

REGULAR MEETING OF NEW CASTLE COUNTY COUNCIL

**Louis L. Redding City/County Building
City/County Council Chambers
800 French Street, Wilmington, DE 19801**

AGENDA

February 9, 2010

7:00 p.m.

- A. Call to Order
Moment of Silence
Pledge of Allegiance
Roll Call**
- B. Approval of Minutes**
- C. Announcements**
- D. Introduction of Ordinances**

**°10-017: AMEND THE FY2010 ANNUAL OPERATING BUDGET:
REVISE ADMINISTRATION. Introduced by: Mr. Smiley, Mr. Tansey**

**°10-018: TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY
CODE (ALSO KNOWN AS THE UNIFIED DEVELOPMENT CODE OR “UDC”)
REGARDING ARTICLE 3 (“USE REGULATIONS”). Introduced by: Mr. Smiley**

**°10-019: TO PROVIDE FOR THE INSTALLATION OF
TRADITIONAIRE AND STANDARD POLE STREET LIGHTS IN DARLEY
GREEN BLOCK F SUBDIVISION LOCATED IN BRANDYWINE HUNDRED
AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS.
Introduced by: Mr. Cartier**

**°10-020: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-
UNION CLASSIFIED SERVICE EMPLOYEES AND TO ADOPT THE CLASS
SPECIFICATION FOR ASSISTANT PURCHASING AGENT. Introduced by:
Mr. Clark**

**°10-021: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-
UNION CLASSIFIED SERVICE EMPLOYEES AND ADOPT THE CLASS
SPECIFICATION FOR SENIOR NETWORK ENGINEER. Introduced by: Mr.
Clark**

**°10-022: AMEND THE GRANTS BUDGET: APPROPRIATE \$250,000 TO
STATE HOUSING REHAB FY10. Introduced by: Mr. Hollins, Mr. Cartier**

E. Reports from Select and Special Committees

F. Consent Calendar

R10-018: HONORING MARY MALOY SCOTT AS A ROLE MODEL OF INTEGRITY. Introduced by: Mr. Powers

R10-019: AUTHORIZING THE EXECUTION OF CERTAIN CONTRACTS. Introduced by: Mr. Smiley, Mr. Tansey

R10-020: APPROVING REVISED POSITION DESCRIPTION FOR EMERGENCY MEDICAL SERVICES ASSISTANT CHIEF PURSUANT TO NEW CASTLE COUNTY CODE SECTION 26.03.105(F). Introduced by: Mr. Clark

R10-021: CONSENTING TO THE APPOINTMENT OF PATRICIA CREEDON FOR THE POSITION OF GENERAL MANAGER OF SPECIAL SERVICES. Introduced by: Mr. Sheldon

R10-022: A RESOLUTION TO DESIGNATE FEBRUARY 7, 2010 AS NATIONAL HIV AWARENESS DAY IN NEW CASTLE COUNTY. Introduced by: Mr. Clark

R10-023: CONSENTING TO THE RE-APPOINTMENT OF GAIL GILL TO THE NEW CASTLE COUNTY LIBRARY ADVISORY SUBCOMMITTEE TO COMMUNITY SERVICES BOARD. Introduced by: Mr. Bell

R10-024: REALLOCATE HOME INVESTMENT PARTNERSHIP (HOME) FUNDS TO A NEW SUB-RECIPIENT. Introduced by: Mr. Hollins

G. Presentations

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions

I. Consideration of Ordinances

°10-015: TO REVISE CHAPTER 19 OF THE NEW CASTLE COUNTY CODE (ALSO KNOWN AS THE “RESIDENTIAL RENTAL PROPERTY CODE”). Introduced by: Mr. Cartier

°10-016: AMEND THE ANNUAL OPERATING BUDGET: REVISE PUBLIC SAFETY. Introduced by: Mr. Smiley, Mr. Tansey

°08-088: REVISE ZONING MAP: WHITE CLAY CREEK HUNDRED; SOUTH SIDE SR 273, WEST OF OLD OGLETOWN ROAD, AND OPPOSITE AVON AND LOWES; 13.38 ACRES FROM I (INDUSTRIAL) TO CR (COMMERCIAL REGIONAL). (Preliminary redevelopment plan for Potts Shopping Center proposes to construct a 129,000 square foot shopping center; 2008-0005-S/Z).
Introduced by: Ms. Diller

°09-090: REVISE ZONING MAP: BRANDYWINE HUNDRED; SOUTH SIDE OF GARDEN OF EDEN ROAD, WEST OF CONCORD PIKE AND EAST OF TAUNTON DRIVE; 15.39 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION); AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH. (Preliminary plan for Columbia Place at Garden of Eden Road proposes to redevelop the property with 150 age restricted dwelling units on 15.39 acres with 6.43 acres of open space; 2009-0201-S/Z). **Introduced by: Mr. Weiner**

°09-091: (TO BE TABLED) REVISE ZONING MAP: NEW CASTLE HUNDRED; NORTH SIDE OLD PORTER ROAD, WEST OF RED LION ROAD AND EAST OF LAUREN DRIVE; 56.709 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION) AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH. Preliminary plan for Vista at Red Lion Section One proposes to construct 286 age-restricted single-family townhouse dwelling units on 56.709 acres with 26.499 acres of private open space. 2008-0002-S/Z.) **Introduced by: Mr. Powers**

°09-092: (TO BE TABLED) REVISE ZONING MAP: NEW CASTLE HUNDRED; SOUTH SIDE OLD PORTER ROAD, WEST OF RED LION ROAD AND EAST OF LAUREN DRIVE; 144.81 ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION). Preliminary plan for Vista at Red Lion Section Two proposes to construct 289 single-family detached dwelling units on 144.81 acres with 70.009 acres of private open space. 2008-0003-S/Z.) **Introduced by: Mr. Powers**

°09-093: (TO BE TABLED) REVISE ZONING MAP: NEW CASTLE HUNDRED; NORTHWEST SIDE OLD STATE ROAD, NORTHWEST OF US 13 ACROSS FROM LLANGOLLEN ESTATES; 13.51 ACRES FROM S (SUBURBAN) TO CR (COMMERCIAL REGIONAL); AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH. Preliminary plan for Old State Road Self Storage proposes to construct 47,750 square feet of self storage buildings and 600 square feet of office on 13.51 acres. 2007-1227-S/Z.) **Introduced by: Mr. Powers**

°09-094: REVISE ZONING MAP: PENCADER HUNDRED, EAST SIDE SR 72 (SUNSET LAKE ROAD), SOUTH OF OLD BALTIMORE PIKE; 0.62 ACRE FROM ST (SUBURBAN TRANSITION) TO I (INDUSTRIAL); AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH.

(Preliminary plan for Pike Excavating, Inc. proposes to combine two parcels and to construct two warehouse buildings with 18,700 square feet of gross floor area. 2008-0755-S/Z) **Introduced by: Mr. Tackett**

°09-105: (TO BE TABLED) REVISE ZONING MAP: MILL CREEK HUNDRED, SOUTH SIDE LIMESTONE ROAD (SR7), WEST SIDE MILLTOWN ROAD, AND NORTH SIDE OLD LIMESTONE ROAD; 8.557 ACRES FROM S (SUBURBAN) TO CN (COMMERCIAL NEIGHBORHOOD); AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH.

(Preliminary plan for Milltown Square proposes to construct a mixed use development with 100,418 square feet of office, retail, restaurant, and residential uses on 8.557 acres; 2009-0122-S/Z.)

Introduced by: Mr. Sheldon

°09-106: (TO BE TABLED) REVISE ZONING MAP: NEW CASTLE HUNDRED, SOUTHWEST SIDE CHURCH ROAD, NORTHWEST OF RED LION, AND SOUTHEAST OF MERIDIAN BOULEVARD; 135 ACRES FROM NCMM (NEIGHBORHOOD CONSERVATION – MOBILE-MANUFACTURED) TO ST (SUBURBAN TRANSITION).

(This is a proactive rezoning filed pursuant to a Settlement Agreement between New Castle County and Sterling Property Holdings, Inc. to rezone 135 acres from NCMM to ST and to void the Record Major Land Development Plan of Red Lion Village, a Mobile Home Community (microfilm 3087). No associated land development plan is filed with this rezoning. 2009-0577-Z) **Introduced by: Mr. Powers**

°09-107: (TO BE TABLED) REVISE ZONING MAP: WHITE CLAY HUNDRED, NORTH SIDE PATTERSON LANE, EAST SIDE OLD SR 7 (NORTH OLD BALTIMORE PIKE) IN NORTH CHRISTIANA; 13.654 ACRES FROM NC21 (NEIGHBORHOOD CONSERVATION) TO ST (SUBURBAN TRANSITION); AND TO AMEND THE COMPREHENSIVE PLAN CONSISTENT THEREWITH.

(Preliminary plan for Patterson Lane proposes a residential development of 28 townhomes on 13.65 acres with 9.94 acres of open space, 2008-0902-S/Z.) **Introduced by: Mr. Reda**

SUBSTITUTE NO. 1 TO °09-071: (STATUS: TABLED) TO REVISE CHAPTER 40 OF THE NEW CASTLE COUNTY CODE (ALSO KNOW AS THE UNIFIED DEVELOPMENT CODE – UDC) REGARDING ARTICLE 12 (SEWER AND WATER IMPACT) TO PERMIT PROPERTY ADJACENT TO THE PUBLIC SEWER SERVICE AREA TO CONNECT TO THE PUBLIC SANITARY SEWER UNDER CERTAIN CONDITIONS. **Introduced by: Mr. Cartier**

°09-114: (STATUS: TABLED) TO REVISE CHAPTER 14 OF THE NEW CASTLE COUNTY CODE TO EXEMPT CERTAIN PROPERTY FROM TAXATION. Introduced by: Mr. Reda

°10-005: (STATUS: TABLED) AN ORDINANCE AUTHORIZING UP TO \$8,291,000 RECOVERY ZONE FACILITY BONDS (RAMA CORPORATION PROJECT). Introduced by: Mr. Smiley

- J. Time Sensitive Congratulatory/Honorary Resolutions**
- K. Introduction/Consideration of Emergency Ordinances**
- L. Public Comment/Other**
- M. Motion to Adjourn**

This agenda was posted seven (7) days in advance of the scheduled meeting in compliance with *Del. Code Title 29, Sec. 1004; (e)(2)*.