

The City of Lewes



STAFF REVIEW

MARCH 13, 2019

Application Title	Showfield City
Application Type	Preliminary Consent - Major Subdivision
Owner	Showfield, LLC
Engineer	Davis, Bowen & Friedel, Inc.
Tax Map and Parcel	335-8.00-46.00 & 335-8.00-53.00
Size and Location	36.94 acres
Comprehensive Plan Designation	Residential
Zoning District	R-2, Residential Low Density
Present Use	agriculture
Proposed Use	residential dwellings and permanent open space
Online application material	https://lewescommissions.wordpress.com/reviews/dev_reviews/showfield-lewes/

I. BACKGROUND INFORMATION:

Showfield City is a proposed residential development that would contain eighty-six (86) single-family home lots on a tract located off of Freeman Highway. An application, including a site plan prepared by Davis, Bowen & Friedel, Inc. dated December 5, 2018, was submitted to the City of Lewes on December 6, 2018 for preliminary consent review.

SUSSEX COUNTY DELAWARE

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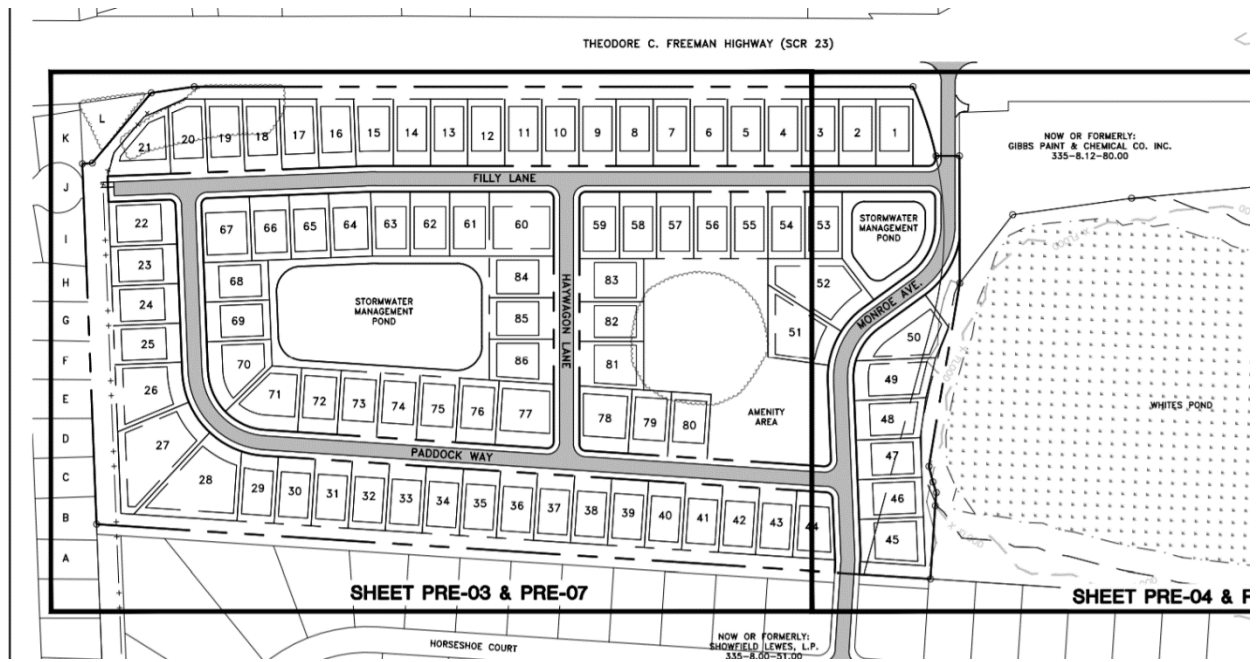
Selected Features: Parcels (2)

1) 335-8.00-46.00 Zoom

Book	3565
Page	234
Owner Name	SHOWFIELD LLC
Mailing Address	246 REHOBOTH AVE
City	REHOBOTH BEACH
State	DE
Sewer Account	10-32-046
Description	SE/RT 9
Description 2	445'NE/KINGS HWY
Land Code	RV
Town Code	LE
CAP	0
BLDG Improvement	0
LND Improvement	179700

2) 335-8.00-53.00 Zoom

Selected Features (2)



1 - To view full size open [http://www.ci.lewes.de.us/pdfs/Showfield_City_Prelim_\(86_lots\)_Full_Set.pdf](http://www.ci.lewes.de.us/pdfs/Showfield_City_Prelim_(86_lots)_Full_Set.pdf)

The lots range in size from 10,125 sq. ft. to 23,067 sq. ft., the typical lots are 130' deep and 80' wide. In addition to the building lots the proposed plan indicates that 8.86 acres will be used as open space for buffers, stormwater management facilities, and resident amenities. More details on the lots and open space are discussed later in the review. The site also contains 5.78 acres for proposed streets and ROW. The property is bordered to the east by existing residential Showfield properties that are within Sussex County. South of the property is another existing residential development and to the northeast are additional planned developments.

II. PLAN APPLICATION

- In April 2018, the applicant submitted a proposal to develop 129 single-family detached houses on an 80.6 acre assemblage of parcels to the state for PLUS Review.
- An official application package was submitted to the City on December 6, 2018¹.
- On January 31, 2019 the Applicant's Engineer, City staff, representatives from the Delaware River Bay Authority, and DeDOT staff met to review the status of the plan and define the scope of a Traffic Operational Analysis (TOA) for the City portion of the development.
- A revised set of plans was submitted to the City on December 10, 2018 incorporating the changes discussed at the November applicant/staff meeting. A full City review was initiated at that point.

As part of the submission the following information was provided as part of the initial application:

- Written documentation identifying the applicants;
- A conceptual plat plan;
- A letter from the Lewes Board of Public Works certifying that utilities are existing and available;
- Payment of major subdivision application fee;
- Documentation of Public Notification;
- An Applicant Engineer's Report;
- A Soils Report;
- An Economic Impact Report;
- A copy of Plats and Deeds of Record.

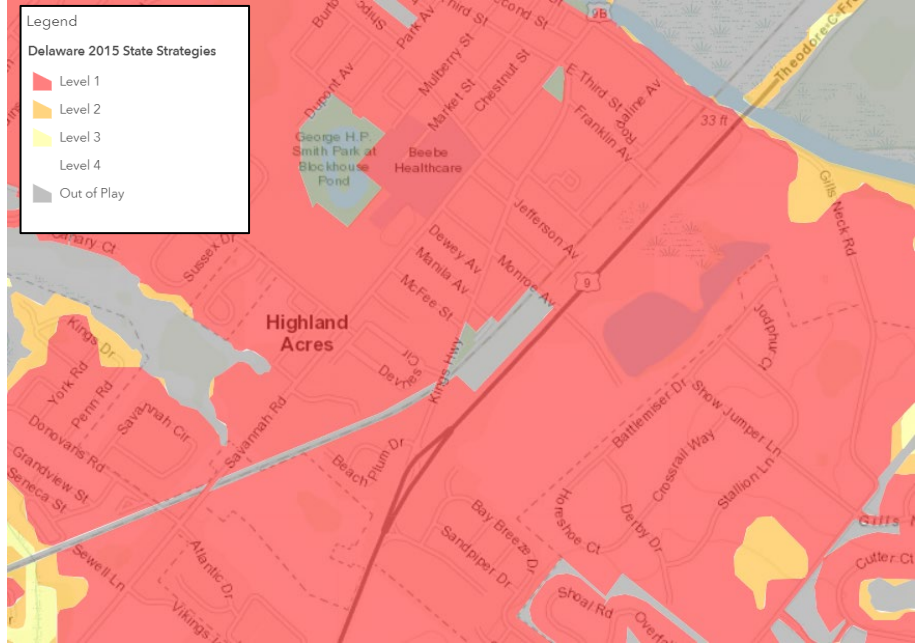
III. Compliance with adopted policies:

Based upon the information presented, the City of Lewes Code and the Comprehensive Plan, staff submits the following regarding the application for Subdivision Preliminary Consent approval:

A. State Designation

¹ Prior to the official submission the applicants met to discuss the project with City staff in June and August 2018. At that meeting they discussed their subdivision plans in both the County and City and the associated Traffic Impact Study (TIS.)

All of the project area for this portion of Showfield (Lewes) is classified as Level 1 by the Office of State Planning Coordination. Investment Level 1 Areas are often municipalities, towns, or urban/urbanizing places in counties. Density is generally higher than in the surrounding areas. There are a variety of transportation opportunities available.



B. City Comprehensive Plan

- a. Use designation - The proposed residential lots are consistent with the use designation “Residential” for this area as defined in the City of Lewes Comprehensive Plan, Future Land Use Map (see Map 10 at http://www.ci.lewes.de.us/pdfs/Appendix_B_Maps2.pdf).
- b. Several portions of the City Comprehensive Plan address concerns with development on properties containing wetlands or within the floodplain. As mentioned in the Comprehensive Plan strict attention will be placed on ensuring that any future development meets or exceeds floodplain requirements contained in the City’s zoning ordinance and building code. These issues will be addressed more fully in latter sections of this review.

C. City Zoning Ordinance

- a. Permitted Uses – The proposed use, single family detached dwelling, is permitted by right and are in compliance with the R-2 Residential Low-Density zone.
- b. Lot Dimensional Regulations - The proposed lots comply with the lot area and bulk regulations, as listed below, for development in the R-2 zone.

From Section 197, Attachment 2 of the City of Lewes Zoning Code.

Lot area (square feet)	10,000
Lot width (feet)	75
Lot depth (feet)	100
Setbacks (feet)	
Front yard	30 or EBL *
Side yard	8

Rear yard	15

* "EBL" means established building line. See Article XVI, Definitions.

Based on the submitted plan a number of lots (ex. 67, 22, 77 and others) would be considered corner lots. Any corner lot, not exempted by Section 197-53(A), would need to have 2 front yards and 2 side yards. The setbacks for all corner lots should be revised to be in compliance with the Yard Area requirements, as defined below.

§ 197-106

LOT, CORNER

A lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135°.

§ 197-53(A)

In the case of a corner lot, a front yard, as provided for in each district, shall be required on each street on which a corner lot abuts, provided that, when one front lot line of said corner lot measures less than 65 feet and said corner lot is located in one of the following districts: the Residential Low-Density, Residential Low-Density (Historic) [R-2 and R-2(H)], Residential Beach, Residential Beach (Historic) [R-3 and R-3(H)], Residential Medium-Density, Residential Medium-Density (Historic) [R-4 and R-4(H)], Limited Commercial, and Limited Commercial (Historic) [LC and LC(H)], the front yard on the side of the corner lot with a front lot line measuring longer than 65 feet may be decreased to not less than the minimum side yard requirements.

The applicant should indicate front yard setbacks on their final plan submission.

- c. Floodplain regulations – This site is not located within the floodplain.

D. City Subdivision Ordinance

- a. Process Requirements - The submittal for Preliminary Consent approval has complied with all of the required provisions for Initial Application under § 170-19 A, making it a complete application.
- b. The Planning Commission preliminary consent review evaluates the proposed application to criteria listed under § 170-19 E of the City Code.
- c. Other Subdivision Ordinance considerations:
 - i. Water, Sewer, Electric and Stormwater systems – Planning Commission review requires evaluation of compliance to ordinance provisions. Refer to City Engineer’s Report for details and recommendations on these requirements.

E. City Agency Reviews

- a. Parks and Recreation Commission (PRC) review – The application for Preliminary Consent has been reviewed and submitted for consideration by the Planning Commission (see attachment). As noted in § 177-11 of the City Code applicants are responsible for the street tree plantings. The applicant is advised to coordinate the

placement and type of street trees as well as the review of long-range landscape projections and plans with the Lewes Parks and Recreation Commission prior to final plan approval.

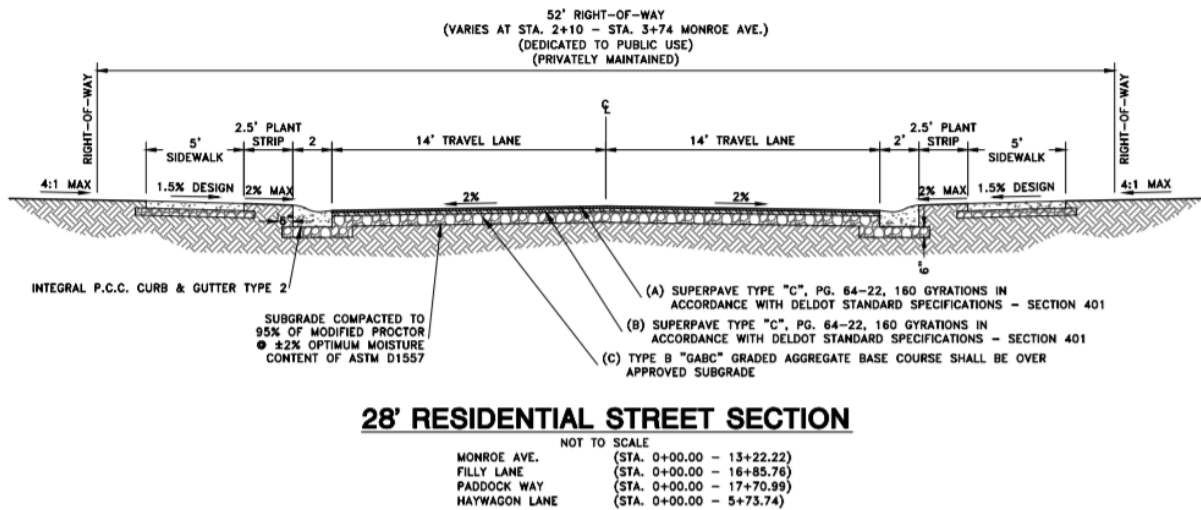
- b. City Engineer and Board of Public Works report – The report for Preliminary Consent has been completed and submitted for consideration by the Planning Commission.
- c. Reports from other agencies – Copies of reports that have been created by other agencies, that are required as part of the subdivision approval, must be submitted to the City of Lewes.

IV. Considerations

In addition to review for consistency with current policies and regulations a number of considerations are evaluated as part of the review for preliminary consent. Some require evaluations conducted by City agencies, others are overseen by external agencies. Some can be addressed completely as part of the preliminary consent review whereas others require detailed assessments that are typically addressed during final plan review.

A. Site Access

The proposed development has planned entrances on Monroe Avenue at the intersection with Freeman Highway and at the intersection of Battlemiser Drive in the existing Showfield development outside City limits. There is a proposed stub street at the end of Filly Lane which ends at the existing Junction and Breakwater Pathway.



The applicant is proposing to build the new roads to City standards using a 52' ROW comprised of 2 travel lanes (14' lanes), with curbs/gutters and 5' sidewalks on each side along with 2.5' plant strip between the sidewalks and curbs (see typical roadway section below). As indicated on the site plan,

subdivision streets constructed within the right-of-way are public and are to be maintained by the City of Lewes.

DeIDOT, DRBA and the developer discussed the need for a signal at the intersection of Theodore C. Freeman Memorial Highway and Monroe Avenue, where the site is proposed to have access. DeIDOT is amenable to the Consultant's examining whether a traffic signal control would be warranted at the site entrance. Upon submission of the TOA, DeIDOT will determine whether a Two-Way Stop Control (TWSC) or signalized intersection would be appropriate when the proposed development opens. The study shall evaluate the weekday morning, weekday evening, and summer Saturday midday peak hours for the following situations: 1) Existing (2019); 2) 2025 without development; and 3) 2025 with development. Counts will include both pedestrians and vehicles.

Furthermore the applicant must secure approval from Delaware River & Bay Authority to utilize Monroe Access as an entrance.

In April 2018, the applicant submitted a proposal to develop 129 single-family detached houses on an 80.6 acre assemblage of parcels to the state for PLUS Review. This review is only for a portion of those homes, but DeIDOT still submitted a number of comments that are pertinent to this review, including:

"The proposed site access is acceptable to DeIDOT in that it would be by way of Monroe Avenue, which is a City-maintained Street, and privately maintained subdivision streets. DeIDOT would not permit direct access on Freeman Highway (US Route 9)..."

"If the City requires a DeIDOT Letter of No Objection to Recordation (LONOR), DeIDOT will review the subdivision plan for the site in accordance with Section P.3 of the Development Coordination Manual. As Monroe Avenue and Inlet Place are City maintained streets and the streets in the County portion of Showfield are privately maintained, DeIDOT will not participate in the City's entrance permitting process."

Given that a TIS was completed in 2008 (and DeIDOT considers it still pertinent), and a Traffic Operational Analysis (TOA) is currently being conducted for the intersection of Monroe Avenue and Freeman Highway, the City of Lewes does not see the need for an additional TIS. However, the City sees exceptional value for pedestrian facilities to be located at the intersection of Monroe Avenue and Freeman Highway. The City recommends that the applicant work with DeIDOT and DRBA to identify a solution for a safe bicycle and pedestrian crossing across Freeman Highway.

B. Sedimentation and Erosion Control

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through the Sussex Conservation District. Contact Jessica Watson at the Sussex Conservation District at (302) 856-2105 for details regarding submittal requirements and fees.

C. Floodplain

As noted in the applicant's submittal letter, the proposed development is outside of the Zone X (500 year) floodplain.

D. Wetlands

Wetlands are mapped as present on parcel 335-8.00-53.00 as depicted below. However, the site plan submitted to the Planning Commission will not be disturbing land within 500 feet of this area. Per the applicant's letter, "The wetlands and Whites Pond are contained within parcel 53.00 and will remain completely undisturbed per this application." While true, a note on the plan indicates that a Wetland Delineation was conducted by Environmental Resources, Inc. in March, 2015. The results of that delineation should be submitted with Final Plan.



Source: DNREC 2007 Wetlands Map

E. Utilities

The submitted application contains information on water supply, sewage collection and stormwater collection. A report provided by the City Engineer of behalf of the Lewes Board of Public Works contains additional details regarding the systems and compliance with the City Code.

The City Engineer's report addresses the operation and placement of proposed stormwater management systems. The applicant should incorporate the suggestions outlined in the City Engineer's report before submitting final site plans.

F. Historic Structure

The Historic Structure located at 223 Monroe Avenue has been catalogued by the Delaware State Historic Preservation Office. In PLUS review letter from April 2018 the State Historic Preservation office suggested that the applicant consider hiring the professional services of a qualified architect to exam the area for unmarked ~~graves~~ graves or burial sites, and examine the parcel for potential historic or cultural resources. The office further recommends that the developer include sufficient landscaping protection or barrier between the proposed development and the surviving house. To the City's knowledge, the applicant plans to demolish the structure in question.

G. Other:

In order to be complete and accurate for recordation, the Final plan should not include lots 87-131 and their associated streets as they are not being assessed or endorsed the Lewes Planning Commission at this time. It is the City's understanding that the circulation of that lot may be changing before submittal.