




Department of Land Use

MEMORANDUM

To: Hon. Thomas H. Kovach, Council President
Members, New Castle County Council

Copy: Paul G. Clark, County Executive
Gregg Wilson, Acting Chief Administrative Officer

From: David M. Culver, Land Use General Manager 

Date: February 9, 2012

Subject: Annual Report: The Redevelopment Program
Period: Calendar Years 2002 through 2011

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, DE. This report is prepared pursuant to Section 40.08.130 B 6 (h) of the New Castle County Code.

CODE AMENDMENTS

Ordinance 01-098. Adopted by County Council on April 9, 2002 to provide a review and approval process for the redevelopment of previously developed sites. In a continuing effort to improve a process that is determined to be in the best interest of the public and County, the County Council has subsequently amended the Code, as follows:

- **Ordinance 03-069.** Adopted October 28, 2003, provided for a series of standards to further encourage and facilitate Brownfield redevelopment.
- **Ordinance 04-054.** Adopted July 13, 2004, provided additional incentives and flexibility to further encourage reinvestment in underutilized areas.

- **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 for sewer impact fees.
- **Ordinance 06-060, Substitute No 3.** An Omnibus amendment adopted September 26, 2006 that included clarification language regarding the status of reconfigured improvements proposed by redevelopment plans that do not conform to the UDC.
- **Ordinance 08-001.** Adopted March 25, 2008, provided former or existing extractive use sites to take advantage of the provisions of the Redevelopment Ordinance when the site is being redeveloped.
- **Ordinance 10-098. [NOT ADPOTED]** A proposed ordinance to the UDC regarding redevelopment of approved but unbuilt structures.
- **Ordinance 10-113.** Adopted January 18, 2011, a State required comprehensive republication of the entire New Castle County Code contained certain revisions to the redevelopment section including: re-formatting, removal of an obsolete tri-annual rezoning reference, and changing TAC requirements to PLUS requirements.
- **Ordinance 11-020.** Adopted July 26, 2011, provided clarification to 1) limit redevelopment to non-residential uses and sites; and 2) remove phrase pertaining to approved for a site; and 3) prohibit redevelopment plans from seeking Board of Adjustment variances; and 4) clarify LOS and TIS issues; and 5) establish 50% improvement for certain design elements; and 6) clarify formatting changes.

REDEVELOPMENT PLANS

Following adoption of Ordinance 01-098 and during the period of Calendar Year '02 through '11, the New Castle County Department of Land Use received seventy-eight (78) redevelopment plans. Five (5) plans were submitted in 2002, three (3) plans in 2003, five (5) in 2004, nine (9) in 2005, twelve (12) in 2006, eighteen (18) in 2007, ten (10) in 2008, seven (7) in 2009, four (4) in 2010, and five (5) in 2011. Out of the seventy-eight (78) plans received during the period, fifty-five (55) have been recorded, ten (10) remain active and under review by the Department, four (4) have been withdrawn, and nine (9) have expired. The redevelopment plans that remain active or were recorded during the period follow:

ACTIVE REDEVELOPMENT PLANS

ACTIVE Redevelopment Projects	NCC App	Work Type	Total GFA	Total Acres	Zoning District
PROMENADE AT CHRISTIANA	2007-0722	D-REZN	446,850	45.71	BP-CR
NEW CASTLE TOWN CENTER	2008-0271	D-REZN	476,248	58.79	I-CR

ACTIVE Redevelopment Projects (Cont.)	NCC App	Work Type	Total GFA	Total Acres	Zoning District
BARLEY MILL PLAZA	2008-0275	D-MAJ	1,654,000	92.07	I, OR, S
COLUMBIA PL AT GARDEN OF EDEN	2009-0201	D-REZN	0	15.40	S-ST
ASHLAND RESEARCH CENTER	2010-0748	D-MIN	504,291	110.53	OR
TELEGRAPH ROAD PHARMACY	2010-0788	D-RZMN	13,540	1.68	NC6.5-CN
GARDEN OF EDEN SHOPPING CTR	2011-0194	D-MIN	25,069	3.97	OR
6 SHEA WAY	2011-0340	D-MIN	13,680	1.27	I
7 EAST COMMONS BOULEVARD	2011-0363	D-MIN	5,017	2.57	I
2530 CONCORD PIKE	2011-0549	D-MIN	5,067	0.89	CN

RECORDED REDEVELOPMENT PLANS

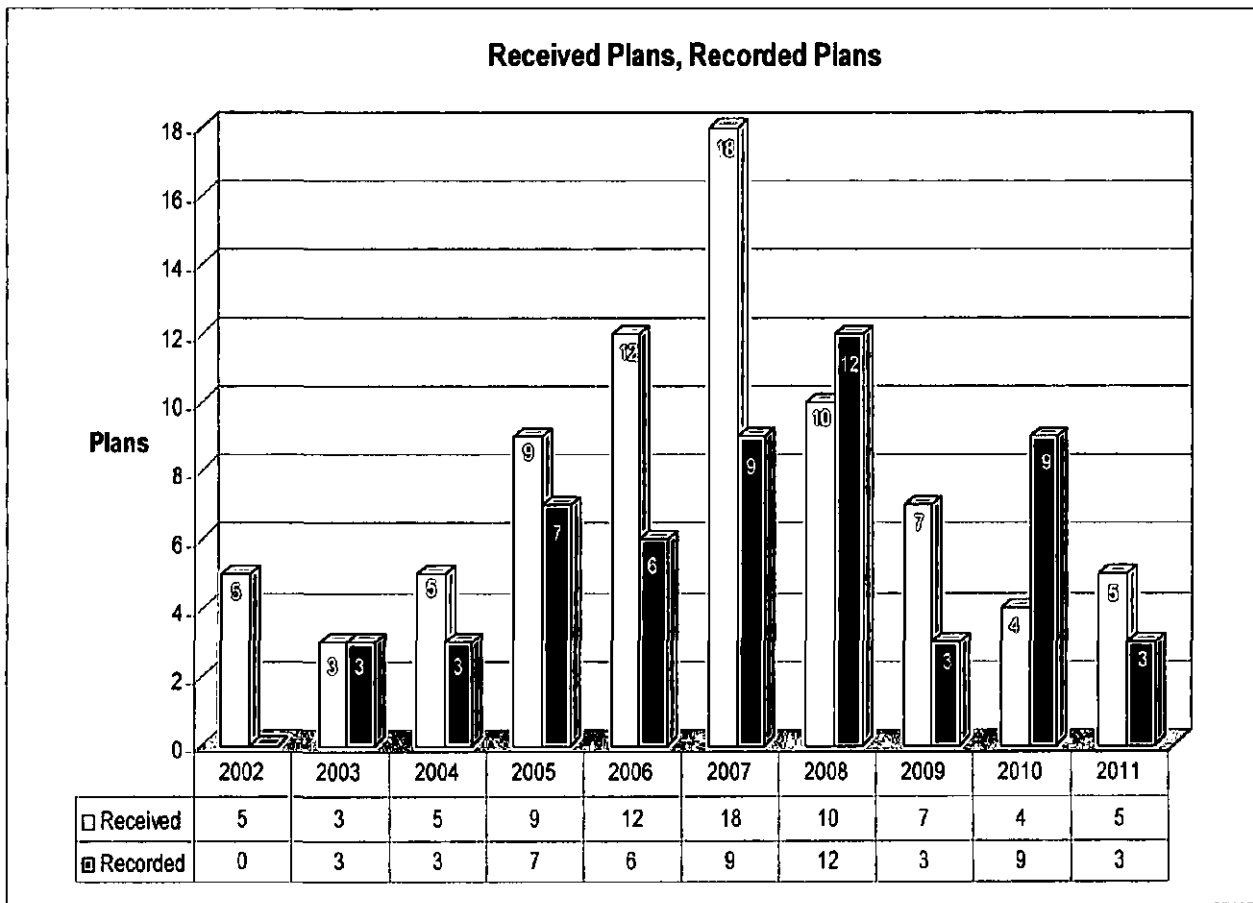
RECORDED Redevelopment Projects	NCC App	Work Type	Total GFA	Total Acres	Zoning District
3206,3208, & 3210 CONCORD PIKE	2002-0308	D-MIN	8,652	0.58	CN
SOUTHWOOD FARMS	2002-0674	D-MIN	37,121	4.91	CR
TACO BELL; KIRKWOOD HIGHWAY	2002-1281	D-MIN	3,269	0.85	CR
BRUSTER'S ICE CREAM; ROUTE 40	2003-0714	D-MIN	1,200	0.59	CR
WALMART; PRICES CORNER	2003-1089	D-MIN	149,195	19.16	CR
MCDONALD'S; CLAYMONT	2004-0219	D-MIN	3,815	0.92	CR
FIRST UNITARIAN CHURCH	2004-0438	D-MIN	60,196	3.94	CN
HOCKESSIN ATHLETIC CLUB	2004-0538	D-REZN	118,356	11.60	S-CR
MILLER ROAD SHOPPING CENTER	2004-0955	D-MIN	137,187	16.40	CR
PREMCOR PETROLEUM COKE BARN	2004-1109	D-MIN	56,268	50.89	HI
CREEKSIDE GALLERY	2005-0075	D-MIN	10,218	0.74	CN
GENERAL FLOORING	2005-0100	D-MIN	19,200	2.00	I
RIVER ROAD INDUSTRIAL PARK	2005-0214	D-MIN	0	85.19	HI
HAPPY HARRY'S SOUTHWOOD	2005-0537	D-MIN	20,986	4.95	CR
TOOLS AND MORE	2005-0586	D-MIN	13,980	1.25	CR
LOWE'S OF NEWARK	20050680	D-MIN	139,410	16.77	I
HOLLY OAK CROSSING	2005-0710	D-MIN	19,000	2.42	CR, CN
FULTON BANK	2005-1186	D-MIN	3,128	0.72	CR

RECORDED Redevelopment Projects (Cont.)	NCC App	Work Type	Total GFA	Total Acres	Zoning District
RIVER ROAD INDUSTRIAL PARK II	2006-0032	D-MIN	68,354	6.25	HI
AIRPORT TOYOTA	2006-0033	D-MIN	72,310	14.58	CR
GREENBANK CORPORATION PRCL 2	2006-0040	D-MIN	9,000	0.86	CR
CLAYMONT FIRE COMPANY	2006-0082	D-MIN	39,131	1.47	CN
TROUT PROPERTIES	2006-0127	D-MIN	4,876	0.43	CN
FOULK PLAZA	2006-0215	D-MIN	7,000	0.68	CR
DELAWARE AUTO COURT	2006-0298	D-MIN	65,500	6.08	CR
BPG HOTEL XVIII	2006-0703	D-MAJ	88,420	6.92	CR
3022 NEW CASTLE AVENUE	2006-0754	D-MIN	50,600	12.65	CR
CONCORD TOWERS	2006-0782	D-MIN	81,024	4.89	CR
AIRPORT IND PARK 166 QUIGLEY	2006-1075	D-MIN	24,759	2.60	I
JTA SERVICES	2007-0066	D-MIN	12,725	3.98	HI
LIMESTONE SHOPPING CENTER	2007-0172	D-MIN	43,889	4.90	CR
APPLEBEES - KIRKWOOD HIGHWAY	2007-0197	D-MIN	4,781	0.80	CR
2510 KIRKWOOD HIGHWAY	2007-0305	D-MIN	4,000	0.43	CN
RIVER ROAD IND PARK 2A & 2B	2007-0557	D-MIN	69,600	7.60	HI
CHRISTIANA MALL EXPANSION	2007-0567	D-MIN	1,449,787	127.94	CR
COMMERCE BANK - MARSH ROAD	2007-0622	D-MIN	3,848	0.92	CN
TACO BELL - CONCORD PIKE	2007-0664	D-MIN	4,800	0.54	CN
ATLAS WELDING	2007-0771	D-MIN	24,535	5.04	I
RIVER ROAD IND PARK II- LOT 3	2007-0973	D-MIN	44,075	3.66	HI
AIRPORT NEWS CONVENIENCE	2007-1080	D-MIN	12,750	0.58	CN
RIVER ROAD IND PARK II LOT 5	2007-1107	D-MIN	62,630	7.72	HI
PIKE CREEK NURSING HOME	2007-1223	D-MIN	82,400	5.32	CR, S
DE INTERSTATE IND PARK 37 & 38	2007-1237	D-MIN	21,500	1.71	I
DE INTERSTATE IND PK LOT 45/46	2008-0126	D-MIN	37,920	2.73	I
FAMOUS DAVES BRNDYWN COMMON	2008-0160	D-MIN	7,630	1.51	CR
HAPPY HARRY'S NAAMANS ROAD	2008-0234	D-REZN	14,727	1.79	S-CN
FOULK ROAD PARTNERS	2008-0310	D-MIN	14,190	1.21	ON
130 S. DUPONT HIGHWAY	2008-0605	D-MIN	15,760	1.84	CR
DUPONT HIGHWAY HOTEL	2009-0041	D-MIN	43,125	1.58	CR
311 RIDGE ROAD	2009-0398	D-MIN	1,975	0.31	CR
3816 KENNETT PIKE	2009-0413	D-MIN	3,000	0.63	CN

RECORDED Redevelopment Projects (Cont.)	NCC App	Work Type	Total GFA	Total Acres	Zoning District
CHRISTIANA MALL	2009-0438	D-MIN	1,449,787	127.97	CR
AUTOZONE	2009-0439	D-MIN	7,360	0.92	CR
ELSMERE SHOPPING CENTER	2009-0631	D-MIN	106,332	16.23	CR
JOYCE REALTY CORPORATION	2010-0342	D-MIN	17,565	3.02	CN

During the period, thirteen (13) of the fifty-five (55) recorded redevelopment projects in New Castle County have proposed industrial uses, forty-one (41) plans proposed commercial uses, while one (1) redevelopment plan was intended for office use.

Prior to the downturn in local, regional and national economic conditions, the following chart indicates an increasingly positive and robust trend for redevelopment activity in the County. No evidence currently exists that would preclude the level of redevelopment activity from rebounding to proportionate levels when local business conditions improve.



Redevelopment Plan Summary					
Status	No.	Total Ac	Total GFA	Brownfield	Industrial
Recorded	55	612.17	4,872,846	5	13
Active	10	332.88	3,143,762		5
Withdrawn	4	35.50	245,623		
Expired	9	49.91	310,171		2
Totals	78	1,030.46	8,572,402	5	22

INVESTMENT OPPORTUNITIES

Redevelopment is intended to facilitate and encourage reinvestment into an area for the purposes of retaining the viability of previously developed sites. Due to the potential for a significant return on capital investment and the increased number of redevelopment investment opportunities, the redevelopment program in New Castle County has generated considerable interest among developers and businesses. As evidenced by a marked increase in assessed value of redeveloped properties, the benefits to reinvestment on previously developed sites, Brownfield sites, or existing extractive use sites are substantial. Moreover, the review processes in the Unified Development Code (UDC), the Department, and New Castle County have been very successful in creating a balance between the needs and desires of the surrounding community with the property's site capacity to provide the developer with the necessary square footage to create a financially successful venture. While the average assessed value of completed redevelopment projects in New Castle County has increased by approximately 400%, it should be noted that selected projects have increased in value by 1,100%, 1,800%, 1,900%, and 2,200%.

PLAN REVIEW COMPONENTS

When the Department receives a redevelopment plan, it undergoes scrutiny with respect to the design improvement table and the types and amount of improvements proposed. The Department has been very capable of anticipating the expected land use concerns of the surrounding community.

The proportional design element improvement table is working and we have received no complaints with its use and function. Its flexibility allows improvements to be tailored to the circumstances and needs of each property so that site improvements can be made while not impinging upon the financial or physical needs of the existing or proposed land use. The majority of improvements consist of landscaping; however, buffers, parking, curbing and stormwater management are also common improvements.

One of the most important steps in the redevelopment process is the submission of a completed individual Design Elements Improvement Table along with the exploratory sketch plan. The design elements improvement table provides an important "improvement value" measure for each various design element which when added together with other improvement design elements gives the county and the community a certain level of comfort that the project will be a big improvement over the existing situation. To date, most applicants and the county have been successful in the review, completion, and approval of the design elements improvements table. And, while the percent aggregate improvements as calculated initially by the applicant have ranged from below 500% to over 1500% improvement, the final approved aggregate improvement is generally well-above the minimum 400% required by Code.

SUMMARY

Since April of 2002 when the redevelopment process was first introduced into the Unified Development Code, reaction to the final product has been very positive. Numerous sites have successfully undergone the metamorphosis from a previously developed site into a productive business organization that has the capability to create and retain more employment opportunities, provide a greater property assessment, and stimulate other reinvestment opportunities in the neighboring communities.

The Department remains confident that the results of the redevelopment ordinance remain positive and that the interests of both the applicant and the community have not been compromised. As with any provision of the Unified Development Code, the Department will continue to carefully monitor its usage and application and will offer appropriate enhancements, as needed. The Department will continue the research and development new ideas to improve the local program and investigate regional and national models to encourage better utilization of this valuable planning concept.

The Department appreciates this opportunity to report on the activities of New Castle County's redevelopment process. We believe the process has been successful and continues to provide business the opportunity to encourage reinvest in our established communities by guaranteeing a fair and predictable review process, while balancing the needs and desires of the surrounding community.