

MAYOR & CITY COUNCIL
Public Hearing
April 22, 2019
MINUTES

A Public Hearing was held by Mayor & City Council on **Monday April 22, 2019 in the city meeting room at the Margaret Rollins Community Center**, after proper notification, with the following members present: Mayor Ted Becker, and Councilpersons Bonnie Osler, Dennis Reardon and Rob Morgan. Also in attendance were City Manager Ann Marie Townshend, City Planner Tom West and Recording Secretary Alice Erickson. Deputy Mayor Fred Beaufait not present.

Zack Crouch, Davis Bowen Friedel, representing Vantage Point LLC and Greg Stevens, President of Vantage Point LLC were present.

Mayor Becker called the meeting to order at **6:00pm**.

The Mayor & City Council held a public hearing on the subject of a **site development plan known as Assisted Living Facility Lewes Medical Development, to create a 220,245 square foot senior living facility on an 8.55-acre parcel of land, Sussex County Tax Map #3-35-8.00-36.08 along Kings Highway.**

Mayor Becker stated this project has been before the Lewes Planning Commission.

Mr. West explained this is a site plan review. The application received in December 2018 was for a three-story building along Kings Highway. This project has been reviewed for a subdivision in 2017 and 2018 and rezoned from Residential Medium Density R-2 to Community Facility Health Care CF/HC. The project is for a 175-bed assistant living facility. There was a meeting with DelDOT to coordinate access and connectivity along Kings Highway to line up with the development across Kings Highway and they are waiting on the results from the resubmittal meeting. They are working with the Historic Lewes Byway Committee on a landscaping plan. There are no wetlands present and the property is not in the flood plain or in the well head protection area. Regarding hazard mitigation, the proposed facility has been designed to withstand a category 3 hurricane. The planning commission reviewed and forwarded a recommendation to city council and this public hearing was scheduled. Information on the project can be found on the city's website.

Mr. Crouch explained the project is for a 200,245 square foot, 175 bed facility off Kings Highway. He reviewed the process to date. There will be a multi-use path along Kings Highway up to Mr. P's Pizza. Neither a TIS or a TOA was required, and the Mitchel Farm development entrance will be designed to incorporate both projects. They are only required to include a protected left turn lane and traffic light, when it becomes warranted. They are working with the Byway Committee on a landscaping plan on Savannah Road and Kings Highway. They are also working with DelDOT to determine the best location for a future DART bus stop on Kings Highway. They have a letter from the BPW stating there is capacity for water, sewer and electric. Stormwater Management will include rain gardens and retention ponds to handle a 2-10-year storm event. In the event of a 100-year storm, there is emergency discharge out to Savannah Road which would drain into a pipe that empties into the Great Marsh. The stormwater management system will be reviewed by the Sussex County Conservation District and DNREC.

The facility will include amenities, such as courtyards, gardens and sitting areas for the residents. One courtyard will be fenced in to control movement for the memory care unit.

The lighting will be on 14-foot poles and designed to limit light pollution. The perimeter of the building has to be lighted but will be at the minimum level to address the concerns of the neighborhood. They will work with the city to minimize light but provide safety and security. The light fixtures will be residential grade.

As stated, the facility will be construction to withstand wind speeds of up to 129 mph, or a category 3 hurricane.

Mayor Becker stated the back side of the facility will be facing Henlopen Gardens. Will there be fencing as well?

Mr. Crouch stated this was discussion with the residents and they did not want fencing.

Mayor Becker questioned if the design includes the potential for future expansion. *Mr. Stevens* explained due to overwhelming interest, the expansion has been included in the plans for 175 assisted living and 24 independent living units.

Mayor Becker opened the meeting to public comments:

Abbey Feierstein, 67 Henlopen Gardens, questioned what the landscaping plan is on her side of the project. It is not shown on the plan. *Mr. Crouch* stated he did not know but would get the information to her.

Nancy Cunningham, 84 Henlopen Gardens, questioned if there is a guarantee they will not create an additional entrance off of Atlantic Avenue for deliveries. *Mr. Crouch* stated there is no plan to create additional access. *Mr. Stevens* stated they would agree to making sure it doesn't happen.

Sally Boswell, 69 Sussex Drive, Historic Lewes Byway Committee, stated she appreciates Preston Schell meeting with them to support the goal of the Byway Committee, which is to preserve the character of Lewes. This parcel has frontage of both Savannah Road and Kings Highway. They encourage the use of native plants and sensitive signage. Landscape plans can be a model to point to and encourage others to follow suit. The plan will be reviewed by the Byway Committee prior to writing a letter of support to council.

Barbara Vaughan, University Drive, stated she doesn't want to leave Lewes and having a senior living facility available in the area will be great.

Mayor Becker questioned if there will be connectivity to the existing sidewalk? *Mr. Crouch* stated they will be required to install sidewalks in front of the development and there will be a multiuse path up to Mr. P's. *Mr. West* stated Kings Highway is part of the scenic byway and connectivity needs to be a part of the project. DeIDOT is looking at the design. *Mr. Crouch* stated they need to have a meeting with DeIDOT to discuss connectivity.

Councilperson Morgan questioned the right of way on Kings Highway. *Mr. Couch* stated there is a 60-foot right of way allowed but DeIDOT is still working on the cross section for the multi-use path. They would be able to accommodate up to 70-80 feet.

Kathleen Drejka, 56 Henlopen Gardens, questioned how long construction will last and what are the plans to keep the dust down for the surrounding neighborhood. *Mr. Stevens* stated the project will be 20 months and they plan to get start in early 2020. They are required to mitigate dust and there are several methods they can use.

Councilperson Osler questioned if DeIDOT is taking an overall look at traffic issues in this area once the corridor is built out. This project is a small piece to the total traffic issue along Kings Highway.

Mr. West explained DeIDOT is very concerned regarding Gills Neck Road, but they don't have a solution to it yet. Managing and balancing traffic is a component of the Sussex County Comprehensive Plan. They need to look at alternatives to funneling traffic onto one major roadway.

Councilperson Morgan questioned why the streets will be private. *Mr. Crouch* stated it is typical for this type of development. They will be more driveways with parking spaces than streets.

Councilperson Morgan questioned how they will connect to the other residential development planned for this parcel. *Mr. Crouch* explained there will be two other access points. *Mr. Morgan* questioned if they have any plans on how to mitigate traffic that will pass between Kings Highway and Savannah Road by these internal roads. *Mr. Crouch* explained they will make sure there are variations in the road pattern, so it is not easy for people to use as a short cut.

Councilperson Morgan stated they are creating more parking spaces than required. Have they thought about reducing the number of spaces to help reduce impervious pavement coverage? *Mr. Stevens* stated it has been his experience that it is better to have more parking, as long as it fits into the design. The state requires 94 and they are supplying 177.

Councilperson Morgan asked if there was any concern about the well head protection? *Mr. Crouch* stated this parcel is outside the area of concern. There is always concern about the amount of impervious coverage within the wellhead protection area, but this area is further out.

Ms. Townshend explained the stormwater management design will filter the water and then it will be infiltrated back into the ground and go back into the aquifer.

Mr. Morgan questioned if they could reduce parking for another bioretention area. *Mr. Crouch* explained the stormwater retention facilities will be sized to accommodate a 2-10 year storm, which is better than it currently is and more than adequate.

Tom Panetta, Planning Commission, questioned if they have thought of using pervious pavement. *Mr. Crouch* stated they could use it in some of the parking areas, but he doesn't want to commit to pervious pavement due to the increased expense of installation and maintenance. Stormwater management will be addressed, and they will make it as efficient as possible. It has not been designed yet and if the city doesn't like the design they come up with, they will work with the city.

Councilperson Osler questioned where the water goes? They are basically paving most of this parcel. *Mr. Crouch* explained how the seven (7) bio-retention areas are interconnected underground by pipes. Over flow is piped out to Savannah Road and would then be piped out to drain into the Great Marsh.

Mayor Becker stated the city has used pervious pavement on several roads and they may want to relook at the cost. A large percentage of the parcel will be covered with some kind of hard surface.

Gail Van Gilder, Cape Shores, Historic Lewes Byway Committee, stated they have been asking the same questions about access along Kings Highway. They need to focus on getting the most right of way as possible and working with DelDOT. Vantage Point has been very cooperative in making this work, but we all need to look at the big picture and how it will work together.

Frank Drejka, 56 Henlopen Gardens, stated currently water from this property runs off into Henlopen Gardens. He is concerned what will happen once this project is completed. *Mr. Crouch* stated he believes it was included in the calculation for the stormwater management but will look into it.

There being no further comments, the meeting adjourned at **7:18pm**.

Minutes submitted by,

Alice Erickson
Recording Secretary