towers on the southeast and northwest corners of the building. The roof is translucent to allow light into the building.
- The car wash recycles about 70% of the water used.

Frank Bailey asked what the concrete slab by the travel lane and parking lot near S. Ridge Avenue was for.

Mr. Liberman said it’s an emergency by-pass exit.

Frank Bailey questioned why an exit isn’t provided to S. Ridge Avenue.

Mr. Briscoe replied the original plan did not show an exit onto S. Ridge Avenue and no new exits are provided. They felt it was safer not to have an entrance off S. Ridge because people going to the vacuums would be coming in from the other direction.

The future development area will probably have an access off the drive aisle and access to the car wash entrance off Lake Seymour Drive.

Craig Sherman asked where the recycled water goes.

Mr. Briscoe said there are three separate sediment control tanks that process the water. They estimate usage to be about 1600 gallons of water per day.

James Taylor added that the Town has some concern with:

- The parking configuration and dead-end area.
- They want to be sure there is enough landscaping/green space next to the residential zone to the north of Lake Seymour Drive.

Mr. Briscoe said there is a 15 foot landscape buffer shown on the original plan; trees are proposed along Lake Seymour Drive – shrubs can be added to that.

Frank Bailey asked how many employees are projected and if parking is provided for them. Ed Gilmore said 3 to 6 employees, depending on the season and time of day. Mr. Briscoe said there are three spaces that are not vacuum parking spaces. The parking spaces on S. Ridge Avenue are on the property and could be used for employee parking.

Joe Pontak asked for the hours of operation. Mr. Briscoe said 7 a.m. to 9 p.m. or 8 p.m. – depending on the season.

Craig Sherman asked about the noise generation from the facility to the residential area. Mr. Gilmore said the vacuums are no louder than a diesel truck idling. The car wash noise is contained within the building.

James Taylor asked if the vacuums were open to everyone's use or just the car wash clients. Mr. Gilmore said anyone can use them.

***Moved by Robert Hutchison and seconded by Joe Pontak to recommend Mayor and Council approve the Minor Land Development Plan at 200 South Ridge Avenue for Tommy's Express Car Wash, a 4,504 square-foot automated car wash business with 16 parking spaces. The project is located at the southeast corner of the intersection of South Ridge Avenue and Lake Seymour Drive. Tax Parcel No. 23-021.00-578. Motion Carried Unanimously.***

**6. 700 and 710 Hedgelawn Way – Preliminary Major Land Development Plan for a 9,950 square-foot restaurant and associated parking and access ways in a C-3 zoned area. Tax Parcel Nos. 23-065.00-007 and 23-065.00-008.**

Tim Anderson from Anderson Engineering presented the plan:

- The property is two parcels, Lot 3 and Lot 4 in Westtown Business Park.
- Lot 3 is the existing stormwater management pond.
- Lot 4 is the 4.3 acre parcel for the development; both parcels are under the same ownership.
- The site has two access points on Hedgelawn Way – one lines up with Kohl Avenue and the other lines up with an existing entrance to the shopping center across the street.
- A one-story, 9,950 square-foot restaurant building is proposed on 1.5 acres of the site.
- A patio area is proposed.
- Stormwater management is provided by the existing stormwater pond on Lot 3.
- Utilities will be provided by the Town of Middletown.
- The owner is in discussion with a potential restaurant but no agreement has been finalized.

Robert Hutchison questioned if a building under 10,000 square-feet for restaurant use is required to be sprinklered.

Mr. Anderson said that question will be answered when the architectural plans are reviewed. Water is available should a sprinkler system be required.

***Moved by Robert Hutchison and seconded by Joe Pontak to recommend Mayor and Council approve the Preliminary Major Land Development Plan located at 700 and 710 Hedgelawn Way for a 9,950 square-foot restaurant and associated parking and access ways in a C-3 zoned area. Tax Parcel Nos. 23-065.00-007 and 23-065.00-008. Motion Carried Unanimously.***

***Moved by Charles Roberts 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 with 10 days after receipt, we will assume all in attendance concur with the accuracy of this transcription.

Respectfully Submitted,

Rae Yingling

ry: 11/25/19

Cc: Mayor and Council  
Planning and Zoning Members  
All attendees  
Duffield Associates