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Sussex County

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JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR

December 2, 2025

Mr. Ring Lardner, P.E.
President, Senior Engineer
Davis, Bowen & Friedel, Inc.
1 Park Avenue
Milford, DE 19963

By email to: rwl@dbfinc.com

RE: Staff Review of the Preliminary Site Plan for Willows at Northstar Multifamily (S-25-64 & C/U 2499), a Conditional Use to allow for 94 multifamily units (a portion of the project to include units within the State's Workforce Housing Program) to be located within a proposed Medium Density Residential (MR) District, and to include private roads, open space and related amenities to be located on a 7.882-acre +/- parcel of land lying on the south side of Lewes-Georgetown Highway (Route 9) and the north side of Beaver Dam Road (Route 23), approximately 0.08-mile east of Dairy Farm Road (S.C.R. 261) in Lewes, Delaware
Tax Parcel: 334-5.00-175.00 (p/o)

Dear Mr. Lardner,

Further to your submission of October 22nd, 2025, staff have reviewed the submitted Preliminary Site Plan for Willows at Northstar Multifamily (S-25-64 & C/U 2499), a Conditional Use to allow for 94 multifamily units (a portion of the project to include units within the State's Workforce Housing Program) to be located within a proposed Medium Density Residential (MR) District and to include private roads, open space and related amenities. The parcel is currently zoned Medium Density Residential (MR) District and contains a Future Land Use Map designation of "Coastal Area" per Sussex County's 2018 Comprehensive Plan Update. The property is located on the south side of Lewes-Georgetown Highway (Route 9) and the north side of Beaver Dam Road (Route 23), approximately 0.07-mile east of Dairy Farm Road (S.C.R. 261) in Lewes, Delaware.

Staff note that the Site was the subject of a Conditional Use Application (Conditional Use No. 2499) filed on behalf of Northstar Property, LLC to allow for the establishment of ninety-four (94) multifamily units within a Medium Density Residential (MR) District. The Planning and Zoning Commission recommended approval of the Application at their meeting of Wednesday, October 9th, 2024. The Sussex County Council approved the Application at their meeting of Tuesday, May 20th, 2025, through Ordinance No. 3093 subject to eighteen (18) conditions.

Staff have reviewed the proposed Preliminary Site Plan for compliance with the Sussex County Zoning Code have the following comments:



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE 19947

Conditional Use – Multifamily Proposal

General Comments

1. Please indicate the location of the proposed Clubhouse with a lounge, fitness center and management offices as provided for in Condition “J” of the Conditions of Approval as this does not appear to be shown on the Plans. The Plans note that *“Recreational amenities within the development area for the use of residents of the community and their guests.”* In keeping within the spirit of consistency and continuity of this Application in relationship to the adjacent Northstar Property, LLC (2023-14) Major Subdivision, it is envisaged that the Multifamily development will have separate but equivalent amenities to the by-right Major Subdivision portion of the project. A clubhouse should be provided in a central and conveniently accessible location on the Site. For example, the clubhouse could be provided between proposed Buildings #1 and #4. Or, furthermore, please assert whether the clubhouse with a lounge, fitness center and management offices will be provided internally to one of the multifamily buildings.
2. It was proffered by the Applicant that Building #4 would be the 22-unit building that is designed as a *“resiliency center, where they have areas for children to join after school programs,”* and that the *“resiliency center would be provided with backup power”* (Meeting Minutes of the July 17, 2024 Planning & Zoning Commission Meeting, Page 12). However, the Plans as submitted note Building #2 as the Building to contain 22 units total. Please amend this on the Plans and include details regarding this facility.
3. Please provide a separate Landscape Plan which demonstrates the provision of a 30-ft forested/landscaped buffer in accordance with Condition “L” of the Conditions of Approval. The Forested Buffer shall comply with the planting requirements for such a buffer as contained in §99-5 of the Sussex County Code and additionally to include a clear “Limit of Disturbance” (LOD) line drawn on the Landscape Plan as required by Condition “L”.
4. It was proffered by the Applicant that all units will have a porch or patio. If proposed outside of the Building footprint, please note the location of these improvements on the Plans (Meeting Minutes of the July 17, 2025 Planning & Zoning Commission Meeting, Page 15).
5. The Applicant’s Exhibit Booklet for Conditional Use No. 2499 contained a Letter from Northstar Property, LLC to MBID of Delaware, LLC, it was noted that the residents of *“these apartments will have access to the Sussex County YMCA via public transportation, as required by the DSHA funding”* to include *“a DART bus stop on the property where the affordable housing is proposed.”* Please include the location, nature and character of any proposed bus stops to be utilized by residents of the Willows at Northstar – Multifamily project on the Plans.
6. Please provide interconnectivity where feasible on the Plans. Proposed site design should incorporate interconnectivity between internal circulation routes to prevent isolated, single-access configurations. This approach promotes efficient traffic flow and enhances emergency access in the event an emergency occurs on the Parcel.

7. Staff request clarification as to the proposed structure to be placed on the east side of the proposed “Maintenance Shed” on the northeastern corner of the Property.
8. Staff recommend relocation of the proposed dumpsters to the rear of the proposal and away from the front-facing portion of the property along the proposed Mulberry Knoll Road Extension and Lewes-Georgetown Highway (Route 9). Dumpster placement should avoid prominent frontage areas and be integrated into the site layout to reduce aesthetic impact while also maintaining accessibility for vehicles and pedestrians as may be needed.
9. Please correct the minor typographical error - “Development Sign” to “Development Sign.”
10. Staff recommend the addition of a third bike locker on the south side of the project to accommodate bicycle traffic traveling from Beaver Dam (Route 23) north.
11. Staff note that two (2) Development Signs have been provided on the south side of the Site. Please indicate if a Development Sign will be provided on the northern side of the project Site.
12. Please include the County Project Reference Number on the Plans. The County Project Reference Number for the project is S-25-64 (& C/U 2499).
13. Please include on the Plans that the Property is located within the Graves-Rollins Tax Ditch Area for completeness.

Compliance w/Conditions of Approval

1. **Please provide the name and experience of the Property Management Company, and the nature, type, and economic details of the Affordable Housing Program, which shall be provided to Sussex County’s Staff prior to review and approval of the Final Site Plan as required by Condition “B” of the Conditions of Approval.**
2. **Please include the location, nature and character of any bus stops/shelters to be provided on the Plans as required by the Local School District’s Transportation Manager per Condition “I” of the Conditions of Approval.**
3. **Please show the general location of all Amenities to be provided. For example: Please indicate the location of the proposed Clubhouse with a lounge, fitness center and management offices as provided for in Condition “J” of the Conditions of Approval as this does not appear to be shown on the Plans.**
4. **Please add to the Plans, details regarding the required 30-ft wide Landscape Plan for the development, to include the area adjacent to the Lewes Crossing Subdivision, “*showing the proposed tree and shrub landscape design, including the buffer areas.*” Staff note that the “Landscape Plan shall also include the proposed “Limit of Disturbance” (LOD) line as required under Conditions “L” and “M” of the Conditions of Approval.**
5. **Staff note that the location of all proposed light poles/lighting has been added to the Plans as well as an elevation rendering which demonstrates that the poles will not exceed 18-ft in height. Please add corresponding measurements on the Plans which confirm that the proposed light poles on the eastern side of the property will not be closer than 100-ft to the common boundary with the Lewes Crossing Community to accord with Condition “N” of the Conditions of Approval.**
6. Staff note that no more than ninety-four (94) multifamily units have been shown on the Plans, which accords with Condition “A” of the Conditions of Approval.

7. Staff note that the Plan shows proposed sidewalk connections to DelDOT’s multi-modal paths as outlined under Condition “G” of the Conditions of Approval.
8. Staff note that the Plans state that Agricultural activities exist nearby and include the Agricultural Use Protection Notice per Condition “O” of the Conditions of Approval.
9. Staff note that the Plans depict the Conditions of Approval as required by Condition “R” of the Conditions of Approval.
10. Staff recommend provision of landscaping and plantings along the project frontage outside of DelDOT’s required sight distance triangle to enhance the aesthetics of the proposed multifamily development. All plantings should be located so as not to obstruct vehicular sight lines or interfere with future roadway improvements.

Chapter 115 – Zoning Ordinance

Off-Street Parking (Chapter 115, Section 162)

1. **Additionally, the Site Data Column notes that 177 parking spaces have been provided, but 178 parking spaces are shown. Please advise.**
2. **Staff note per the Site Data Column that nine (9) parking spaces with signs for EV parking and nine (9) wired parking spaces. Please indicate where these spaces will be located on the Plans. Staff also request elevations or architectural details of any EV parking signage to be provided.**
3. Please clarify in the Site Data Column how many units will be over three (3) bedrooms to enable Staff to accurately determine parking requirements. Units over three bedrooms will require an additional 0.5 space (§115-162(B)(1)). Please ensure that this is accounted for in the Parking Calculation requirements and provision.
4. Staff note that, as the proposal is in excess of 50 units, the required number of parking spaces has been reduced by 15% from the required number of spaces (2 per unit for 44 units (2 buildings) = 88 spaces x .15 = 13.2 spaces and 88 spaces – 13 spaces = 75 parking spaces required with 177 spaces being provided (§115-162(B)(2)).
5. Staff note that the proposal both meets and exceeds the total number of ADA accessible parking spaces required under the 2012 International Building Code Requirements of six (6) spaces for between 151 to 200 spaces (Table 1106.1 – “Accessible Parking Spaces” 2012 IBC, 11-14).
6. Please clarify whether any parking spaces will be designated as “Vistor” or “Guest” spaces on the Plans.

Off-Street Loading (Chapter 115, Section 167)

1. Staff note that apartment buildings with a total floor area of between 100,000 square feet and 200,000 square feet (101,604 square feet) require a total of three (3) loading spaces. It appears that four (4) loading spaces have been provided.

2. Staff further note that where, in the judgment of the Planning and Zoning Commission, the loading space requirements are clearly excessive and unreasonable, the Commission may modify the requirements (§115-167 & 168(C)).

Multifamily Dwellings (Chapter 115, Section 188)

1. Staff note that the outside wall dimensions of all four (4) proposed buildings do not exceed 170 feet (§115-188(E)(1)).
2. Staff note that all buildings on the Site are a minimum of 40-ft apart (§115-188(E)(2)).

Preliminary Site Plan (Chapter 115, Section 220)

1. **Please show the location of all wetlands within the vicinity of the project. The location of all wetlands (both state and federal) shall be indicated, in order to facilitate compliance with state and federal wetlands requirements. For example: An area of terrene wetlands is shown (National Wetland Inventory Mapper data) to be to the area immediately east of the subject property within the Lewes Crossing Subdivision. Please add hatching or other appropriate markers to delineate this area on the Plans.**
2. **Please include the Zoning of all adjacent Parcels on the Plans (§115-220(B)(2)).**
3. Please add to the Plan the location, size and purpose of all Open Space areas and include Open Space calculations in the Site Data Column (§115-220(B)(15)).

Staff also encourage the use of the following elements within the proposed Final Site Plan where practicable:

- Provision of a bike rack to encourage multimodal travel within the development.
- Provision of an electric vehicle charging station(s). The Delaware Department of Natural Resources and Environmental Control provides an Electric Vehicle Charging Equipment Rebate Program for public areas. The rebate amounts are \$3,500 for single port and \$7,000 for dual port. Please contact DNREC's Division of Climate, Coastal and Energy for further information if interested (302)735-3480.
- Provision of landscaping islands within parking areas to eliminate the amount of impervious surface cover provided and to reduce any potential heat island effects.
- Provision of further aesthetic improvements such as Complete Streets which foster a shared sense of place and community to include items such as boulevard entrances (nodes), street pole flags, pavers, walking trails, pocket parks, fountains, further outdoor seating, pavilions, gardens, or communal gathering areas.

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):

- a. **Sussex Conservation District**
- b. **Office of State Fire Marshal**
- c. **Delaware Department of Transportation (DelDOT)**
 - **Letter of No Objection (LONO)**
 - **Entrance Permit**
- d. **Sussex County Engineering Department**
 - **Standard Plan approval**
- e. **Sussex County Geographic Information Office (GIO – formerly known as the Sussex County Department of Mapping and Addressing.)**
 - **Approval for Subdivision Name**
 - **Approval for all street names**
- f. **Office of Drinking Water (Public Health)**
- g. **The local school district (the Cape Henlopen School District) regarding bus stop provisions.**
- h. **Delaware Transit Corporation – regarding the provision of transit services to the multifamily development.**
- i. **Copies of all draft/proposed HOA/COA documents for the file.**

Once all of the above matters have been addressed and all agency approvals have been submitted to the Department, please provide **one (1) full-size copy and one (1) electronic copy** of a **Revised Preliminary Site Plan & Landscape Plan** at least **ten (10) days prior** to the Planning and Zoning Commission meeting you wish for your Application to be considered at.

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,



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

CC: Mr. David C. Hutt, Esquire – Partner, Morris James, LLP – dhutt@morrisjames.com
Willows at Northstar – Multifamily (S-25-64 & C/U 2499) Site Plan folder