





# Town of Georgetown Review Application

Check Type of Review Requested	Copies
<input type="checkbox"/> Category II Plan Review	5
<input type="checkbox"/> Category I Site Plan - Preliminary	11
<input type="checkbox"/> Category I Site Plan - Final	8
<input type="checkbox"/> Conditional Use	18
<input type="checkbox"/> Historic Review	8
<input type="checkbox"/> Subdivision/RPC Review - Conceptual	11
<input type="checkbox"/> Subdivision/RPC Review - Preliminary	18
<input type="checkbox"/> Subdivision/RPC Review - Final	18
<input type="checkbox"/> Utility Review	2
<input checked="" type="checkbox"/> Zoning Amendment	18
<input type="checkbox"/> Other:	

**All packages to include number of copies shown:**

- Review Application
- Plans / Prints
- Supportive Materials
- One PDF of Site Plan

**Note:** One 11 x 17 copy of complete site plan to be provided with application packages.

Property Information	
Sussex County Tax Map/Parcel:	1-35-19 Parcel 12.2 and 1-35-19 Parcel 12.3
Project Location:	Northwest corner of Routes 113 and 9
Property Size/Dimension:	+/- 30 acres
Project Title/Name:	Georgetown Marketplace
Current Zoning District:	UB-1
Proposed Zoning (if applicable):	HC
Current Property Use:	Vacant Land
Proposed Property Use:	Retail Commercial

Current Property Owner Information	
Current Owner Name:	Georgetown Crossing, LLC
Phone Number:	302-656-4000 x1
Fax Number:	302-656-4396
Email Address:	aperry@montdevco.com
Mailing Address:	911 Tatnall Street
City, State, Zip Code:	Wilmington, DE 19801

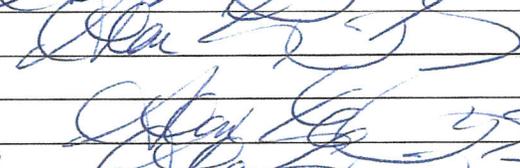
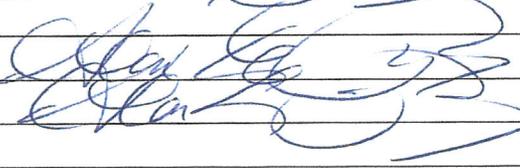
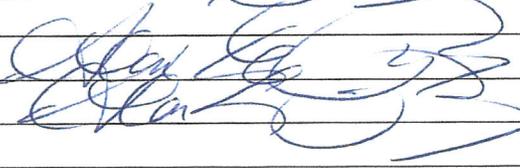
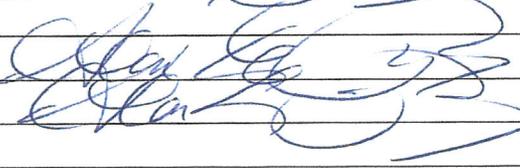
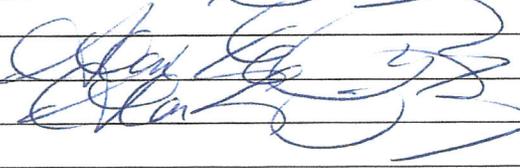
Engineer / Surveyor Information	
Company Name:	G. T. Cuppels, LLC
Contact Name:	Gary Cuppels
Phone Number:	302-236-6598
Fax Number:	302-236-6598
Email Address:	kkullman_eng@yahoo.com
Mailing Address:	26650 Carlisle Road
City, State, Zip Code:	Millsboro, DE 19966

Developer Information	
Company Name:	Montchanin Development Group
Contact Name:	Alan Perry
Phone Number:	302-656-4000 x1
Fax Number:	302-656-4396
Email Address:	aperry@montdevco.com
Mailing Address:	911 Tatnall Street
City, State, Zip Code:	Wilmington, DE 19801

Designated Primary Contact	
Contact Name:	Alan Perry
Phone Number:	302-656-4000 x1
Fax Number:	302-656-4396
Email Address:	aperry@montdevco.com
Mailing Address:	911 Tatnall Street
City, State, Zip Code:	Wilmington, DE 19801

**Please read and certify the following:**

1. I have supplied all the information listed on this form and that statements contained in any papers or plans submitted as part of this application are true and correct.
2. This project was designed in accordance with the plan requirements in the Comprehensive Plan, Zoning Code, Design Standards as well as the Construction Standards for the Town of Georgetown.
3. I, or an agent on my behalf, will attend all public hearings/meetings necessary for this project in order to answer any questions to the best of my ability in respect to the present and future needs, health, safety, morals, convenience, order, prosperity and general welfare of the inhabitants of Georgetown.
4. I understand that any incomplete applications will not move forward in the review process and I will be notified in writing after a thorough review has been completed by the Planning Department.
5. It is understood that the Planning Department processes all applications in the order in which they were received. Each application will continue in the process once eligibility and the appropriate reviews have been completed.
6. I understand that only the designated primary contact listed on this application will receive any and all review comments, meeting information and correspondence to and from the Town of Georgetown.
7. I understand that the Engineer will be billed for the professional services rendered from the Town Engineer and/or the Town Solicitor, as required for my application, unless I notify the Town Planning Department in writing advising otherwise.

Signatures	
Designated Primary Contact	
Developer	
All Current Property Owners	
Parcel - 135-19.00-12.02	
Parcel - 135-19.00-12.03	
Parcel -	

OFFICE USE ONLY			
Date Received: _____	Received by: _____	Amount: \$ _____	Cash/Check #: _____



**Montchanin Development Group, Ltd.**

911 Tatnall Street  
Wilmington, DE 19801

July 26, 2013

Jocelyn Godwin  
Planning Administrator  
Town of Georgetown  
39 The Circle  
Georgetown, DE 19947

**Re: Tax parcel numbers 135-19.00-12.02 & 12.03**

Dear Ms. Godwin:

Enclosed is an application for rezoning the above referenced parcels from UB1 to Highway Commercial (HC). We respectfully request that the Planning Department and the Planning Commission review this request and issue a positive recommendation to Council.

As you are aware, these two parcels are some of the very few commercially zoned parcels along Route 113 within the Town limits which are not zoned HC. A zoning change to HC would be consistent with the character of the surrounding properties. Furthermore, a change to an HC zoning category is consistent with the Town's Comprehensive Plan.

Located at the intersection of two of the town's major thoroughfares, these parcels warrant a zoning that permits roadside commercial consistent with the surrounding properties and the Town's comprehensive plan. As you and the Planning Commission are aware, we intend to develop these parcels as five retail pad sites and ultimately plan to build a retail shopping center behind the pad sites. An HC zoning would permit us to accommodate a wider range of tenancies and bring new retailers to the area further enhancing retail options to local residents.

If after review, you have any questions or concerns, please give me a call and we would be happy to arrange for a conference call or meeting at a mutually convenient time.

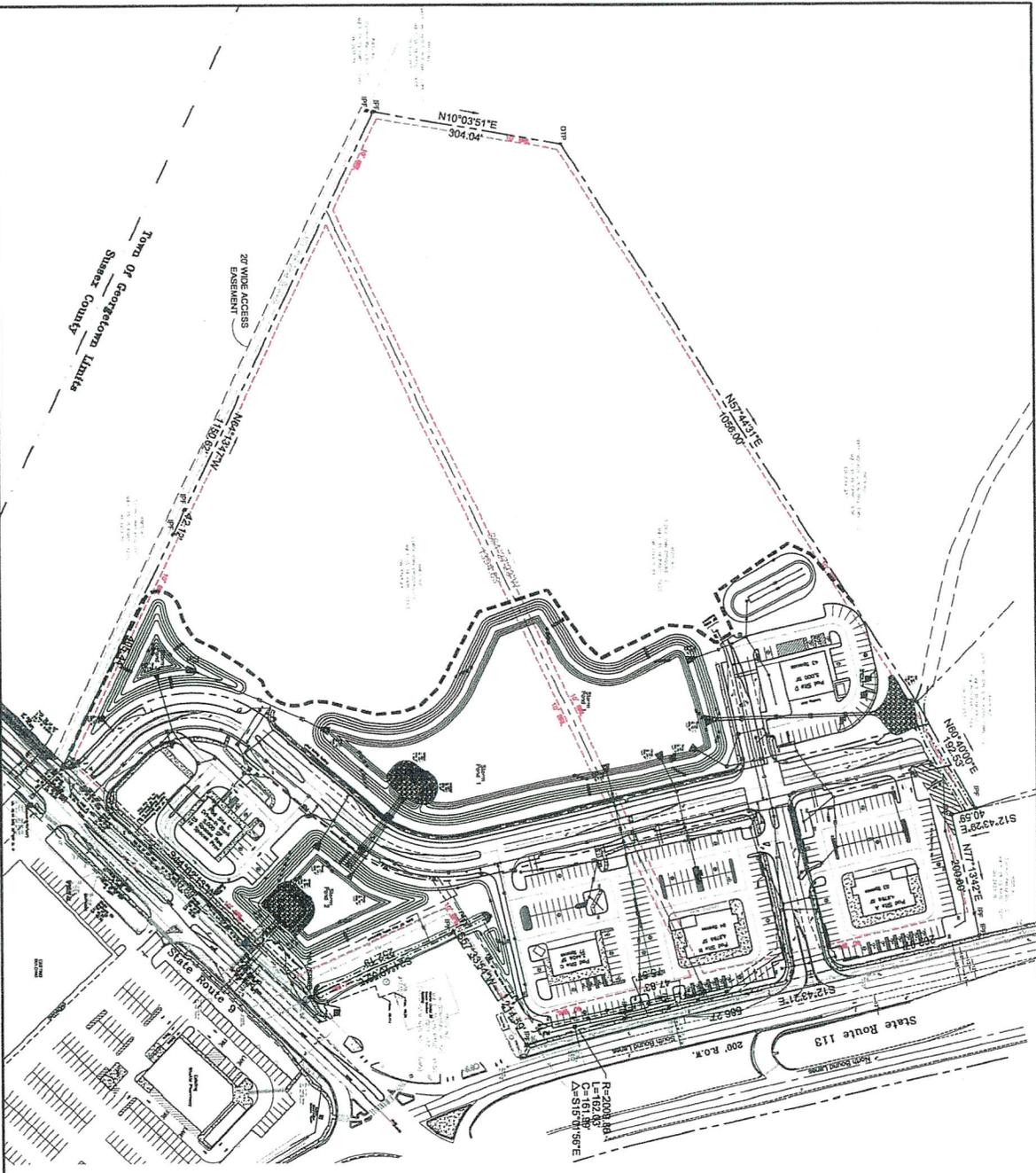
Sincerely;

A handwritten signature in black ink, appearing to read 'Alan L. Perry', is written over a light-colored, textured background. The signature is fluid and cursive, with a prominent initial 'A'.

Alan L. Perry  
Member; Georgetown Crossing, LLC

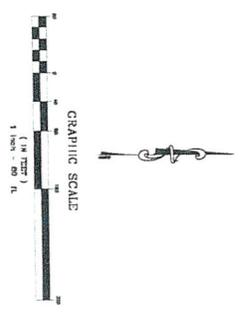
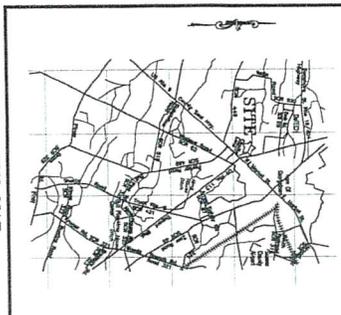
**Real Estate Development & Consulting**

Telephone: 302-656-4000 • Facsimile: 302-656-4396



**LEGEND**

- Primary Line
- Building Footprint Line
- Existing Road Centerline
- Proposed Road Centerline
- Lot/Block
- Open lot (P) (1)
- Open lot (P) (2)
- Existing Pole
- Existing Pole Support
- Existing Pole Line
- Existing Utility Easement
- Existing Utility Easement



**General Site Data**  
 Zone (General) L-20-1  
 Zone (Special) L-20-1  
 Project Area 1.35-18.00-11.00  
 Sublot (L-20-1 Zone) 1.35-18.00-11.00  
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I, **G. T. Cuppels, II**, being duly sworn, depose and say that I am the author of the above and true to the best of my knowledge and belief.

**G. T. Cuppels, II**  
 Registered Professional Land Surveyor  
 No. 12184  
 State of Delaware  
 207 324 8099

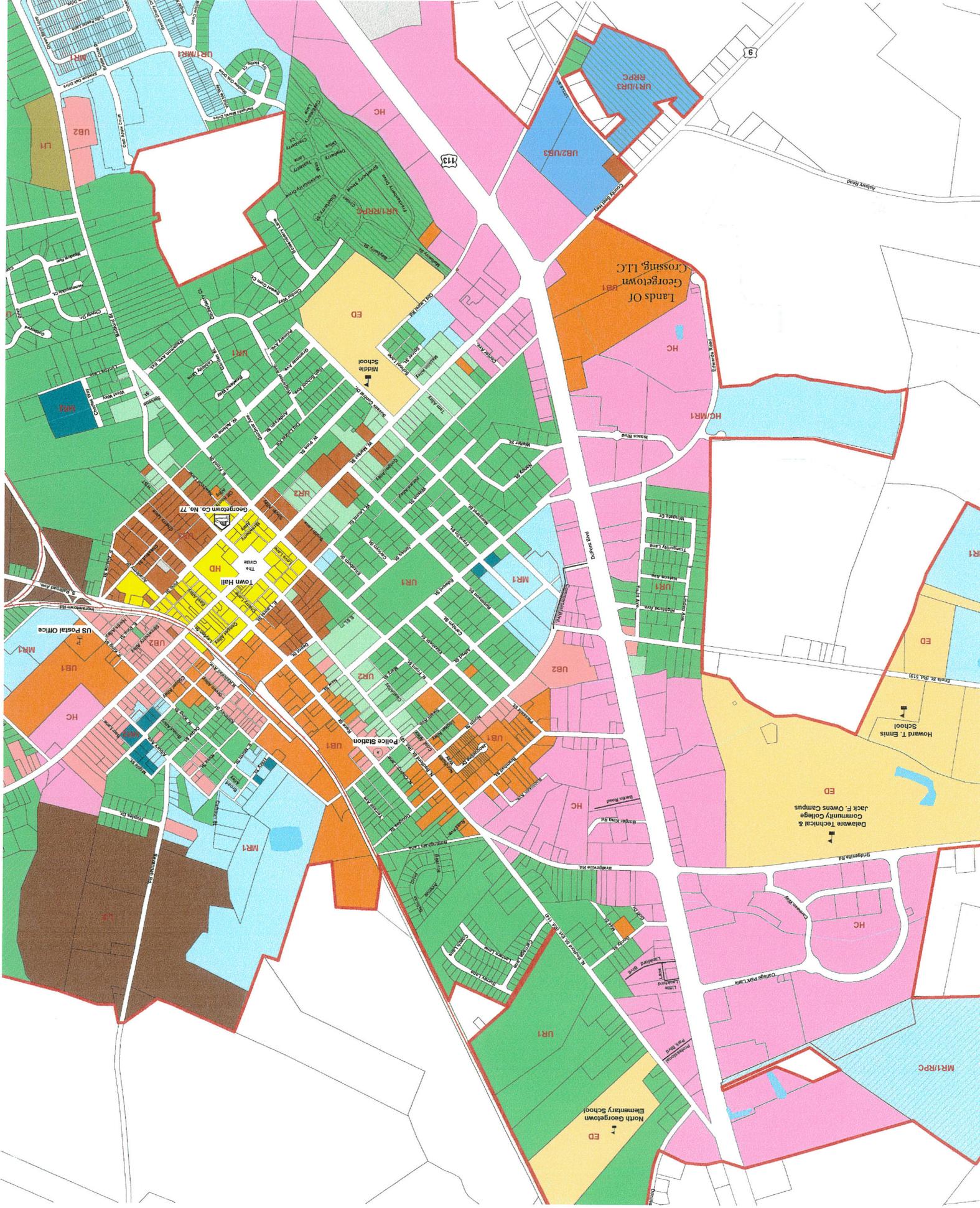
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**PRODUCT**  
**LANDS OF GEORGETOWN CROSSING, LLC**  
**GEORGETOWN HUNDEED**  
**SUSSEX COUNTY, DELAWARE**  
**TAX MAP 1-35-19.00 PARCELS 1202 & 1203**

**TITLE**  
**REZONING PLAN**

**PROFESSIONAL SEAL**  
**G. T. Cuppels, II**  
 Registered Professional Land Surveyor  
 No. 12184  
 State of Delaware  
 207 324 8099

**DESIGNED BY:** JAC  
**DRAWN BY:** JAC  
**CHECKED BY:** JAC  
**DATE:** JAN 2016  
**SCALE:** AS SHOWN  
**JOB #:** 09-038  
**SHEET:** RZ-1



Map showing various land use zones (UR1, UB1, HC, ED, etc.) and landmarks (Town Hall, Police Station, etc.) in Georgetown, Delaware.

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# TOWN OF GEORGETOWN - PLANNING COMMISSION

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## Draft Meeting Minutes September 21, 2016

### ATTENDANCE

#### Commissioners

Gary Tonge  
Sue Barlow  
Linda Dennis  
John Painter  
Bob Ricker

#### Staff

Jocelyn Godwin, Planning  
Tim Willard, Solicitor  
Jamie Craddock, Planning

#### 1. CALL MEETING TO ORDER

Commissioner Tonge called the meeting to order in the Town Hall at 6:00 p.m.

#### 2. APPROVAL OF JULY 20, 2016 MEETING MINUTES

Commissioner Ricker moved, seconded by Commissioner Dennis, to approve the July 20, 2016 regular meeting minutes as presented. **APPROVED** (4-yes, 1-abstain)

#### 3. PUBLIC HEARING: **Rezone Application** **CASE #2016-05**

*An application by Alan Perry, with Montchanin Development Group, on behalf of Georgetown Crossing, LLC, for an official zoning map amendment from Urban Business (UB1) to Highway Commercial (HC). The properties are located at the Northwest corner of Routes 113 and Route 9, Georgetown, DE identified as Sussex County Tax District 135 Map 19.00 Parcel 12.02 & 12.03.*

Gary Cuppels presented the application, on behalf of the applicant. Also in attendance is Alan Perry and Ken Kullman. The applicant is requesting rezoning for two parcels from UB1 to HC. The parcels were pointed out on the Town's Zoning Map. The Comprehensive Plan mentions a demand for commercial services, ability of the Town to provide water and sewer. The plan states it is looking for large scale commercial development along Rte 404, Rte 9 and Rte 113. The property is on the corner of Rte 9 and Rte 113. The Marketplace plan is a mixed use commercial facility.

The applicant stated that the HC zoning allows for more flexibility. Some of the uses within Highway Commercial were reviewed. The surrounding parcels along Rte 113 are zoned HC. The applicant's intention is to be a retail commercial facility. It is the right location for commercial development in this nature in accordance with the Comprehensive Plan. They are very close to getting their approval from DeDOT for the project. The rezone would eliminate the reverse spot zoning. The entire corridor is HC except for three parcels. It would provide equity of zoning to the applicant.

The Commission discussed the history of the parcel and why the zoning was UB1. The current zoning would have been determined at the time the property was annexed, as requested.

Mr. Willard addressed questions from the Commission regarding a letter received from an adjoining property owner. If the applicant for the change of zone owns the property, then the adjacent property owner should have a legal reason to cause the Commission to not make a decision. If there is some separate contractual relationship between them, the Town does not have a dog in that fight. The application tonight is for change of zone, to determine whether it is consistent with the Comp Plan and fits the purpose of the zoning.

The Commission asked the applicant to address the need for the expansion of permitted uses in HC. The applicant stated that it would be easier to state what isn't in their project. The applicant has preliminary plan approval, working on final approval for Georgetown Marketplace. It will not be a rooming house. It will be a commercial center. It will not be a hospital or school. The flexibility is wanted.

Concern was expressed regarding the applicant's past requests for adjustments to their plan and the impact of cost efficiency over safety.

Chairman Tonge opened the public hearing for comments. No one in attendance had comments either for or against the application.

A letter was received from Clarmar Realty, owners of adjoining properties, and read into the record. The issue referenced in the letter was addressed at the Planning Commission meeting reviewing the preliminary plan. The situation is a legal issue between the property owners.

Chairman Tonge closed the public hearing.

**Commissioner Barlow moved, seconded by Commissioner Dennis, to recommend APPROVAL of the application to Town Council. APPROVED (YEAS – 4, NAY – 1)**

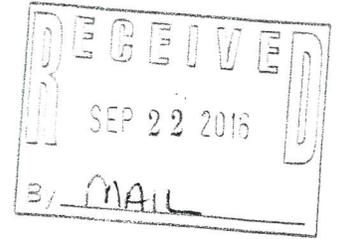
**Commissioner Painter – No, as expressed previously.**

**Commissioner Dennis – Yes,**

**Commissioner Ricker – Yes, One of properties with concerns is not in Town limits, trusting that the applicant will resolve their issue regarding a deed restriction and the project is a good one.**

**Commissioner Barlow – Yes, agree with Bob it will be a good project and does not like spot zoning.**

**Chairman Tonge – Yes, the zoning change is appropriate based on the HC being all the way down Rte. 113, the property is located on a major east/west and north/south corridor, it agrees with our Comp Plan and the adjacent properties are zoned HC.**



Clarmar Realty, LLC

4 Jacqueline Drive

Hockessin, DE

and

8293 Ellerson Green Terrace

Mechanicsville, VA 23116

Town of Georgetown Planning Department

and

Town of Georgetown Town Council

39 The Circle

Georgetown, DE 19947

**Attention: Jocelyn Godwin**

and

**Attention: Jamie Craddock**

September 19, 2016,

RE: Case# 2016-05

Dear Members of the City of Georgetown Town Council and Planning Department:

We, Diane Blanton and Jane Rensi, Co-Owners of 135 acres behind Georgetown Crossing, LLC and the adjacent lot along Rt. 113 would like to request that the application for official rezoning from Urban Business (UB1) to Highway Commercial (HC) proposed by Alan Perry, with the Montchanin Group be denied. We have yet to resolve the issue of proper commercial access through Georgetown Crossing as agreed upon by the contract of sale. That issue was discussed by this body and it was agreed that approval would be contingent upon resolution of this right away. We also feel that such negative development would impair access through and into our lot.

But even beyond that, we are alarmed by the possibilities that come from a rezoning change to Highway Commercial. The impact on our property is undeniable and lends toward a devaluation of not just our property but all properties owned in this area. The rezoning of Highway Commercial will open up flood gates for little orderly development of Georgetown Crossing and result in negative impact on the area at

large. There could be storage structures in the rear with no provision for a buffer or future protection of neighboring land. There is no provision for restrictions related to the protection of neighboring land owners as far as use trades, industry, or businesses from noxious or offensive odors, dust, smoke, gas, vibrations or noise.

Georgetown Crossing could end up with a hodge podge of use. It is conceivable that there could be a used car lot next to road manufacturing with heavy equipment, and a legal drug dispensing facility with all of its security issues. In fact, we are not sure what would not be allowed. The only surrounding development thereafter would only be of like kind use.

No one will want to live next to this property let alone locate a professional office building or shopping center. Additionally, the code speaks to expectant future issues like graffiti, litter, loitering, etc. This development could be a catalyst for break-ins and constant calls from the police department.

This is a major gateway into Georgetown proper along Rt. 113 and Rt. 9. Do you want this to welcome people to our town with such an eye sore? This change could result in potentially an area that is not only unsightly, but a danger to our community. This step would devalue area property due to a step down toward a more industrial use. Please do not change the zoning from Urban Business (UB1) to Highway Commercial (HC). Please call us if you need to discuss this further (804)677-7671 or (302)593-6129.

Thank you,



Diane P. Blanton

And



Jane P. Rensi

**TOWN OF GEORGETOWN  
TOWN COUNCIL MEETING AGENDA**

Meeting Date: Wednesday, September 28<sup>th</sup>, 2016  
Location: Town Hall, 39 The Circle, Georgetown, DE  
Time: 6:45 P.M. Public Hearing  
7:00 P.M. Regular Meeting

6:45 P.M. Public Hearing – Rezone 2016-05

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of September 14<sup>th</sup>, 2016 Town Council Minutes
5. Fire Prevention Week Proclamation
6. Public Comment
7. Adjournment

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).



PROCLAMATION  
For  
**Fire Prevention Week**

**WHEREAS**, the Town of Georgetown is committed to ensuring the safety and security of all those living in and visiting our town; and

**WHEREAS**, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

**WHEREAS**, home fires killed more than 2,500 people in the United States in 2011, according to the National Fire Protection Association, and fire departments in the United States responded to 370,000 home fires; and

**WHEREAS**, cooking is the leading cause of home fires in the United States where fire departments responded to more than 156,000 annually between 2007 and 2011; and

**WHEREAS**, two of every five home fires start in the kitchen and unattended equipment was a factor in one-third of the reported cooking fires; and

**WHEREAS**, 57% of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves and children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire; and

**WHEREAS**, Georgetown residents should stay in the kitchen when frying food on the stovetop, keep a 3-foot kid-free zone around cooking areas and keep anything that can catch fire away from stove tops; and

**WHEREAS**, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

**WHEREAS**, working smoke alarms cut the risk of dying in reported home fires in half; and

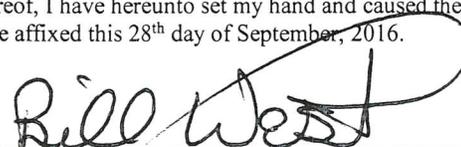
**WHEREAS**, Georgetown's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

**WHEREAS**, Georgetown's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

**THEREFORE**, I Bill West, Mayor of the Town of Georgetown do hereby proclaim October 4<sup>th</sup> - 10<sup>th</sup>, 2016, as Fire Prevention Week throughout the Town, and I urge all the people of Georgetown by checking their kitchens for fire hazards and using safe cooking practices during Fire Prevention Week 2016, and to support the many public safety activities and efforts of Georgetown's fire and emergency services.

In Witness Whereof, I have hereunto set my hand and caused the Seal of this town to be affixed this 28<sup>th</sup> day of September, 2016.



  
Bill West, Mayor