

# 2020 NEW CASTLE CITY COMPREHENSIVE DEVELOPMENT PLAN AMENDMENT APPLICABLE LEGAL STANDARDS



Legislative Council,  
General Assembly  
State of Delaware

FORCE OF LAW: “After a comprehensive plan or portion thereof has been adopted by the municipality in accordance to this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan.” 22 del. C. §702(d)



# COMPREHENSIVE PLAN

DECEMBER 8, 2020  
ADOPTION ORDINANCE NO. 528



## 2020 City of New Castle Comprehensive Development:

“The Planning Commission and City Council may entertain applications to change the suggested Land Use Map and Zoning Map on a case-by-case basis”.

(Comp. Plan Pg. 39)

The City of New Castle *Draft 2020 Comprehensive Plan* was released on August 12, 2020 to the public for review and a request to provide written comments for consideration into the Plan no later than October 12, 2020. A written comment form was developed and released with a website link to the draft plan. The draft plan was also sent released for intergovernmental review to the Municipal Services Commission, City Engineer, New Castle County, WILMAPCO, and the City of Wilmington. This document also reflects the collective written comments from all participants to include the October 13, 2020 Public Hearing.

#	PAGE CHAPTER PARAGRAPH	PUBLIC COMMENTS RECEIVED
1		<p>Parkway Gravel, Inc. owns property within the City of New Castle, including the northern regions of the municipality along the Delaware River Waterfront. Understanding that the City is on the cusp of completing an updated Comprehensive Plan and is now accepting public comment on a draft of that document, we would like to offer the following: Parkway Gravel wishes to express interest in reconsidering the land use for at least a portion of Tax Parcel No. 2102200002 from Industrial Office Park designation to a land use that permits a variety of uses, including residential. With the recent change in the office market we have come to realize that our space at Riveredge, which is most suitably an office space (or campus), is no longer a feasible, economic option. After much thought and consideration Parkway Gravel has concluded the only other use of the space is warehousing or something residential (apartments, townhomes, etc.). Warehousing is an option that would not utilize the full potential of the space and its breathtaking scenery. In our opinion, this parcel's location along the Delaware River offers an opportunity to create a unique residential neighborhood that compliments the surrounding uses and takes full advantage of the spectacular view of the Delaware Memorial Bridge and the river itself. With creative landscaping and good planning that highlights and enhances access to the water, a multifaceted residential community can become an asset to the City. To illustrate our vision we are attaching a series of concept sketches and look forward to discussing this with the City.</p>
2	36 4 2 & 3	<p>Parkway Gravel, Inc. hopes to designate a different land use for the space at Riveredge to be of a more mixed use style. The general concept we have come up with is one that supports this modern idea to mix residential with commercial. We hope to have buildings in our neighborhood that would promote local business within it. By having businesses not only within our neighborhood, but surrounding it walkability is naturally being promoted to those who may be encouraged to work close to home. Furthermore, because of the way we intend to design the neighborhood it would promote this concept of walkable living and neighborliness.</p>

Ordinance No. 528

**An Ordinance to Adopt the Update to the 2009 Comprehensive Plan, entitled the 2020 City of New Castle Comprehensive Plan**

**WHEREAS**, 22 *Del. C.* Section 702 (e) requires the City of New Castle to review its Comprehensive Plan at least every five years, and to revise, update, amend and readopt its Comprehensive Plan at least every ten years; and

**WHEREAS**, the City of New Castle Planning Commission per 22 *Del. C.* Section 702, in consultation with KCI Technologies, Inc., State and local agencies and private citizens representing varied interests has developed a proposed 2020 Comprehensive Plan; and

**WHEREAS**, the proposed 2020 Comprehensive Plan has been developed per 22 *Del. C.* Section 702, building upon the 2009 Comprehensive Plan, prior amendments thereto, and incorporating the elements and policy recommendations required thereby; and

**WHEREAS**, the proposed 2020 Comprehensive Plan has been reviewed by the Office of State Planning Coordination and other State agencies through the Preliminary Land Use Service (PLUS) review; and

**WHEREAS**, the City of New Castle has determined that the provisions of the proposed 2020 Comprehensive Plan substantially advance and are reasonably and rationally related to legitimate government interests including promoting the health, safety, convenience, order, prosperity and/or welfare of the present and future inhabitants of the City of New Castle; and

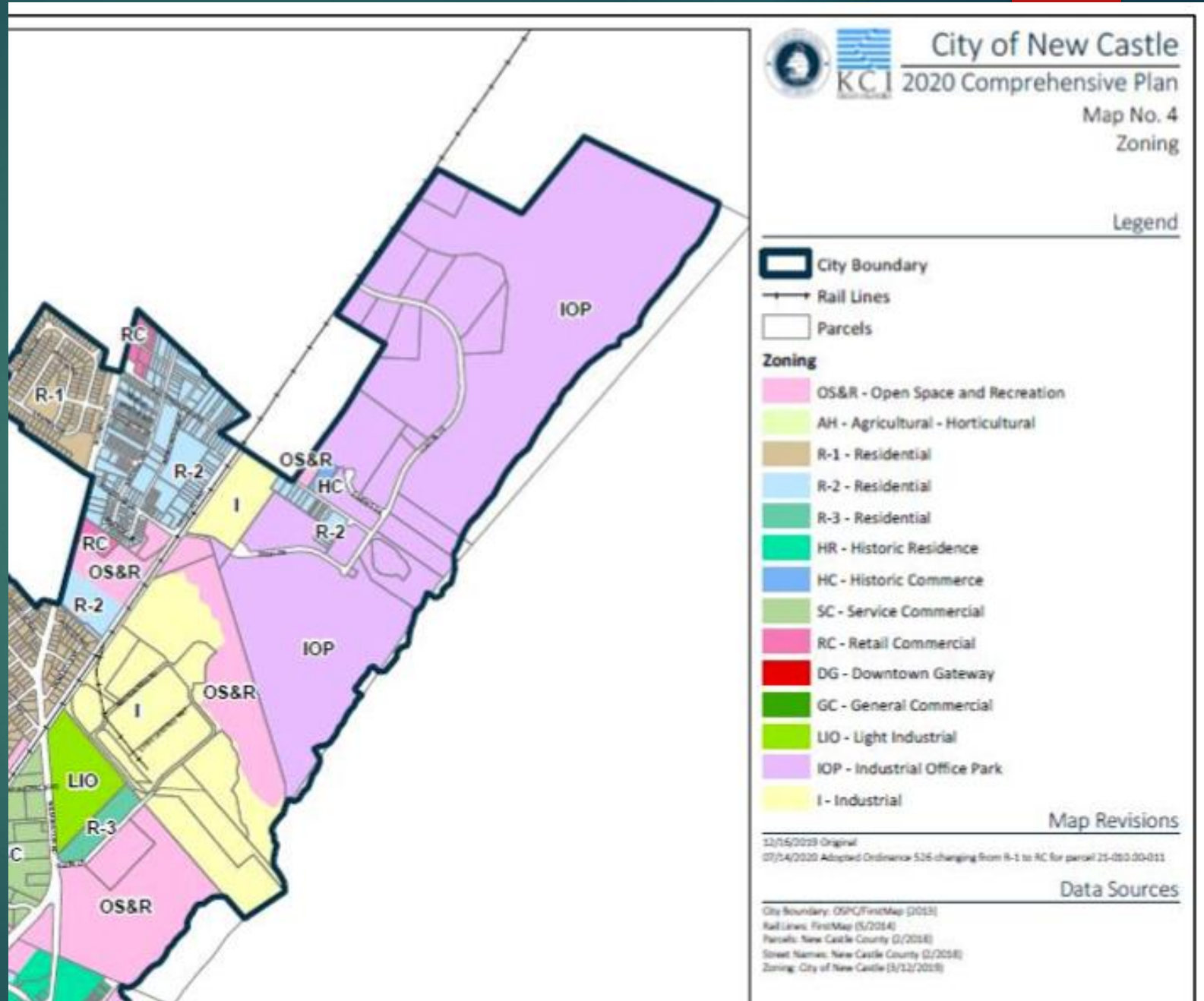
**2020 Comprehensive Development Plan – Adoption/Change (Ordinance 528)**

- \* Advances legitimate governmental interest
- \* Rationally related to a legitimate governmental interest
- \* Reasonably related to a legitimate governmental interest

Some Examples of “legitimate governmental interests”:

- ❖ Convenience
- ❖ Prosperity
- ❖ Order
- ❖ Welfare of present and future inhabitants

# Existing City Zoning





Charter School  
of New Castle



**CHARTER SCHOOL**  
**OF**  
**NEW CASTLE**

**CSNC Elementary School**

170 Lukens Drive  
New Castle, DE 19720  
Exec Dir: Rachel Valentin M.Ed.  
Phone: 302-324-8901  
Fax: 302-654-1554

**CSNC Middle School**

160 Lukens Drive  
New Castle, DE 19720  
Exec Dir: Dr. LaRetha Odumosu  
Phone: 302-324-8901  
Fax: 302-324-8908

May 2, 2022

Owners - Flats @ RiverEdge  
C/O Chris Castagno  
Location Realty Advisors LLC  
New Castle, DE 19720

Dear Mr. Castagno: I wish to thank you, Shawn Tucker and Nick Ferrara for the presentation on the proposed development planned for the RiverEdge Industrial Park. As a potential neighbor, the Charter School of New Castle is interested in its progress and potential opportunities for the school and the development team to partner around ideas that benefit both entities. The school supports the project in its current form and hopefully we can continue our dialogue once the project is approved and underway. Thank you for keeping us in mind and we look forward to our ongoing positive relationship.

Many thanks!

Sincerely,

J. Brett Taylor, Ed.D.  
President  
Charter School of New Castle

# Nearby County Zoning – Mix of Uses







Legend

- City Boundary
- Parcels
- Excellent Recharge Areas
- Wellhead Protection Areas

Map Revisions

12/14/2019 Original

Data Sources

City Boundary: DP/C/FirstMap (2/2018)  
 Parcels: New Castle County (2/2018)  
 Street Names: New Castle County (2/2018)  
 Excellent Recharge Areas: DNREC/FirstMap (2017)  
 Wellhead Protection Areas: DNREC/FirstMap (2017)  
 Aerial: DigitalGlobe/DSM (5/2017)







**UNIT TYPE TOTALS**

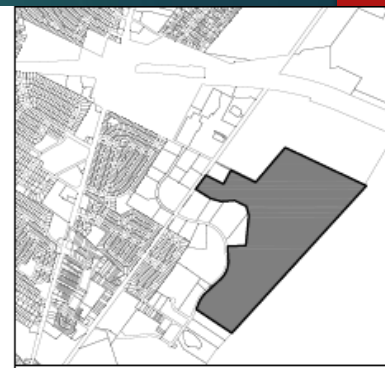
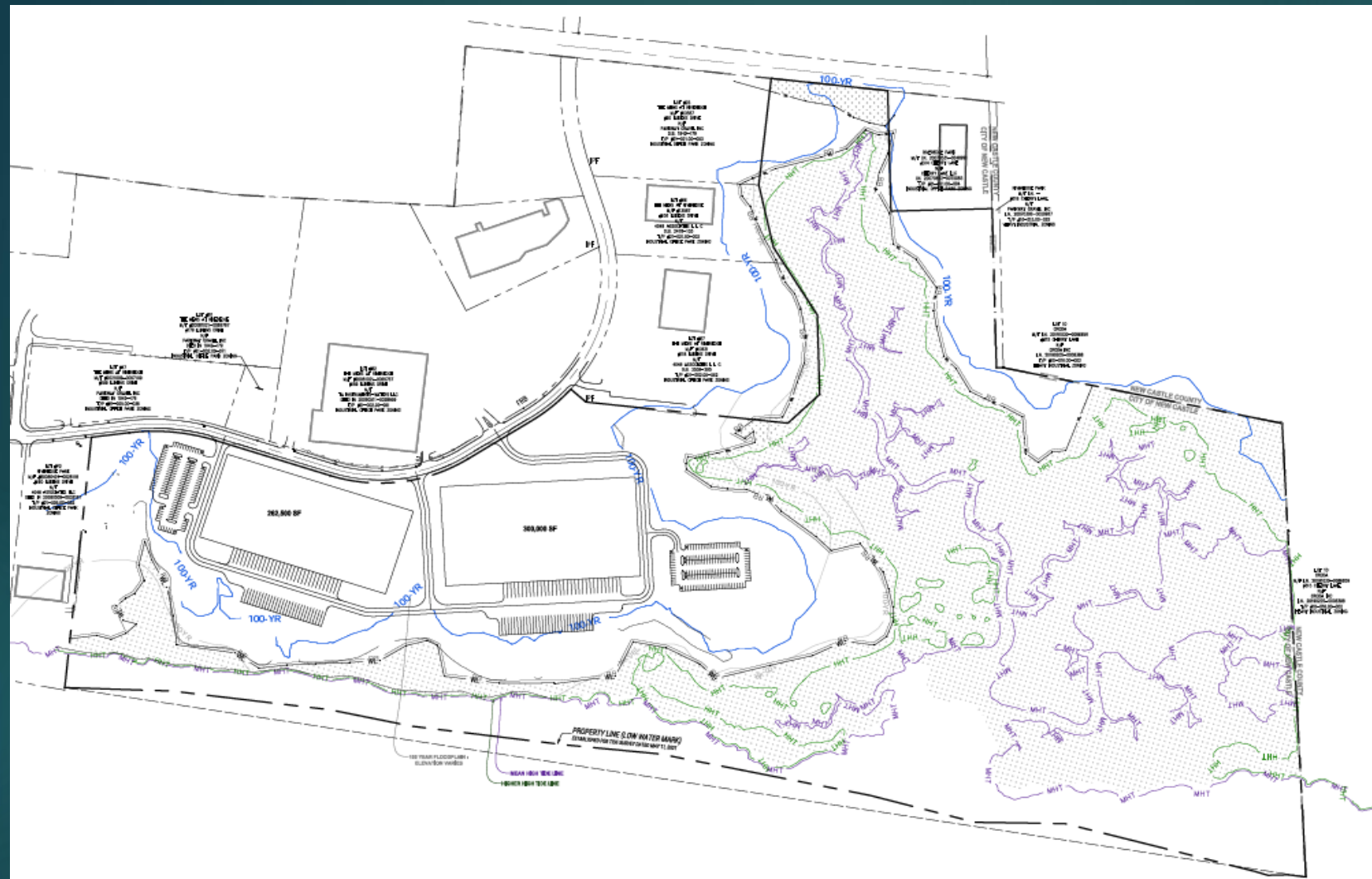
SF (50' x 100')	46
TWINS (24'X48')	26
TOWNS (18'X32')	107
MULTI FAMILY	272
RETAIL	12,000
CLUB	9,000
<b>TOTAL UNITS</b>	<b>451</b>
<b>SITE ACREAGE</b>	<b>168.7</b>











LOCATION MAP SCALE: 1" = 1500'

DATE	
REVISION	

**CDA** THE CENTER GROUP  
 CIVIL/SITE ENGINEERING AND LAND PLANNING  
 6 LARCH AVENUE SUITE 401 WILMINGTON, DE 19804  
 Tel: 302 990 8292 Fax: 302 691 1314 cdaengineering.com

DESIGNER	ZK
PROJECT NO.	CD
PROJECT NAME	20,155,00
SCALE	1" = 200'
DATE	FEBRUARY 26, 2021
FILE NAME	...DWG20,155,00 SURVEYBASE.DWG

DRAFT  
 EXISTING CONDITIONS  
 TOPOGRAPHIC SURVEY PLAN  
 OF  
**#189 LUKENS DRIVE**  
**RIVEREDGE**  
 CITY OF NEW CASTLE NEW CASTLE COUNTY DELAWARE  
 EXISTING CONDITIONS  
 TOPOGRAPHIC SURVEY PLAN

**SITE DATA**

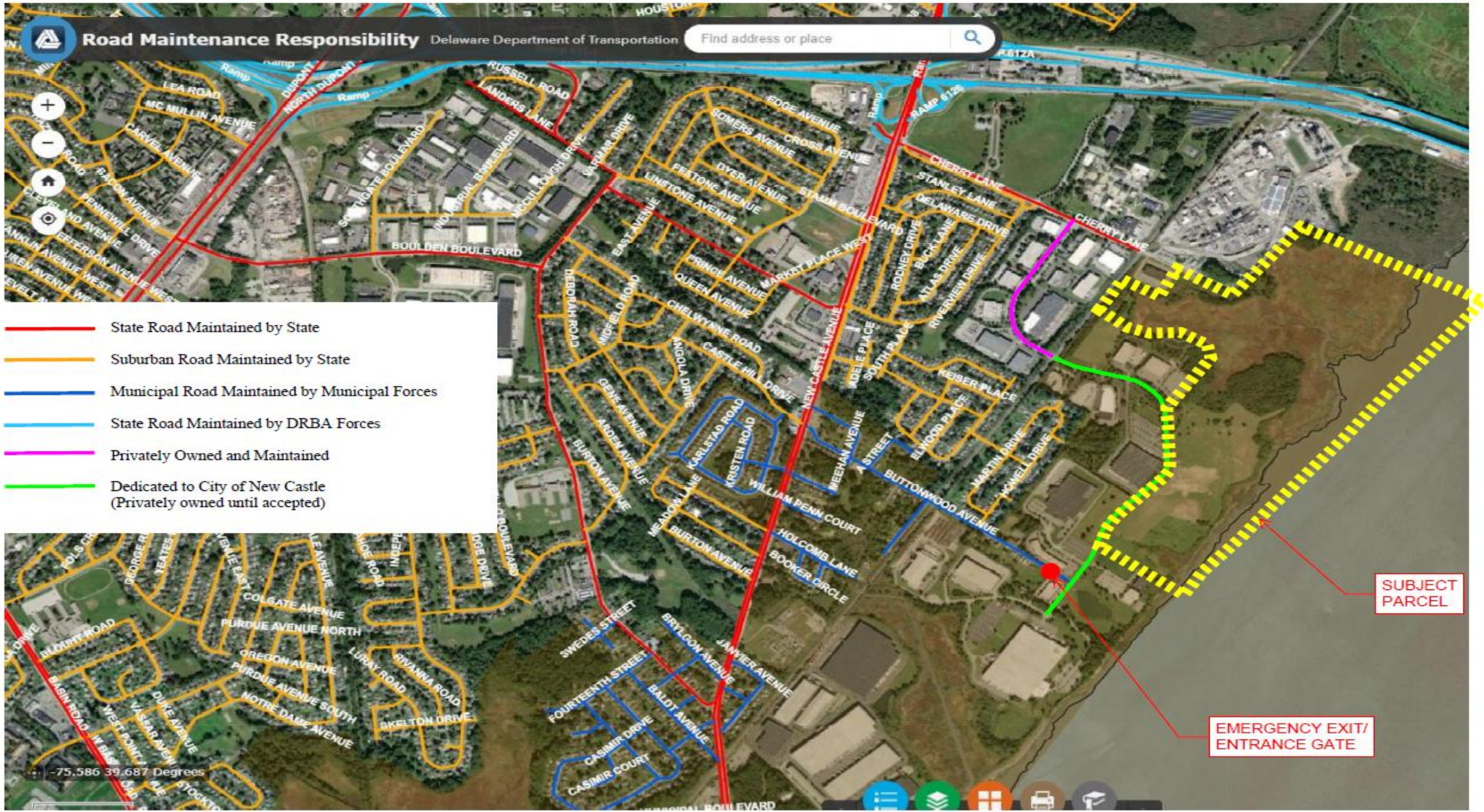
1. OWNER ADDRESS	PARSONS DRIVE, INC 100 NEW CASTLE AVENUE NEW CASTLE, DE 19709
2. PROPERTY ADDRESS	189 LUKENS DRIVE 189 LUKENS DRIVE NEW CASTLE, DE 19709 NEW CASTLE, DE 19709
3. TAX PARCEL NUMBER	21-00208-001 AND 21-00208-002
4. NAME OF PARCEL	0.48 ACRES 21-00208-001 0.48 ACRES 21-00208-002 0.96 ACRES INCORPORATED PARCEL 2 EXISTING LOT
5. LOTS	100 - INDUSTRIAL (IRL) PARK
6. ZONING DISTRICT	100 - INDUSTRIAL (IRL) PARK
7. SOURCE OF TITLE	1000 BORN ROAD, PAGE 119
8. DATE OF SURVEY	FEBRUARY 2021 BY CDA ENGINEERING, INC REVISED - 1980 88 REVISIONS - CONFORMANCE SYSTEM AND CHANGES OF BOUNDARY RELEASE TO THE PLANS AND SURVEY DESIGNED BY: CDA (SEE PLAN FOR SIGNATURE) CHECKED BY: [REDACTED] DRAWING FILED: DATE: 02/26/2021 DRAWING NUMBER: DRAWING CODE: 00000000



# Trip Generation:

How much new traffic could development of the property generate?

Development Scenario	Comparison of New Traffic Volumes		
	Weekday Daily (24 hours, two-way)	Weekday Morning Commuter Peak Hour (two-way)	Weekday Afternoon Commuter Peak Hour (two-way)
Industrial Development: <i>562,500 square feet of fulfillment center</i>	3,622 trips per day <b><i>Including an estimated 107 tractor trailer trips per day</i></b>	489 trips	675 trips
<b>COMPARED TO:</b>			
Proposed Mixed-Use: <i>451 residential units 18,000 square feet of commercial space</i>	4,080 trips per day	266 trips	294 trips
<b>DIFFERENCE OF:</b>			
	+458 trips per day or +12%	<b>-223 trips</b> <b>-45%</b>	<b>-381 trips</b> <b>-56%</b>



# City of New Castle Streets Requirements:

## § 213-5 Definitions.

### STREETS

A general term used to describe a right-of-way, municipally or privately owned, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties and a space for sewers and public utilities.

#### A. RESIDENTIAL (URBAN)

A street used primarily as the principal means of access to adjacent residential properties.

#### B. SECONDARY

A street serving primarily as the principal means of transportation between neighborhoods or as a feeder road for through highways.

#### C. MAIN THOROUGHFARES

A street that serves, or is designed to serve, as a major artery for communication and transportation between cities and other large communities.

## § 213-11 Streets.

Streets. The minimum width of the right-of-way and the paving shall not be less than those of an existing street of which the new street is to be a continuation, nor less than the following:

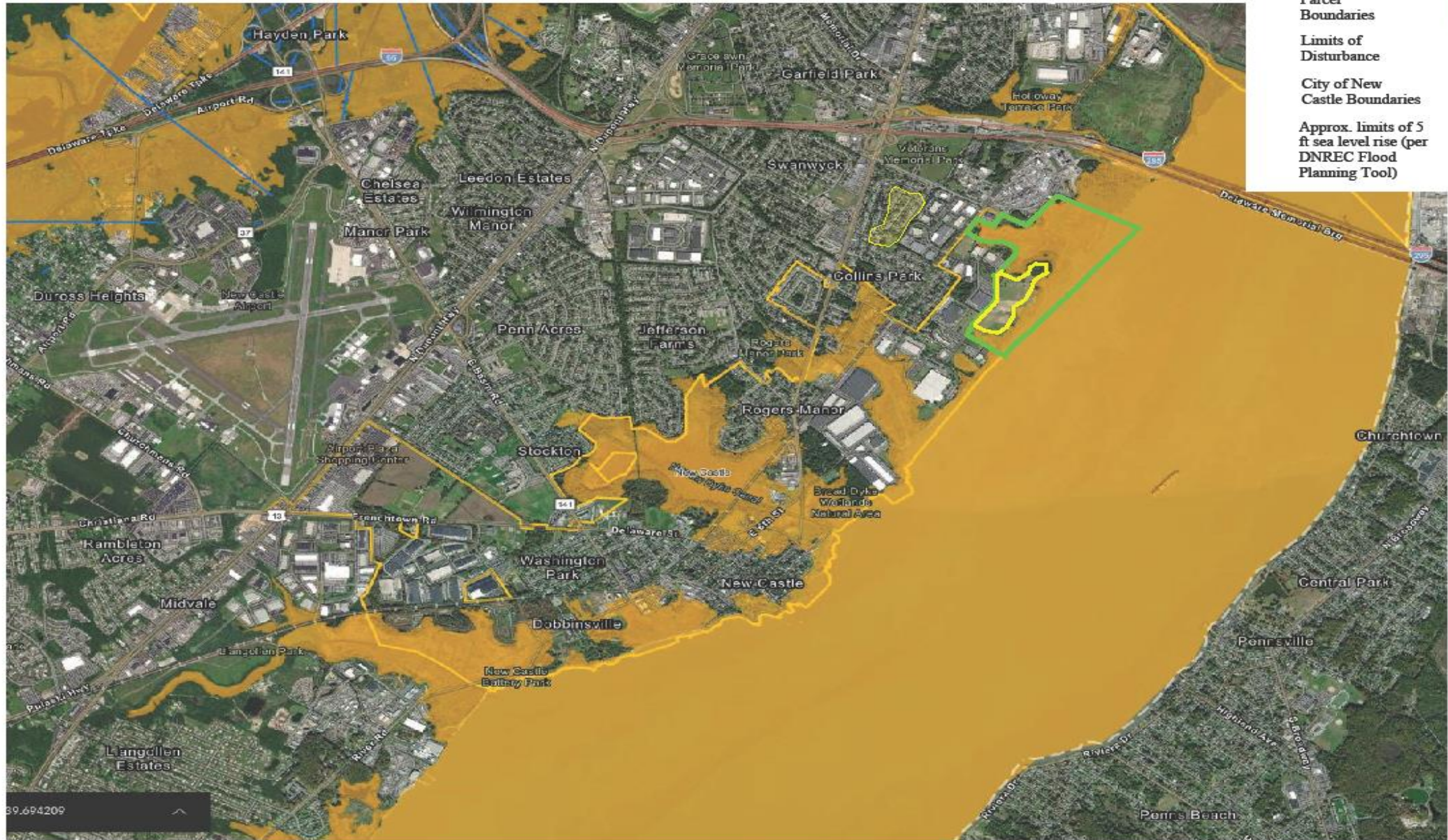
Type	Right-of-Way (feet)	Paving (feet, face-to-face)	Curb Required
Main thoroughfares	80 to 100	44	Yes
Secondary streets	60 to 80	36	Yes
Residential streets and group housing and apartments	50	30	Yes





As defined, Lukens Drive is a Secondary Street.

Lukens Drive is 36 feet wide with a 60-foot right-of-way, meeting the minimum criteria.

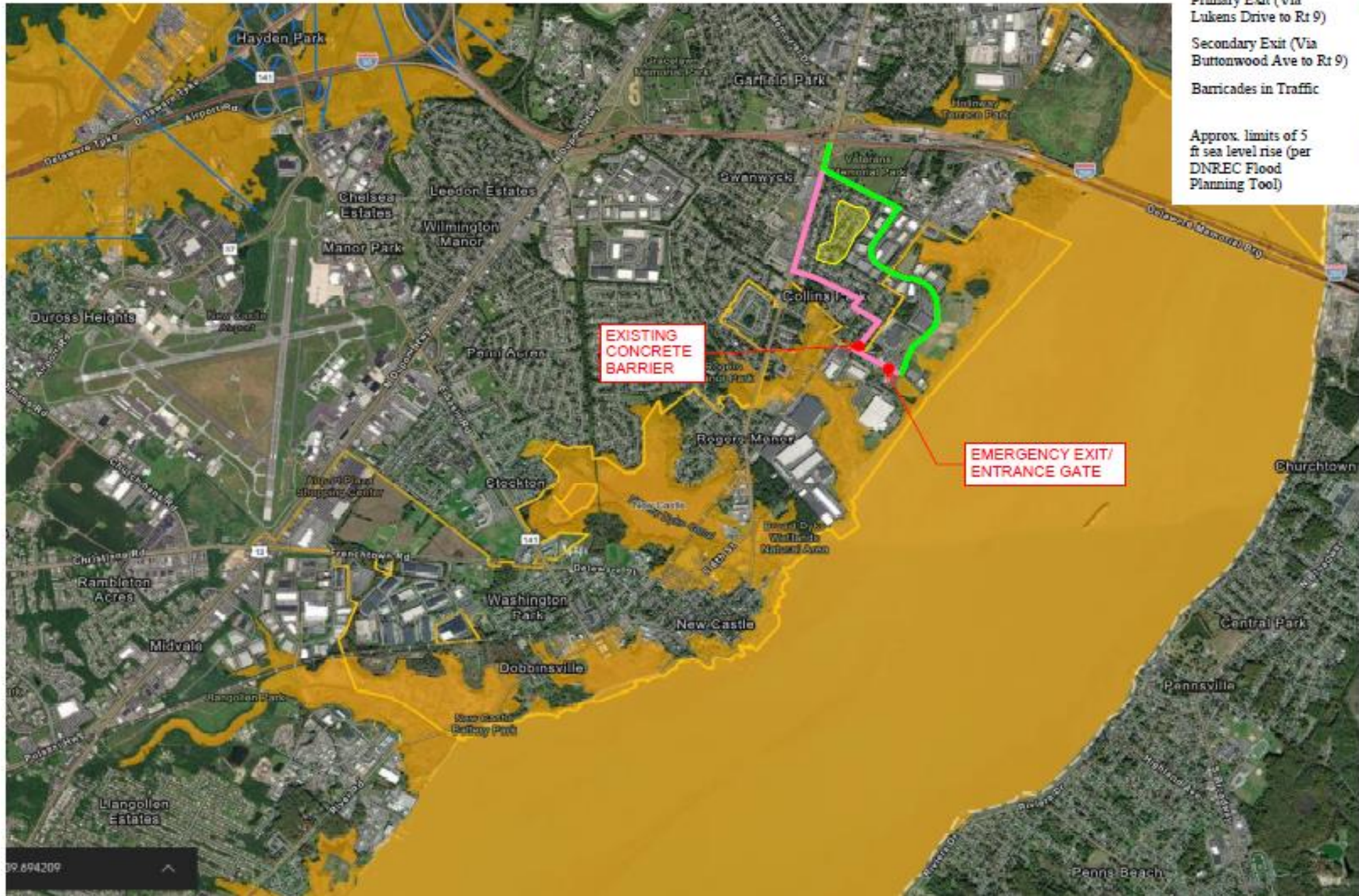
Note the residential street width minimum is 30 feet, only 6 feet narrower.

# SEA LEVEL RISE – STATE OF DELAWARE MAPPING TOOL

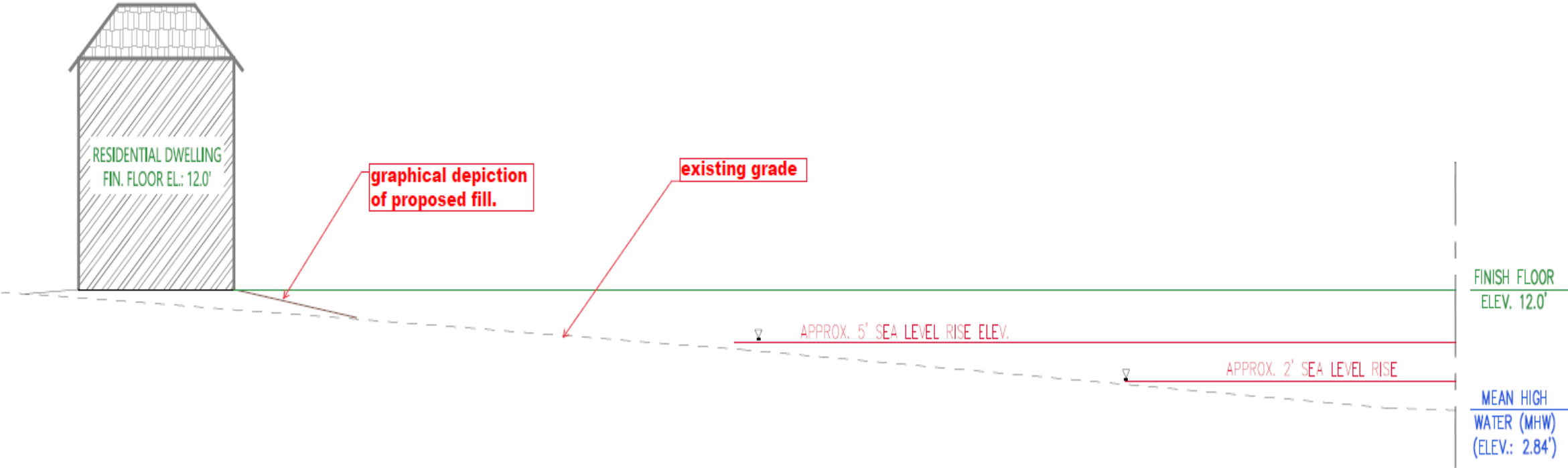


- Parcel Boundaries 
- Limits of Disturbance 
- City of New Castle Boundaries 
- Approx. limits of 5 ft sea level rise (per DNREC Flood Planning Tool) 

39.694209



SEA LEVEL RISE PROJECTION  
PER DNREC FLOOD PLANNING TOOL  
ELEVATION EXHIBIT



# THE COMPATIBILITY OF MIXED-USE AND INDUSTRIAL

1. **Outdated automobile-centric planning model** – Isolated Single Use Zoning Is Old School
2. **Good planning can combines industrial uses in mixed-use developments**
3. **“Industrialized uses are building blocks for community”**
4. **Dual opportunity** - to simultaneously grow business sector and contribute to neighborhood revitalization efforts
5. **Planning evolution** - based on the progression of modern industry
6. **Covid-19** - underscored the need for a more resilient supply chain
7. **A mixed-use model that includes industrial zoning** - creates a "self-sustaining ecosystem" and encourages developers to "develop to the full value of integration and develop integrated solutions"
8. **In a model that includes all complementary uses** - "symbiotic uses work together to create an ecosystem that is not only financially viable but also creates value for developers, users, and communities"
9. **Community Value** - "value in the convenience of multiple uses that are in close proximity" and in "diverse employment opportunities, access to goods and services, and more aesthetically appealing architecture"
10. **Mix of uses establishes an ecosystem** - oriented around people and workers who need goods, education and a place to live harkening back to the factory town of the past – it is a modern incarnation of an old idea

# Planning Resources (Cont.)

- KSS ARCHITECTS, *Mixed-Use Industrial Development: Building Community Around Industry* (September 7, 2022, 1:00 PM), <https://medium.com/@KSSarchitects/mixed-use-industrial-development-building-community-around-industry-85ca168f0de>; SMART GROWTH AMERICA, *Made in Place: Small-scale manufacturing and neighborhood revitalization* (Nov. 2017); JAMIE WEBB, *Industrial mixed-use: a new urban typology* (September 7, 2022, <https://www.benoy.com/design-insights/industrial-mixed-use-a-new-urban-typology> ("Industrial business parks, retail parks, big-box retail and warehousing – every city centre or outlying urban area has strategic sites which could be leveraged and repurposed to blend core uses. And not only would these new typologies provide a sustainable solution to spatial constraints and development imperatives, they would help to generate value.")); 2020 New Castle City Comprehensive Development Plan, Chapter 4, Page 37

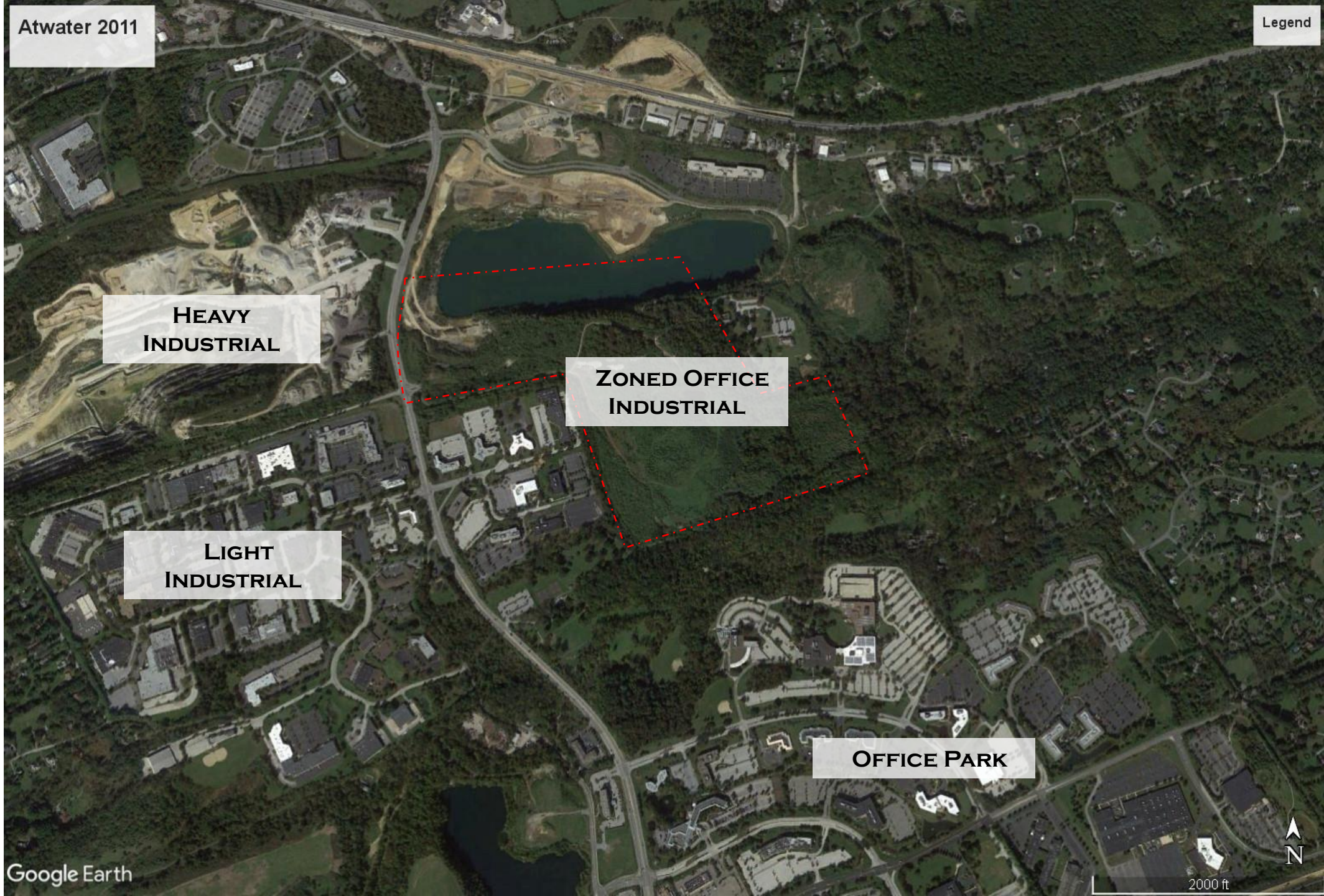


**HEAVY  
INDUSTRIAL**

**ZONED OFFICE  
INDUSTRIAL**

**LIGHT  
INDUSTRIAL**

**OFFICE PARK**





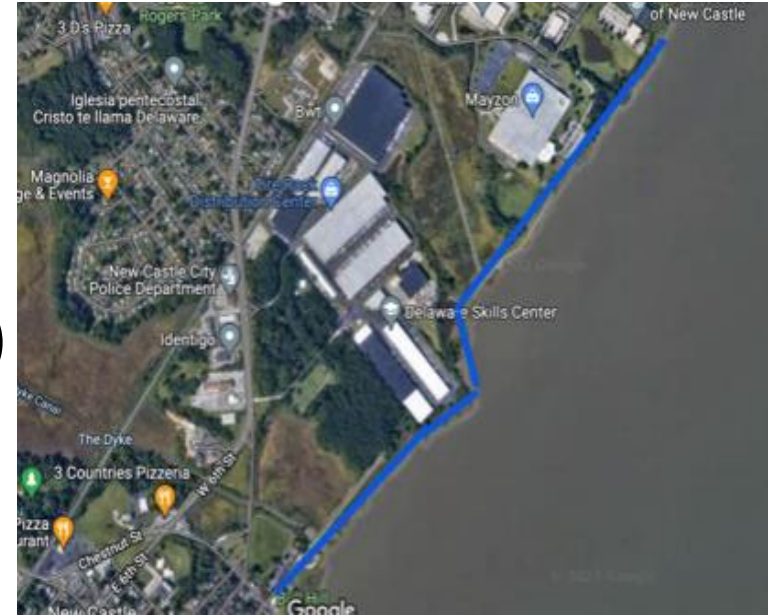
**SITE PROGRAM: 875 UNITS**

- APARTMENTS: 316 UNITS
- TOWNHOUSES: 401 UNITS
- TWINS: 80 UNITS
- SINGLE FAMILY: 68 UNITS



# Big Box Logistic Use versus Mixed-Use Development

- Contiguous Charter School Use
- New housing & housing Types
- New Retail/commercial options
- Traffic Study (not required for Logistic Use)
- Beautiful River Views Made Public!
- Highly Walkable
- Future Interconnection Options
- *Helps address Delaware's highest residential rent increase in the country (2019 to 2021 – 12%)*
- *Waste Pick-Up Will Be Kept Private*



# Don't Let "Perfect" be the Enemy of "Good"



The above illustrations are representative of the architectural style. They are not meant to illustrate the final design or materials but are intended to depict the size, mass, and general materials of the proposed building.  
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## The Flats @ River Edge City of New Castle, DE

Project Number: 20023  
Client: Parkway Gravel  
Drawing Number: 03 of 05  
Date: 2022.05.10

VIEW 1

**BARTON PARTNERS**  
urban design + architecture

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