



NEW CASTLE COUNTY COUNCIL LAND USE COMMITTEE MEETING

Co-Chair: David Tackett, Eleventh District

Co-Chair: Janet Kilpatrick, Third District

December 7, 2021

3:00 PM

VIRTUAL ZOOM WEBINAR MEETING* &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

MINUTES

A. Meeting Call to Order

B. Approval of Minutes

Approval of Minutes of the November 16, 2021 Land Use Committee Meeting.
A motion to approve the Minutes of the November 16, 2021 Land Use Committee Meeting was made by Mr. Smiley and seconded by Councilman Bell. The minutes were approved.

Mr. Tackett moved to go out of order to consider Ordinance 21-084 after Ordinance 18-129. The motion was seconded by Mr. Carter and approved.

C. Review/Discussion of Resolution(s)

R21-: URGING THE DELAWARE GENERAL ASSEMBLY TO ENACT ENABLING LEGISLATION AUTHORIZING NEW CASTLE COUNTY TO CREATE NEIGHBORHOOD IMPROVEMENT DISTRICTS Introduced by: Mr. Cartier, Ms. Diller, Ms. Kilpatrick, Mr. Sheldon

- Ms. Diller introduced the resolution
- Council discussion

D. Review/Discussion of Ordinance(s)

SUBSTITUTE NO. 1 TO °18-129: REVISE ZONING MAP: MILL CREEK HUNDRED, EAST SIDE VALLEY ROAD, 2100' NORTH OF LIMESTONE ROAD; 701 VALLEY ROAD, TAX PARCEL NO. 08-012.00-032, 1.56 ACRES FROM S (SUBURBAN) TO CN (COMMERCIAL NEIGHBORHOOD) (The Exploratory Minor Land Development Plan for Hockessin Commons proposes to rezone the property to CN for development of an approximately 10,342 square foot medical office building on 1.56 acres. 2018-0076-S/Z). Introduced by: Ms. Kilpatrick

- Ms. Kilpatrick introduced the ordinance
- Mike Hoffman, attorney for the applicant, gave a presentation

°21-084: REVISE PREVIOUSLY APPROVED EXPLORATORY MINOR LAND DEVELOPMENT PLAN WITH REZONING FOR SCARFO, DOMINIC M.; PENCADER HUNDRED; NORTH SIDE OF PULASKI HIGHWAY, 885 FEET EAST OF PLEASANT VALLEY ROAD; TAX PARCEL NO. [11-026.00-002](#) & [11-026.00-003](#) (2787 PULASKI HIGHWAY) (The revised plan for 2787 Pulaski Highway proposes to revise the previously approved design of the exploratory minor land development plan by combining Tax Parcel No. [11-026.00-002](#) and Tax Parcel No. [11-026.00-003](#) to allow for the development of 89,400 square feet of mini warehouse/self-storage Gross Floor Area. This new plan will supersede the previously approved exploratory minor land development plan and rezoning. [Section 40.31.113](#) of the New Castle County Code requires that the submitted record plan be in general conformance with the development on the approved exploratory plan that was relied upon by County Council when it granted the rezoning. County Council adopted [Ordinance 03-022](#) in June 2003. CR (Commercial Regional) zoning district. [App. 2021-0004-S/Z](#).) Introduced by: Mr. Tackett

- Mr. Tackett introduced the ordinance
- Mr. Rhodunda, attorney for the applicant, gave a presentation
- Council discussion
- Public comment: Larry Tarabicos, Bob Cilio

Ms. Kilpatrick moved that the Council to return to the regular order of business. The motion was seconded and approved.

SUBSTITUTE NO. 1 TO °21-009: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR "UDC"), REGARDING ARTICLE 4 ("DISTRICT INTENSITY AND BULK STANDARDS"), ARTICLE 5 ("SITE CAPACITY AND CONCURRENCY CALCULATIONS"), ARTICLE 10 ("ENVIRONMENTAL STANDARDS"), ARTICLE 20 ("SUBDIVISION AND LAND DEVELOPMENT DESIGN PRINCIPLES"), ARTICLE 23 ("LANDSCAPING, TREES, PLANT MAINTENANCE, AND EROSION AND SEDIMENT CONTROL"), ARTICLE 26 ("MODIFICATION OF STANDARDS"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), ARTICLE 33 ("GENERAL DEFINITIONS"), APPENDIX 1 ("APPLICATION AND PLAN REQUIREMENTS"), AND APPENDIX 3 ("PLANT LISTS AND PLANTING GUIDANCE FOR NEW CASTLE COUNTY") Introduced by: Mr. Tackett, Ms. Kilpatrick

- Mr. Tackett introduced the ordinance
- Mark Wolanski, Department of Land Use, gave a presentation
- Public comment: Sherri Evans-Stanton, Jennifer Kmiec (on behalf of Committee of 100, Builders and Remodelers Association of Delaware, and), Ellie Z. (on behalf of Delaware Nature Society)

°21-036: TO AMEND THE 2012 COMPREHENSIVE DEVELOPMENT PLAN UPDATE FOR NEW CASTLE COUNTY TO ESTABLISH A NEW COMMUNITY MASTER PLAN ELEMENT AND AMEND THE SEWER SERVICE AREA MAP AND FUTURE LAND USE MAP FOR SPECIFIC COMMUNITY MASTER PLAN AREAS Introduced by: Mr. Cartier, Ms. Durham

- Mr. Cartier introduced the ordinance
- Mr. Cartier tabled the ordinance

°11-073: (STATUS: TABLED) TO REVISE CHAPTER 7 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE “PROPERTY MAINTENANCE CODE”) REGARDING INSTANT TICKETING Introduced by: Mr. Cartier

- Mr. Cartier introduced the ordinance
- Mr. Cartier tabled the ordinance

E. Presentations

F. Other

- Ms. Kilpatrick clarified an earlier motion by Mr. Smiley regarding a return to office date, that the actual date of the meeting will be February 15, 2022, instead of the previously stated February 14, 2022. Mr. Smiley agreed.

Sample Adjusted County Council Meeting Times Discussion

- Mr. Smiley introduced the discussion
- Council discussion

G. Public Comment

None

H. Adjournment

Mr. Smiley moved to adjourn the meeting. The motion was seconded by Mr. Carter and the meeting was adjourned at 4:21PM