

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 27, 2015

A Meeting of the Annexation Committee of Milford City Council was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall, 201 South Walnut Street, Milford, Delaware on Monday, July 27, 2015.

PRESIDING: Chairperson Katrina Wilson

IN ATTENDANCE: Committee Members: Councilman Douglas Morrow, Councilman James Burk
and Planning Commission Chairman Archie Campbell

City Clerk/Recorder Terri Hudson

Chairwoman Wilson called the Annexation Committee Meeting to order at 6:32 p.m. to review the petition submitted by Key Properties Group, LLC:

June 12, 2015

City of Milford
201 S Walnut Street
Milford Delaware 19963
RE: Petition for Annexation of Property
Tax Map No.: 330-15.00-58.01 & 58.04
Site Address: 7254 Cedar Creek Road (58.01)
7272 Cedar Creek Road (58 .04)

To Whom it May Concern:

We are requesting the above-referenced tax parcels be annexed into the City of Milford from Sussex County; 2.6+/- acres, currently zoned AR.

General Location Description:

The property is located on the west side of Cedar Creek Road, situated between the De1DOT SR 1 access ramp (south) and Wilkins Road (north). The parcel is contiguous to lands within the City of Milford (west and south).

The reason for our request is the parcels are included in Bayhealth Medical Center's new Health Campus. We are applying for Institutional Service District Zoning, which is consistent with Milford's Comprehensive Plan.

The annexation applications and supporting documents will be submitted by Bayhealth Medical Center.

She deferred to City Planner Rob Pierce to review his preliminary findings.

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|----------------------------|-------------------------------------|
| Property Owner: | Key Properties Group, LLC |
| Location: | 7254 & 7272 Cedar Creek Road |
| Size: | 2.6 +/- acres |
| Existing Zoning: | AR (Sussex County) |
| Proposed Zoning: | IS (Institutional Service District) |
| Tax Map and Parcel Number: | 330-15.00-58.01 & 58.04 |

Mr. Pierce advised the committee that a petition from the property owners was submitted on June 17, 2015 to annex a total of 2.6 +/- acres into the corporate limits of the City of Milford. Each property is improved with a dwelling unit. However, it is anticipated that the applicant will demolish the structures and incorporate these properties into the overall health campus project.

The property is identified as Sussex County tax parcels 330-15.00-58.01 & 330-15.00-58.04 and will become part of the 1st Ward of the City of Milford.

The properties have frontage along Cedar Creek Road (State Route 30) but it is anticipated that access will be gained through the internal roadways associated with the health campus project.

Currently, there are roadside state-maintained swales along Cedar Creek Road (State Route 30). Mr. Pierce anticipates the health campus project will be required to adhere to the DNREC stormwater regulations and will have to obtain required permits from the Sussex Conservation District and State of Delaware.

The area proposed to be annexed is currently zoned AR (Agricultural Residential) in Sussex County under the Sussex County Zoning Ordinance. The applicant requests the property be changed to IS (Institutional Service District) under the City of Milford's Zoning Ordinance which aligns with the change of zone Bayhealth will propose with the campus.

The area will be served by a gravity sewer system associated with the southeast area utility agreement which involves the health campus onsite collection system.

The property will connect to a main coming from the new water tower to the east and to the existing water main on Wilkins Road.

Electric will be extended from the substation on Elks Lodge Road and additional loops will be provided from the north on Wilkins Road.

Mr. Pierce noted that the utilities are based on these parcels becoming part of the bigger Bayhealth project.

There is no anticipated impact for traffic and no anticipated environmental issues. The U.S. Army Corps of Engineers will ensure any wetlands on the site conform to Section 404 of the Clean Water Act.

As previously mentioned, the properties will be incorporated into the overall health campus project. This area is surrounded by vacant commercial, some existing low density residential and some vacant and moderate density residential areas.

The Carlisle Fire Department will provide fire and EMS coverage to this area. Milford Police Department will provide law enforcement services.

The annexation will be consistent with the Southeast Master Plan Future Land Use Plan and designated as employment center. The future land use plan will be reviewed by council during a public hearing later this evening. Mr. Pierce does not anticipate any issues with the application and approval.

No significant property tax or economic gain is expected from the two individual lots as a result of being incorporated into the overall health campus project as was previously pointed out.

Mr. Pierce then presented the advantages of the annexation. The property would be within the planning area of the City of Milford and identified within the Urban Growth Boundary Area of the 2008 Comprehensive Plan. The two properties will become part of the Bayhealth project.

He could find no disadvantage to the city.

Based on this review, he recommends the Annexation Committee recommend approval of the application with the following comments:

- *Annexation is consistent with the "Comprehensive Land Use Plan".
- *Property is contiguous to existing City Limits.
- *Any changes to the property are subject to review by the City of Milford Planning Commission and/or City Council.
- *Property will be served by City Electric, Sewer, and Water. Presently, these utilities are not available to the site.
- *An executed Annexation Agreement is required prior to final City Council approval.
- *Upon Council approval, a Municipal Annexation Plan of Services will be submitted to the Office of State Planning for their approval.

Chairwoman Wilson confirmed that all committee members have a clear understanding of what is being proposed; Mr. Morrow and Mr. Burk both stated yes.

Planning Chairman Campbell asked if this property will be eligible for a tax abatement. Ms. Wilson believes that until Bayhealth purchases the property, the owners will pay city taxes. The city planner reiterated that once Bayhealth purchases the property, it will be consolidated into one large lot and these lots will not longer be separated.

Mr. Morrow said it should be taxed under Key Group until it is considered a nonprofit when transferred to Bayhealth.

Mr. Morrow moved for a recommendation that city council proceed with the annexation of two parcels totaling 2.6 +/- acres currently owned by Key Group LLC at 7272 Cedar Creek Road and 7254 Cedar Creek Road, seconded by Mr. Burk. Motion carried with no one opposed.

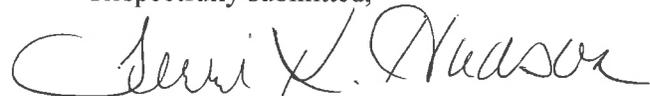
Mr. Pierce noted that the annexation committee report will be presented by Ms. Wilson at the August 10th council meeting. He will then submit the plan of services to State Planning.

He followed by stating that public hearings will be scheduled for both the planning commission and city council to review the annexation and consider the change of zone. Final approval of the annexation by council will occur after the Office of State Planning Coordination accepts the plan of services.

Ms. Wilson thanked the committee for taking time to attend the meeting.

With no further business, Ms. Wilson adjourned the meeting at 6:48 p.m.

Respectfully submitted,



Terri K. Hudson, MMC
City Clerk/Recorder