



Department of Land Use

MEMORANDUM

TO: Karen Hartley-Nagle, President, New Castle County Council
Members, New Castle County Council

COPY: Matthew S. Meyer, County Executive
Vanessa Phillips, Chief Administrative Officer

FROM: Richard E. Hall, AICP, Land Use General Manager

DATE: July 12, 2021

SUBJECT: Annual Report: The Redevelopment Program
Calendar Years 2002 through 2020

The New Castle County Department of Land Use is pleased to submit an Annual Report to County Council regarding an analysis of the use and effectiveness of the Redevelopment Program in New Castle County, Delaware. This report is prepared pursuant to Section 40.08.130.B.6 (h) of the *New Castle County Code*.

OVERVIEW

The Redevelopment Program, in place since 2002, provides a means for economic reinvestment in established communities by encouraging interest in the revitalization of previously developed properties, especially brownfields, with incentives, such as density bonuses, in exchange for measurable design element improvements. The program has been modified several times during its existence to clarify and improve the process and expand its applicability. Although participation in the program has decreased in recent years, it still remains a viable option to help stimulate valuable improvements for communities and a vibrant economy.

DEFINITION

As defined by the Unified Development Code (UDC), redevelopment is a process used to identify previously developed land that is now vacant, abandoned or underutilized real property where older structures, if they exist, are rehabilitated or replaced.

PURPOSE OF PROGRAM

The Redevelopment Program is intended to facilitate and encourage the continued viability of previously developed land via a process that seeks improvement to select design elements and focusing on proportional compliance to UDC standards.

CODE HISTORY

Ordinance 01-098. Adopted by County Council on April 9, 2002, the purpose of the ordinance was to provide a review and approval process for the redevelopment of previously developed sites. Subsequently, the Council has amended the Code in seven ordinances in a continuing effort to clarify and improve the process and expand its applicability to advance the best interest of the public and New Castle County, as follows:

Ordinance 03-069. Adopted October 28, 2003, providing standards to further encourage and facilitate brownfield development.

Ordinance 04-054. Adopted July 13, 2004, providing greater flexibility in the redevelopment of previously developed sites and brownfields, such as permitting uses and area standards from the “I” zoning district in the “HI” district.

Ordinance 06-007. Adopted March 28, 2006, provided additional incentives including a rezoning review process not dependent upon the tri-annual zoning process, a blending of the standards between brownfields and other redevelopment areas, density bonuses, and a waiver of all impact fees except sewer fees.

Ordinance 06-060, Substitute 3. Adopted September 26, 2006, including clarification language regarding the status of proposed reconfiguration improvements that do not conform to the UDC.

Ordinance 08-001. Adopted March 25, 2008, providing former or existing extractive use sites to take advantage of the Redevelopment Ordinance when being redeveloped.

Ordinance 10-113. Adopted January 18, 2010, comprehensive republication of the NCC Code, as required by state law, containing revisions to the redevelopment section including: reformatting, removal of obsolete tri-annual rezoning reference, and changing “TAC” requirements to “PLUS” requirements.

Ordinance 11-020. Adopted July 26, 2011, providing clarification to 1) limit redevelopment to non-residential uses and sites; 2) remove phrase pertaining to “approved for the site”; 3) prohibit redevelopment plans from seeking Board of Adjustment variances; 4) clarify LOS and TIS issues; 5) establish 50% improvement for certain design elements; and 6) clarify formatting changes.

REDEVELOPMENT PLANS

Following the inception of the Redevelopment Program, through the end of Calendar Year 2020, the New Castle County Department of Land Use has received 104 redevelopment plans. While the program was utilized for many projects between 2002 and 2013 (88 plans, averaging 7.3 per year), there have been only 16 redevelopment plans submitted between 2014 and 2020 (average of 2.3 per year).

| | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|----------|------|------|------|------|------|------|------|------|------|------|------|------|
| Received | 4 | 3 | 5 | 9 | 12 | 17 | 12 | 10 | 5 | 5 | 3 | 3 |
| Recorded | 0 | 3 | 3 | 7 | 6 | 9 | 12 | 6 | 11 | 6 | 5 | 3 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | TOTALS |
|----------|------|------|------|------|------|------|------|--------|
| Received | 0 | 3 | 5 | 2 | 4 | 2 | 0 | 104 |
| Recorded | 3 | 2 | 3 | 1 | 1 | 4 | 4 | 89 |

ACTIVE REDEVELOPMENT PLANS

| <u>APP #</u> | <u>PROJECT NAME</u> | <u>GFA</u> | <u>AC</u> | <u>PLAN TYPE</u> | <u>ZONING</u> |
|--------------|---------------------|------------|-----------|------------------|---------------|
| 20160566 | 2840 OGLETOWN ROAD | 10,352 | 0.88 | D-MIN | I |

The following lists all redevelopment plans that have been recorded since the program's inception. A map showing the redevelopment sites is attached at the end of this report.

RECORDED REDEVELOPMENT PLANS

| APP # | PROJECT NAME | GFA | AC | Plan Type | Zoning |
|--------------|-----------------------------------|------------|-----------|------------------|---------------|
| 20020308 | 3206,3208, & 3210 CONCORD PIKE | 8,652 | 0.58 | D-MIN | CN |
| 20020674 | SOUTHWOOD FARMS | 37,121 | 4.91 | D-MIN | CR |
| 20021281 | TACO BELL; KIRKWOOD HIGHWAY | 3,269 | 0.85 | D-MIN | CR |
| 20030714 | BRUSTER'S ICE CREAM; ROUTE 40 | 1,200 | 0.59 | D-MIN | CR |
| 20031089 | WALMART - CENTERVILLE RD | 149,195 | 19.16 | D-MIN | CR |
| 20040219 | MCDONALD'S; CLAYMONT | 3,815 | 0.92 | D-MIN | CR/HT |
| 20040438 | FIRST UNITARIAN CHURCH | 60,196 | 3.94 | D-MIN | NC10/CN |
| 20040538 | HOCKESSIN ATHLETIC CLUB | 118,356 | 11.6 | D-REZN | S to CR |
| 20040955 | MILLER ROAD SHOPPING CENTER | 137,187 | 16.4 | D-MIN | CR |
| 20041109 | PREMCOR PETROLEUM COKE BARN | 56,268 | 50.89 | D-MIN | HI |
| 20050075 | CREEKSIDE GALLERY | 10,218 | 0.74 | D-MIN | CN |
| 20050100 | GENERAL FLOORING | 19,200 | 2 | D-MIN | I |
| 20050214 | RIVER ROAD INDUSTRIAL PARK | 0 | 85.19 | D-MIN | HI |
| 20050537 | HAPPY HARRY'S SOUTHWOOD | 20,986 | 4.95 | D-MIN | CR |
| 20050586 | TOOLS AND MORE | 13,980 | 1.25 | D-MIN | CR |
| 20050680 | LOWE'S OF NEWARK | 139,410 | 16.77 | D-MIN | I |
| 20050710 | HOLLY OAK CROSSING | 19,000 | 2.42 | D-MIN | CR |
| 20051186 | FULTON BANK | 3,128 | 0.72 | D-MIN | CR |
| 20060032 | RIVER ROAD INDUSTRIAL PARK II | 68,354 | 6.25 | D-MIN | HI |
| 20060033 | AIRPORT TOYOTA | 72,310 | 14.58 | D-MIN | CR |
| 20060040 | GREENBANK CORPORATION PARCEL 2 | 9,000 | 0.86 | D-MIN | CR |
| 20060082 | CLAYMONT FIRE COMPANY | 39,131 | 1.47 | D-MIN | CN/HT |
| 20060127 | TROUT PROPERTIES | 4,876 | 0.43 | D-MIN | CN |
| 20060215 | FOULK PLAZA | 7,000 | 0.68 | D-MIN | CR |
| 20060298 | DELAWARE AUTO COURT | 65,500 | 6.08 | D-MIN | CR |

| | | | | | |
|----------|----------------------------------|-----------|--------|--------|----------|
| 20060703 | BPG HOTEL XVIII | 88,420 | 6.92 | D-MAJ | CR |
| 20060754 | 3022 NEW CASTLE AVENUE | 50,600 | 12.65 | D-MIN | CR |
| 20060782 | CONCORD TOWERS | 81,024 | 4.89 | D-MIN | CR |
| 20061075 | AIRPORT IND PARK 166 QUIGLEY | 24,759 | 2.6 | D-MIN | I |
| 20070066 | JTA SERVICES | 12,725 | 3.98 | D-MIN | HI |
| 20070172 | LIMESTONE SHOPPING CENTER | 43,889 | 4.9 | D-MIN | CR |
| 20070197 | APPLEBEES - KIRKWOOD HIGHWAY | 4,781 | 0.8 | D-MIN | CR |
| 20070305 | 2510 KIRKWOOD HIGHWAY | 4,000 | 0.43 | D-MIN | CN |
| 20070557 | RIVER ROAD IND PARK 2A & 2B | 69,600 | 7.6 | D-MIN | HI |
| 20070567 | CHRISTIANA MALL EXPANSION | 1,449,787 | 127.94 | D-MIN | CR |
| 20070622 | COMMERCE BANK - MARSH ROAD | 3,848 | 0.92 | D-MIN | CN |
| 20070664 | TACO BELL - CONCORD PIKE | 4,800 | 0.54 | D-MIN | CN |
| 20070722 | PROMENADE AT CHRISTIANA | 443,300 | 45.63 | D-REZN | BP to CR |
| 20070771 | ATLAS WELDING | 24,535 | 5.04 | D-MIN | I |
| 20070867 | NICHOLS PROPERTY | 6,400 | 6.34 | D-MIN | CR |
| 20070973 | RIVER ROAD IND PARK II- LOT 3 | 44,075 | 3.66 | D-MIN | HI |
| 20071080 | AIRPORT NEWS CONVENIENCE | 12,750 | 0.58 | D-MIN | CN |
| 20071107 | RIVER ROAD IND PARK II LOT 5 | 62,630 | 7.72 | D-MIN | HI |
| 20071223 | PIKE CREEK NURSING HOME | 82,400 | 5.32 | D-MIN | CR |
| 20071237 | DE INTERSTATE IND PARK 37 & 38 | 21,500 | 1.71 | D-MIN | I |
| 20080126 | DE INTERSTATE IND PK LOT 45/46 | 37,920 | 2.73 | D-MIN | I |
| 20080160 | FAMOUS DAVES BRANDYWINE COMMONS | 7,630 | 1.51 | D-MIN | CR |
| 20080234 | HAPPY HARRY'S NAAMANS ROAD | 14,727 | 1.79 | D-REZN | CN |
| 20080271 | NEW CASTLE TOWN CENTER | 476,248 | 58.79 | D-REZN | CR |
| 20080310 | FOULK ROAD PARTNERS | 14,190 | 1.21 | D-MIN | ON |
| 20080605 | 130 S. DUPONT HIGHWAY | 15,760 | 1.84 | D-MIN | CR |
| 20080780 | COMFORT SUITES AT CHRISTIANA | 69,005 | 4.39 | D-MIN | CR |
| 20090041 | DUPONT HIGHWAY HOTEL | 43,125 | 1.58 | D-MIN | CR |
| 20090123 | TALLY-HO SHOPPING CENTER | 4,600 | 1 | D-MIN | CR |
| 20090137 | RIVER ROAD IND PARK LOTS 10,11 | 0 | 0 | D-RSUB | HI |
| 20090201 | COLUMBIA PLACE AT GARDEN OF EDEN | 0 | 14.93 | D-REZN | S to ST |
| 20090398 | 311 RIDGE ROAD | 1,975 | 0.31 | D-MIN | CR |
| 20090413 | 3816 KENNETT PIKE | 3,000 | 0.63 | D-MIN | CN |
| 20090438 | CHRISTIANA MALL | 1,449,787 | 127.97 | D-MIN | CR |
| 20090439 | AUTOZONE | 7,360 | 0.92 | D-MIN | CR |

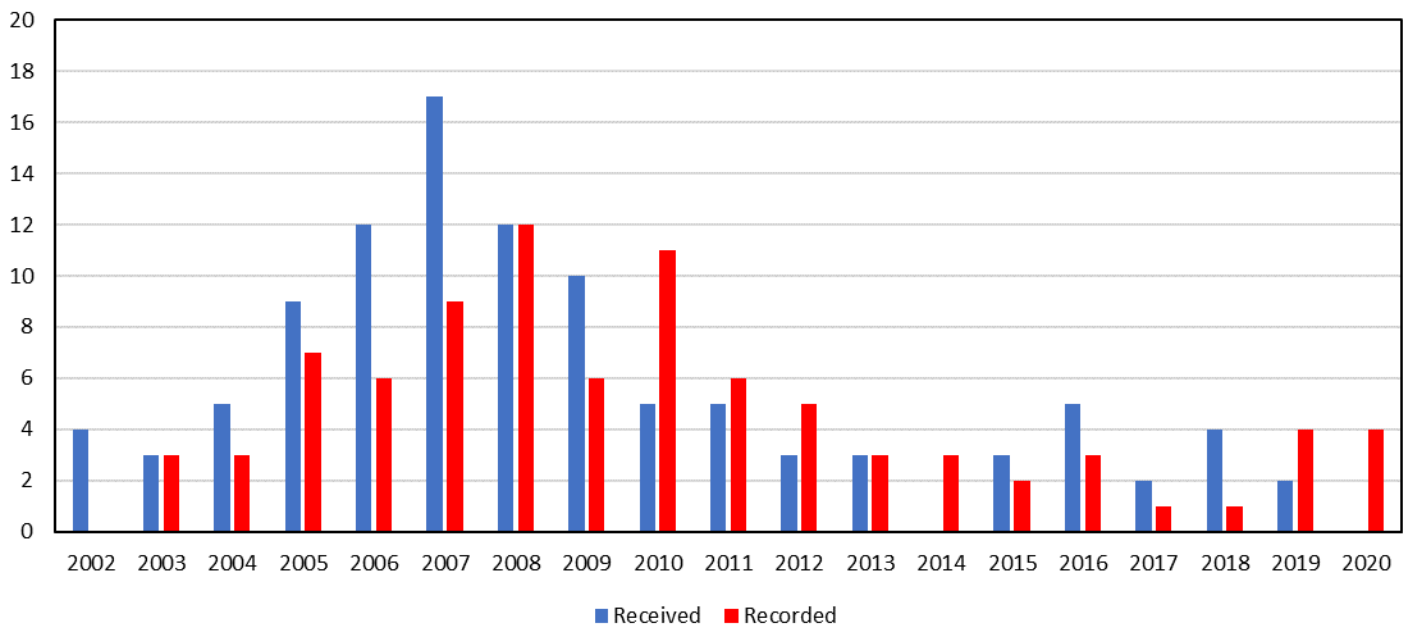
| | | | | | |
|----------|---|-----------|--------|--------|-------------|
| 20090631 | ELSMERE SHOPPING CENTER | 106,332 | 16.23 | D-MIN | CR |
| 20090643 | 1712 FOULK ROAD | 3,934 | 1 | D-MIN | CN |
| 20100342 | JOYCE REALTY CORPORATION | 17,565 | 3.02 | D-MIN | CN |
| 20100707 | WELLINGTON COMMONS | 51,437 | 9.03 | D-MIN | CR |
| 20100748 | HERCULES RESEARCH CENTER | 564,794 | 110.54 | D-MIN | OR |
| 20100761 | CVS - MARYLAND AVENUE | 13,281 | 3.09 | D-MIN | CN |
| 20100788 | CVS - TELEGRAPH ROAD | 13,540 | 1.68 | D-RZMN | NC6.5 to CN |
| 20110194 | GARDEN OF EDEN SHOPPING CENTER | 24,550 | 3.77 | D-MIN | CR |
| 20110340 | 6 SHEA WAY | 13,680 | 1.27 | D-MIN | I |
| 20110363 | 7 EAST COMMONS BOULEVARD | 5,017 | 2.57 | D-MIN | I |
| 20110549 | 2530 CONCORD PIKE | 5,200 | 0.89 | D-MIN | CN |
| 20120127 | BLUE HEN CAR WASH | 4,150 | 1.41 | D-MIN | CN |
| 20120554 | GATEWAY GARDEN CENTER | 8,640 | 1.28 | D-MIN | CR/HT |
| 20120764 | LIMESTONE SHOPPING CENTER | 37,414 | 4.67 | D-MIN | CR |
| 20130245 | DUPONT ST. GEORGES LLC | 18,920 | 4.25 | D-MIN | I/HT |
| 20130710 | DUPONT PIONEER STINE HASKELL GREENHOUSE | 271,405 | 20.93 | D-MIN | I |
| 20150007 | 698 NAAMANS ROAD - PMIG DPNJ LLC | 4,335 | 0.9 | D-MIN | CR |
| 20150089 | CRODA | 322,964 | 128.87 | D-MIN | HI |
| 20150281 | 1700 ROCKY RUN PARKWAY | 7,170 | 2.02 | D-MIN | CR |
| 20160822 | 5600 CONCORD PIKE | 23,097 | 2.44 | D-MIN | CR |
| 20160823 | DUTCH INN - RESTAURANT | 19,647 | 4.15 | D-MIN | CR |
| 20170527 | BOXWOOD ADDITION | 0 | 0 | D-MIN | NC5 |
| 20170730 | COLUMBIA PLACE AT GARDEN OF EDEN ROAD | 0 | 0 | D-RSUB | ST |
| 20180224 | BOXWOOD INDUSTRIAL PARK | 3,045,709 | 141.64 | D-MIN | HI |
| 20180405 | MERCHANTS SQUARE | 87,000 | 22.8 | D-MIN | CR |
| 20180620 | 5600 CONCORD PIKE | 0 | 0 | D-RSUB | CR |
| 20180661 | NEW CASTLE LOGISTICS PARK | 2,008,760 | 170.46 | D-MIN | CR/HI |
| 20190550 | DELDOT BEAR ADMINISTRATION BUILDING | 116,056 | 37.07 | D-MIN | I |
| 20190685 | LOGISTICENTER AT I95 WILMINGTON | 4,660,245 | 140.51 | D-MIN | HI |

| Plan Summary | | | | | |
|---------------|------------|-----------------|-------------------|------------|------------|
| Status | No. | Total Ac | Total GFA | Brownfield | Industrial |
| Recorded | 89 | 1560.44 | 17,200,961 | 6 | 20 |
| Expired | 14 | 96.52 | 728,872 | 0 | 1 |
| Active | 1 | 0.88 | 10,352 | 0 | 1 |
| Totals | 104 | 1,657.84 | 17,940,185 | 6 | 22 |

Of the 89 plans that have been recorded since 2002, 22 were located in industrial zoning districts (I or HI), 59 were located in or rezoned to commercial zoning districts (CN or CR), three involved a site with more than one zoning district, two were in office districts (ON or OR), and three were residential in the NC5 and ST zoning districts. Four of the plans listed above were also in a Hometown Overlay District (HT).

There was a significant amount of interest in the Redevelopment Program prior to the 2008 economic downturn, but it has declined in the ensuing years, and the program has been utilized even less often since adoption of Ordinance 11-020, which prohibited redevelopment plans from also seeking Board of Adjustment variances. Participation has dropped significantly since, with only 14 new redevelopment plans being submitted in the last six years (thirteen of which have been recorded).

Received, Recorded



The report card on the final products from approved redevelopment plans has been positive. Those projects which have been constructed after utilizing the redevelopment option have enjoyed a high degree of success in progressing to productive venues that are creating and retaining employment opportunities and stimulating other investment opportunities in surrounding areas.

PLAN REVIEW COMPONENTS

Upon submission of a redevelopment plan, the Department reviews the design improvement table and the types and amount of improvements proposed by the plan. Section 40.08.130.B.6.e of the UDC stipulates that the property owner must propose improvements in selected design elements such that in totaling the individual design element improvements, the aggregate shall be equal to or greater than a 400 percent (400%) improvement. The proportional design element improvement table (see attachment at end of report) continues to address the issues and there have been no complaints on its use and functionality. The improvements table has built-in flexibility and allows improvements tailored to the circumstances and needs of each property. Most improvements have included landscaping, buffers, parking and curbing, and stormwater management.

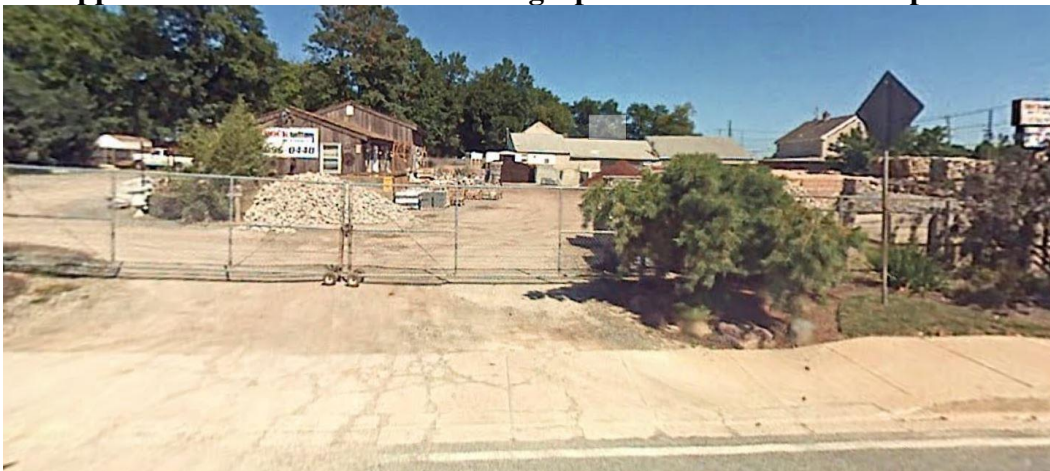
SUMMARY

As business conditions continue to improve, interest in this program may once again increase. Also, recently passed legislation permitting Economic Empowerment Districts may also result in additional opportunities for potential developers of previously developed sites. Aging retail centers such as those located along Kirkwood Highway, Route 9, and others throughout the county may also be good candidates for the redevelopment program.

Through redevelopment, a number of sites have already gone through a metamorphosis from being poorly designed or underutilized to improved, well-planned locations, many of which have created jobs and services available to the community as a result. The Department remains confident in the positive results that have accrued from this program. As with any provision of the UDC, we will continue to carefully monitor its usage and application and develop additional strategies as necessary to promote a healthy community and vibrant economy.

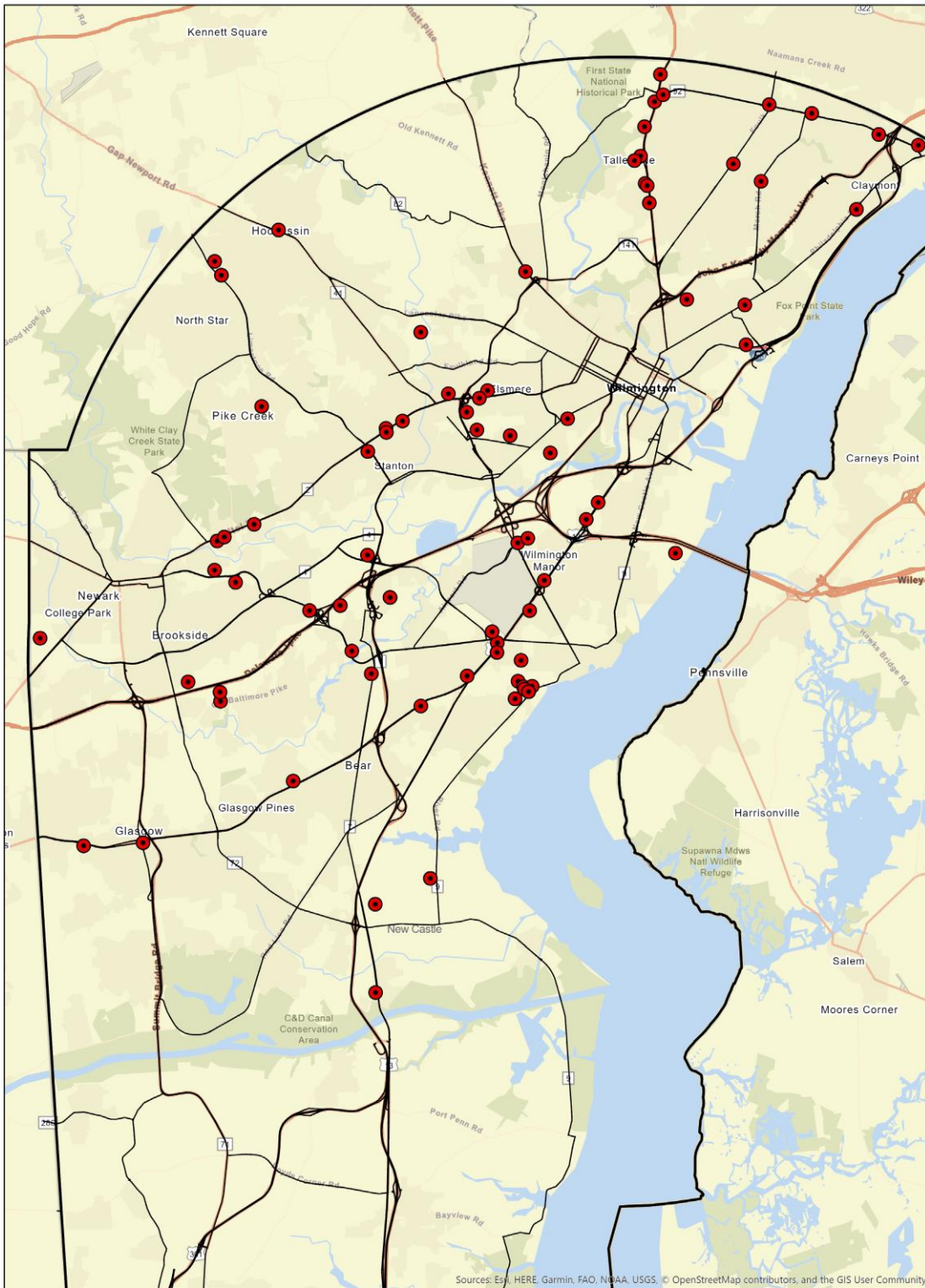
The Department appreciates this opportunity to report on the activities of New Castle County's redevelopment program. We believe that the program continues to provide opportunities for reinvestment in established communities, while balancing the needs and desires of those in the surrounding area.

Application #20100788 – CVS Telegraph Road before redevelopment:



After redevelopment:





Redevelopment Sites in New Castle County



- Redeveloped Sites
- Major Roadways
- ▭ County Boundary

TABLE 40.08.130 B
Work Table to Calculate Value of Individual Design Element Improvements and Total Aggregate Percent Improvement for Redevelopment Land Development Plans

| (a) | (b) | (c) | (d) | (e) | (f) |
|--|---|--------------------------------------|---|----------------------------------|-----------------|
| <i>Improvement Design Elements (at least four (4) separate design element improvements shall be made.)</i> | <i>UDC Site Specific Requirements and Standards</i> | <i>Current or Existing Situation</i> | <i>Proposed Improvement to Existing Situation</i> | <i>Percent Improvement (d/b)</i> | <i>Comments</i> |
| Parking | | | | | |
| Number of required spaces | | | | | |
| * Bicycle parking | | | | | |
| * Handicap spaces | | | | | |
| Landscape area | | | | | |
| Plant units | | | | | |
| * Curbing | | | | | |
| Bufferyards | | | | | |
| Opacity | | | | | |
| - Street yard | | | | | |
| - Buffer width | | | | | |
| - Plant units | | | | | |
| - Rear yard | | | | | |
| - Buffer width | | | | | |
| - Plant units | | | | | |
| - Side Yard(s) | | | | | |
| - Buffer width | | | | | |
| - Plant units | | | | | |
| Parking buffer | | | | | |
| On-lot landscaping | | | | | |
| Landscape surface ratio | | | | | |
| * Street trees | | | | | |
| Reforestation and mitigation | | | | | |
| Additional standards for limited uses (Table 40.03.210) | | | | | |

TABLE 40.08.130 B
Work Table to Calculate Value of Individual Design Element Improvements and Total Aggregate Percent Improvement for Redevelopment Land Development Plans

| (a) | (b) | (c) | (d) | (e) | (f) |
|--|---|--------------------------------------|---|----------------------------------|-----------------|
| <i>Improvement Design Elements (at least four (4) separate design element improvements shall be made.)</i> | <i>UDC Site Specific Requirements and Standards</i> | <i>Current or Existing Situation</i> | <i>Proposed Improvement to Existing Situation</i> | <i>Percent Improvement (d/b)</i> | <i>Comments</i> |
| Riparian buffer area vegetation | | | | | |
| Mitigation and restoration of other natural resources | | | | | |
| Off-site transportation improvements and/or capacity | | | | | |
| Stormwater quantity management | | | | | |
| Stormwater quality management | | | | | |
| Historic preservation buffer | | | | | |
| Building setbacks | | | | | |
| - Street yard | | | | | |
| - Rear yard | | | | | |
| - Side yard | | | | | |
| Paving setbacks | | | | | |
| - Street yard | | | | | |
| - Rear yard | | | | | |
| - Side yard | | | | | |
| * Architectural | | | | | |
| Other | | | | | |
| Other | | | | | |
| Other | | | | | |

Total Aggregate Percent Improvement (column e), must exceed four hundred (400) percent =

* Maximum allowable percent improvement for these elements is 50%.