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## Sussex County

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DIRECTOR

August 27<sup>th</sup>, 2025

Mr. David M. Kuklish, P.E.  
Bohler Engineering VA, LLC  
18958 Coastal Highway, Suite D  
Rehoboth Beach, DE 19971

By email to: [dkuklish@bohlereng.com](mailto:dkuklish@bohlereng.com)

RE: Staff Review of the Preliminary Site Plan for Mulberry Knoll Associates, LLC, (C/Z 2037) for the establishment of a shopping center to contain 663,213 square feet of commercial improvements within (23) proposed structures, a fuel station, commercial drive-through facilities, internal roads, parking, sidewalks, landscaping, stormwater management, and associated site improvements on two parcels comprised of 73.457 +/- acres to be located on the northwest side of John J. Williams Highway (Route 24) approximately 400 feet south of Plantation Road (S.C.R. 275 / Route 1D) and the northwest corner of Mulberry Knoll Road (S.C.R. 284) in Rehoboth Beach, Delaware.  
Tax Parcels: 334-12.00-46.00 and 334-12.00-47.00

Dear Mr. Kuklish,

Further to your submissions of September, 6<sup>th</sup>, 2024 and July 3<sup>th</sup>, 2025, Staff have reviewed the Site Plan for Mulberry Knoll Associates, LLC, (C/Z 2037) for the establishment of a shopping center to contain 663,213 square feet of commercial improvements within (23) proposed structures, a fuel station, commercial drive-through facilities, internal roads, parking, sidewalks, landscaping, stormwater management, and associated site improvements on two parcels comprised of 73.457 +/- acres. The parcel is zoned Agricultural Residential (AR-1) District, and this plan was submitted as part of the application requirements for Change of Zone Application (C/Z 2037) seeking a Change of Zone to a Planned Commercial (C-4) District.

The properties are located on the northwest side of John J. Williams Highway (Route 24) approximately 400 feet south of Plantation Road (S.C.R. 275 / Route 1D) and extend to the northwest corner of Mulberry Knoll Road (S.C.R. 284) in Rehoboth Beach, Delaware. The parcels are within the Growth Area and have a Future Land Use Designation of "Commercial Area" per Sussex County's 2018 Comprehensive Plan Update. The subject properties are located within the Henlopen Transportation Improvement District (TID). However, the Applicant has completed a Traffic Impact Study (TIS) at the request of the Delaware Department of Transportation (DelDOT) as it was noted that the proposed development is not consistent with the Land Use and Transportation Plan (LUTP) that was created as part of the Henlopen TID.

Staff have reviewed the submitted Preliminary Site Plan for compliance with Chapter 115 (the Zoning Ordinance) and the Planned Commercial (C-4) District Site Plan specific criteria outlined in §115-

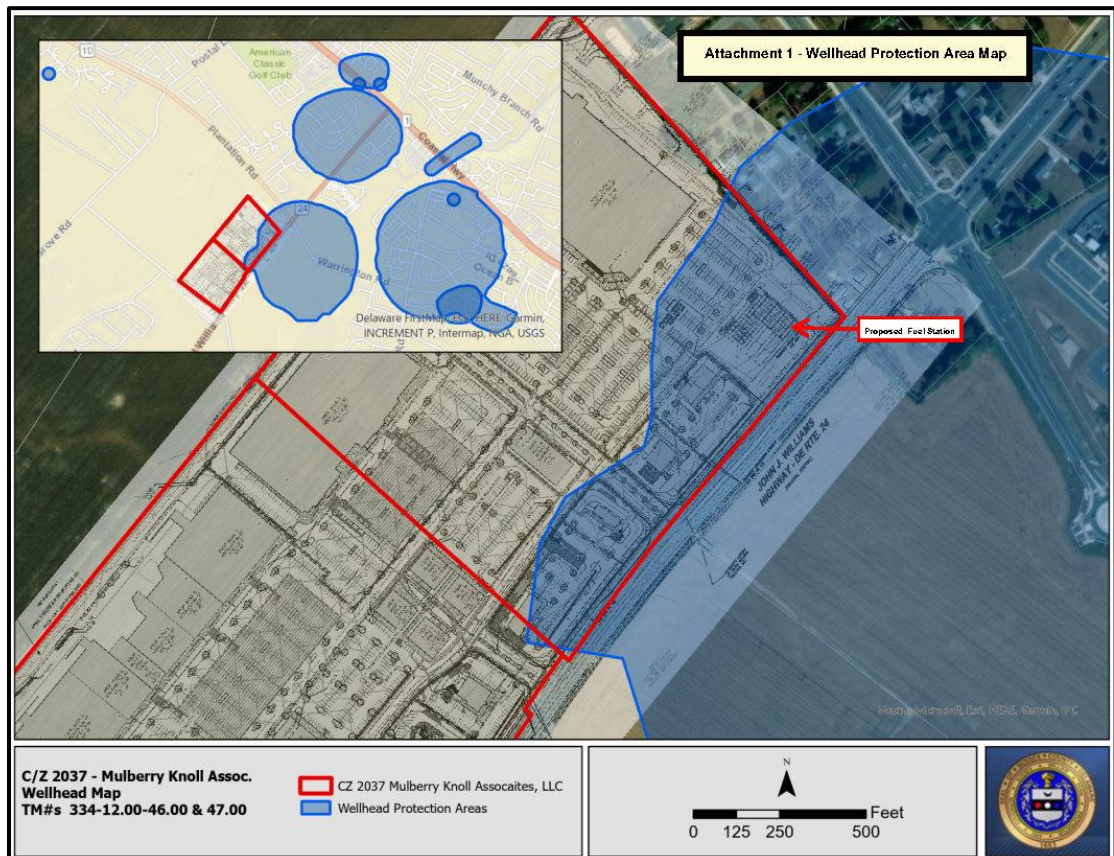


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83.25(F)(2)(a-h) and §115-83.25(F)(4)(a-d) and the provisions and goals outlined within Sussex County's 2018 Comprehensive Plan. Staff have the following comments for your consideration with regard to the Revised Preliminary Site Plan:

#### Overall Site Plan Comments

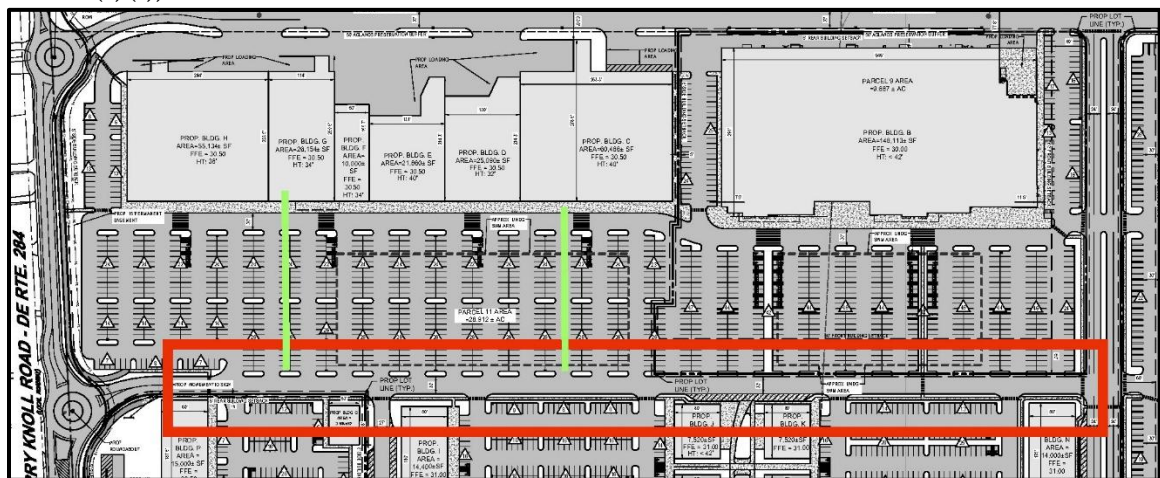
1. Staff note that the purpose of the Planned Commercial District is to encourage carefully planned large-scale commercial, retail, and mixed-use developments as a means of creating a superior shopping, working and living environment through unified developments, and to provide for the application of design ingenuity while protecting existing and future developments. Please ensure that these elements are fully demonstrated and addressed in the Plans and any supporting statements (§115-83.24).
2. Staff note the Wellhead Protection Area across the southeastern portion of Parcel #46.00. (Attachment 1) Please note, any plan submitted for review will need to meet requirements of §89-6(F)) relating to impervious quotients and source water protection. Fueling stations appear to be proposed within the extent of the wellhead zone. Staff note that any underground storage tanks will be required to meet all the applicable regulations of the State of Delaware (§89-6(F)(6)). Staff request that this is responded to prior to the public hearing.



3. Staff note that a revision to the plan included with the Application of 9/6/2024 was submitted on 7/3/2025 to additionally include subdivision of the existing (2) parcels into (11) parcels. This proposed subdivision represents a Major Subdivision under the County Code and will have to meet all the requirements of Chapter 99.
4. Staff note that the parking is calculated for “Shopping Center” use per (§115-162(A)) for all proposed improvements on the site. Staff request the Plan include a breakdown of parking for individual uses as this revised plan proposes to parcel out the pad sites with unique Tax Id #s. Please provide a detailed breakdown of the parking provided by specific individual use as well as the specific parcels each parking provision by use is to be attributed to. If shared parking is proposed, please provide a shared parking study (§115-165(B)).
5. Please revise proposed “Parcel 2” and “Parcel 5” to meet the required (150) foot minimum lot width as required in (§115-83.30(A)) for lots with frontage on a numbered road.
6. Please clarify the proposed parcel boundaries more clearly on the Plan or in a separate page or exhibit to include a clear depiction of the internal road configuration clearly showing internal roads to be included on each parcel.
7. Please clarify the extent of the “Remainder of Lands” as labeled on the Plan and how it may relate to Proposed “Parcel 11”. The shape or extent of what is denoted as “Remainder” on the Plan is not clear.
8. Please provide an easements plan showing all proposed access easements relating to internal roads and the proposed parcel boundaries (§115-83.25(F)(2)(a)).
9. Please clearly denote if any residential units are proposed as part of any of the proposed structures on the site to ensure compliance with the C-4 requirements for residential components (§115-83.25(E)).
10. Staff recommend all two-way internal roads, including the internal drive aisles in parking clusters, be increased from (24) feet to (30) feet to reflect the State of Delaware road standards. It is the Planning & Zoning Commission’s practice to require a minimum (30) foot width standard for two-way vehicular ingress/egress or easements on all subdivision plans and all site plans.
11. Please show the location and design details of all refuse areas on the Plans (dumpster facilities) and include the nature of any proposed screening to be provided (§115-83.25(F)(2)(b)).
12. Staff request that the nature, character and location of all transit facilities be shown on the Plans. Please note that the location of any transit facilities will have to be coordinated with the Delaware Transit Corporation (DTC), a Division of the Delaware Department of Transportation (DelDOT) in accordance with their siting requirements.
13. Please include a pedestrian circulation plan or more detail related to pedestrian and multimodal circulation on the site to show all sidewalk widths, striping, location of pedestrian signage or signalization to be included as part of the plan (§115-83.25(F)(2)(a)) & (§115-83.25(F)(4)(a)). Given the proximity of the site to Coastal highway as well as the existing commercial,

residential, and institutional uses on the Route 24 corridor immediately adjacent beyond Plantations Road, the public transit facilities should be thoughtfully integrated into the site overall design for pedestrian circulation and multimodal connectivity (§115-83.24) & (§ 115-83.25F(4)(a)).

14. Staff recommend sidewalks be provided on both sides of all 3 primary internal circulation routes. Specifically, the Plan would benefit from sidewalks on the north side of the road corridor (Pictured in red). running between the largest parking areas in front of Buildings “B & (C-H) and proposed “P, I, J, K, and N” immediately to the south. Additionally, staff recommend pedestrian sidewalk corridors be provided to connect the frontage of Proposed “Buildings C-H” southward to this corridor as well (Pictured in green) (§115-83.24) & (§ 115-83.25F(4)(a)).



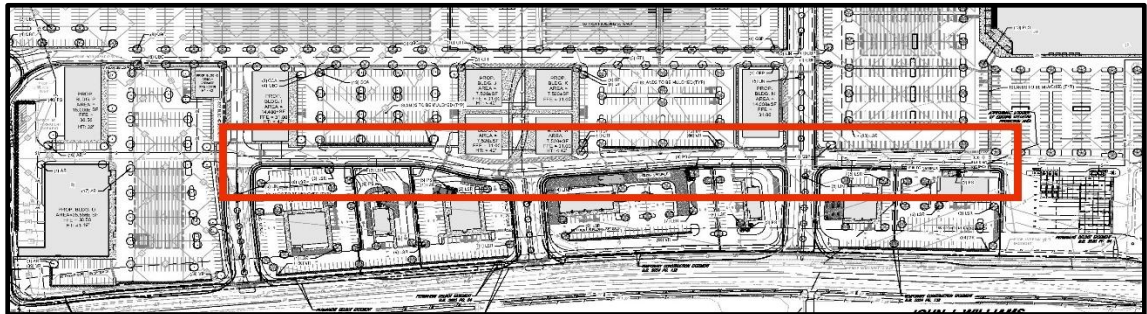
Staff note that a landscaped divider to separate directions of traffic, similar to the one provided within the primary circulation road between the proposed “Building A” and “Buildings B&N” could benefit the plan’s pedestrian design.

15. Staff note the proposed connection to Plantation Road. Please provide detail regarding this connection to Parcel #57.01 as it is under separate ownership and please include interconnectivity points or accommodation for future connections to Parcel #48.06 (§115-83.25(F)(4)(b)).
16. Staff recommend bike racks be provided at all structures and pad sites and shown on the plan (§115-83.25F(4)(a)).
17. Staff note that parking screening is required to be adjacent to the Midway Acres Subdivision (TM#s 334-12.00-67.00 and 68.00) per (§115-166(H)). Please include the required screening type as well as the proposed materials and configuration on the plan.
18. Please provide the character, materials, or more details regarding the proposed “6’ High Sight Tight” fencing at the rear of the site.



Staff Review Comments Regarding Application of Sussex County Comprehensive Plan Elements

1. Please ensure that the new development complements the character of the existing surrounding communities by providing an appropriate distribution and intensity of uses to include buffers and downlighting where appropriate (Sussex County Comprehensive Plan, 4-9).
2. Staff request that the character of all proposed lighting be shown on the Plans. The Comprehensive Plan states, “screening of outdoor lights on residential and commercial properties should be provided whenever feasible to prevent intrusions into adjoining residential areas” (Sussex County Comprehensive Plan, 12-4).
3. Please consider placement of parking to the rear or side of buildings, where practicable, so that the front yard can be landscaped. Doing so provides for a less intense and more aesthetically pleasing corridor sightline (Sussex County Comprehensive Plan 12-4).
4. Street trees and shade trees within existing parking lots are encouraged to lessen the intensity of large parking areas (Sussex County Comprehensive Plan, 12-12). Staff recommend a robust street tree design along the primary lateral corridors of internal vehicle and pedestrian circulation in order to enhance the pedestrian design on the site. Staff recommend the inclusion of more street trees along the southern most primary circulation corridor parallel to Route 24 (Pictured in red) (§115-83.24) (§115-83.25F(4)(a)).



5. Staff recommend sidewalks wider than 5 feet along the major pedestrian corridors throughout the site to more fully meet the intent of (Sussex County Comprehensive Plan, 12-7).

Planned Commercial District (C-4) - Site Plan Review Requirements

1. Staff note that a tabular summary is provided for the percentage of the Site devoted to buildings, open space, streets and parking areas and (§115-83.25(F)(2)(c)). Please include details as to any proposed residential structures or mixed-use structures to contain residential uses.
2. Please provide Architectural Sketches or typical proposed structures and typical landscaping and screening areas (trash receptacles/dumpsters) (§115-83.25(F)(2)(e)).
3. Staff request that the required setback lines (BRLs) be clearly drawn for all proposed Parcels on the Plan to ensure compliance with minimum District requirements including dimensioning for the distances from proposed structures to proposed property lines (§115-83.25(F)(2)(a)).

4. Staff reviewed the Plan in terms of the requirements of (§115-83.25(F)(2)) which requires the Plan display the requirements of (§115-220 – *Preliminary Site Plan Requirements*) and have the following comments:
- a) Please include Zoning District boundaries (§115-220(B)(2)).
  - b) Please include the location and nature of all proposed construction, excavation or grading, including but not limited to buildings, streets and utilities (§115-220(B)(5)).
  - c) Please include the Net Development Area (§115-220(B)(6)).
  - d) Please include approximate location and size of nonresidential areas, if any (parking areas, loading areas or other) (§115-220(B)(9)).
  - e) Please include approximate location and size of recreational areas, if any (§115-220(B)(10)).
  - f) Please include the number of construction phases proposed, if any, with the plot showing the approximate boundaries of each phase and the proposed completion date of each phase (§115-220(B)(12)).
  - g) Please show location of all wetlands (both state and federal) shall be indicated, in order to facilitate compliance with state and federal wetlands requirements (§115-220(B)(13)).
  - h) Please include the designation of all areas proposed as open space on the Plan (§115-220(B)(15)).
  - i) Please provide interconnectivity (Stub/Easement) to all parcels adjacent to Parcels 46.00 & 47.00 on the Plan (§115-220(B)(16)).
  - j) Please provide all items listed in (§115-220(B)(17)(a-h)) related to wetland resources on the site on the Plan (if applicable):
    - Boundary and wetland type
    - All existing forest by type as indicated in (§115-220(B)(17)(b)).
    - Proposed access easement layout (§115-220B(17)(f)).
    - A reference by title, author and date, to the DAR (§115-220(B)(17)(g)).
    - Any walking trails, including the method of construction and the materials used to establish the trails (§115-220B(17)(h)).

If the related Change of Zone Application (C/Z 2037) were to be approved by County Council, prior to approval of the Final Site Plan, approval letters or letters of no objection from the following agencies shall be submitted to the Sussex County Planning and Zoning Office (All items in which a check mark appears have been received by the Department. Any items in bold have not been received and still require submittal to the Department):

- **Delaware Department of Transportation (DelDOT)**
- **Sussex Conservation District**
- **Office of the State Fire Marshal**
- **DNREC / State of Delaware – Re: Any Proposed Underground Storage Tanks**
- **SCED – Re: Wellhead Protection Area**

Once all of the above matters have been addressed, please provide **one (1) full-size copy and one (1) electronic copy of a Revised Preliminary Site Plan**. This Application has been scheduled for a

Public Hearing on **Wednesday, September 17<sup>th</sup>, 2025**. Therefore, please submit all required materials no later than the close of business on **Tuesday, September 9<sup>th</sup>, 2025**.

Please feel free to contact the Department with any questions during business hours, 8:30 A.M. – 4:30 P.M., Monday through Friday at 302-855-7878.

Sincerely,

A handwritten signature in black ink that reads "J. Whitehouse" followed by a horizontal line.

Mr. Jamie Whitehouse, AICP MRTPI  
Director, Department of Planning and Zoning

cc: Change of Zone No. 2037 Mulberry Knoll Associates, LLC file