

AR-1 to CR-1
Rezoning
Application

by

**Lewes Partnership for
Managing Growth, LLC**

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A group of concerned citizens who live and work in the Lewes area. LPMG is incorporated and is working to promote the benefits of planned growth.

Mission statement

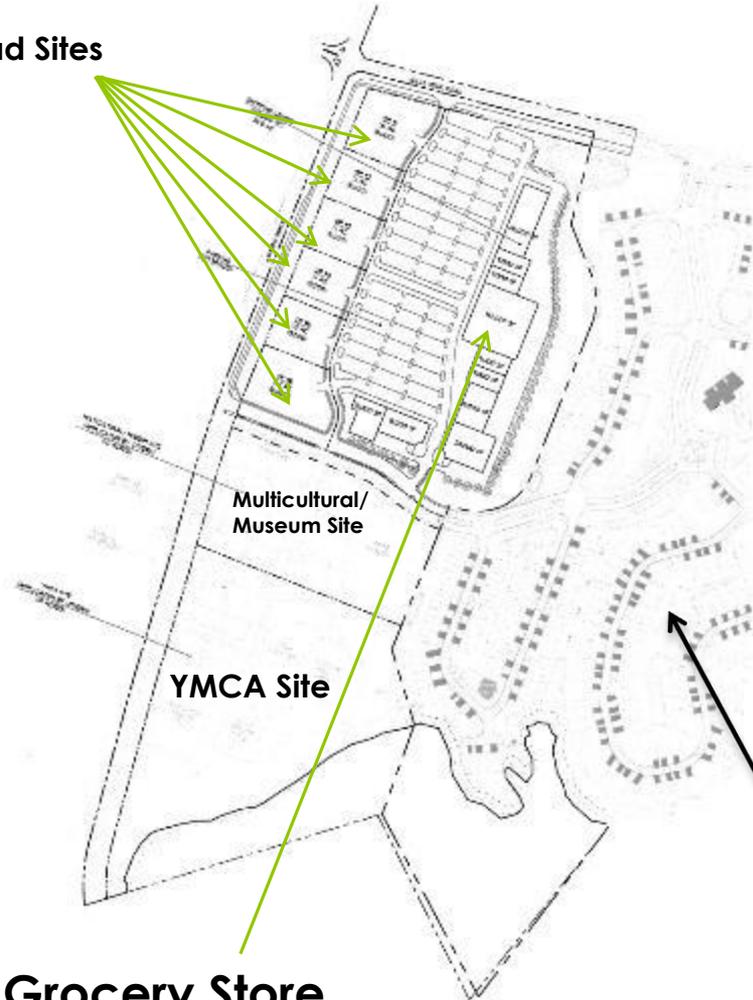
The Lewes Partnership for Managing Growth (LPMG) seeks to preserve and enhance Lewes-area community values, orderly growth, quality of life, natural beauty with its ecological richness and long-term prosperity. The partnership supports the Scenic and Historic Lewes Byway effort to preserve the Gateway roads to Historic Lewes with emphasis on maintaining and promoting public safety, our coastal lifestyle, nature- and heritage-based tourism and recreation.

AR-1 to CR-1 Townsend Rezoning Application

- Land bordering Gills Neck Road and Kings Highway currently zoned **AR-1**
 - Zoning allows farming, single family residential, recreational facilities and shopping hamlet (on conditional-use basis)
- Townsend filed a CR-1 rezoning application on October 9, 2015 in order to build a 215,000 sq. ft. “community shopping center” – **strip mall**.



Pad Sites



**Grocery Store
(50,000 sq. ft.)**

Townsend Strip Mall Sketch Plan

As shown to Cadbury on August 17, 2015. Anchor grocery store ~50,000 square feet. (**Comparisons - Super Fresh ~ 75,000 sq. ft., Food Lion ~50,000 sq. ft., Lloyds, Savannah Rd 4,100 sq. ft.**)

***Note: Already approved Governors development behind center with 430 single family/multifamily homes with 900 paved parking spots.**

SK-01

THE VILLAGE CENTER
KINGS HIGHWAY & GILLS NECK ROAD
LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE

dbf

DAVID BOYEN & FRUEDEL, INC.
ARCHITECTS, PLANNERS & SURVEYORS
100 BOYD COURT AND WILSON ROAD
ROCKY HILL, CT 06067-1444

SKETCH PLAN

Concerns

- **Traffic congestion** (a center 215,000 sq. ft. must draw from a 6-8 mile radius* therefore, additional Rt. 1 traffic must use local roads)
- **Public Safety**
 - Potential fire, police and paramedic delayed response
 - Vehicle conflicts with bicyclists and pedestrians
 - School safety and welfare
- **City of Lewes drinking water supply wells, wellhead protection area and water recharge area**
- **Once re-zoning plans are approved, revisions do not go through more public hearings, i.e. *major changes can be made without public input***

*Better Cities and Towns, an Urban Planning Guide, Robert Gibbs, September 2007

Commercial Residential Definition (CR-1)

“wide variety of commercial and miscellaneous services generally serving a wide area and located along certain major thorough fares where a general mixture of commercial and service activity now exists...” *Sussex county code*

Acceptable CR-1 activities:

- Major shopping centers
- Indoor amusement places including pool, bowling alley, skating rink
- Auto malls and auto repairs
- Boat sales and boat storage
- High rise storage
- and many more...

Re-zoning Denied Before

Sussex County Planning and Zoning Commission denied re-zoning request on October 14, 2009 citing:

- **Not consistent with the character of the surrounding area** (limited conditional use, small B-1 or small C-1 zones)
- Request does not support Comprehensive Plan – **change in zoning is not a “by-right”***
- CR-1 includes a **wide variety of services that are not compatible with the site and neighboring properties**
 - **Does not serve a wide area since King’s Highway is not a thoroughfare.**
 - **Not currently a general mixture of services along Kings Highway or Gills Neck Road**
- **This is an Environmentally Sensitive Developing Area – shopping center is too large (220,000 sq. ft.)**
- **Lewes City Council and Lewes Board of Public Works expressed concerns**

Continued -

Re-zoning Denied before, cont'd

- Didn't satisfy the need for rezoning
- **Strong public opposition to the project mainly based on traffic and the impact on projects to be built on Gills Neck Road.** Also a public concern that the Cape Henlopen High School is directly across the street. **"...proposed project is not compatible with the existing roadways in the area and does not promote safe vehicular traffic on neighboring roads."***
- **"The proposed project does not meet the purpose of the Zoning Ordinance, since it does not promote orderly growth for the County. It would establish a large-scale regional, destination shopping center where no similar commercial uses of the same size and scale exist. 320,000 sq. ft. of commercial space, with the necessary parking and other impervious areas, is not a logical transition from neighboring and adjacent uses, especially in this *Environmentally Sensitive Area*, which already has limitations on safe pedestrian and vehicular travel."***

*Sussex County Planning & Zoning Minutes of the Special Meeting of October 14, 2009

What should we be doing?

- Promote CR-1 rezoning request denial
- Demand area-wide long-range planning, not parcel-by-parcel rezoning
- Support orderly growth along with creative preservation (Smart Growth)
- Strongly encourage DelDOT to take a more proactive citizen-centric role in traffic planning

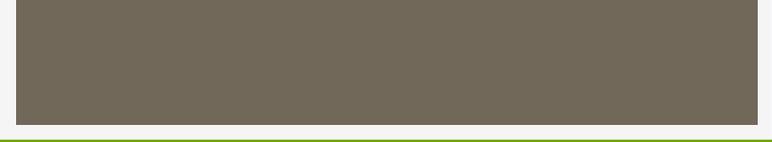
What YOU can do now?

- Talk to friends and neighbors about these facts
- Phone, write or email Senator Ernie Lopez, Representative Steve Smyk, Representative Pete Schwartzkopf **REQUESTING THEY OPPOSE** this rezoning as harmful to public safety, orderly growth, harmful to home values and quality of life
- Write a letter to the editor in opposition to the rezoning request once application is filed
- Create a petition in your neighborhood opposing the rezoning to present to Sussex County officials
- Encourage neighbors to attend the Planning and Zoning and Sussex County Council hearings (critical as a show of support/opposition is usually requested in the legal record)
- Contact your Cape Henlopen school board members to express concern
- Contribute to the LPMG's effort monetarily

Conclusion

“Delaware is the first state, but it is also a small state, which is one reason we should respect the land. It is our birthright, and almost every inch of it is densely layered with our history. For a variety of economic, social and psychological reasons, Delaware communities *should do more to protect the land, and we should recognize that the landscape is the setting for all our architecture.*”*

***Better Models For Development In Delaware-Ideas for Creating More Livable and Prosperous Communities**, Edward McMahon, Senior Resident Fellow Charles E. Fraser
Chair for Sustainable Development and Environmental Policy



??Questions??

www.LewesPartnershipforManagingGrowth.com