

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING**

TUESDAY, MAY 25, 2010

7:00 P.M.

**NEWARK MUNICIPAL BUILDING
220 ELKTON ROAD**

COUNCIL CHAMBER

AGENDA

1. The minutes of the April 6, 2010 Planning Commission meeting.
2. Review and consideration of the rezoning from BC (general commercial) and RR (row and townhouse) to BB (central business district), major subdivision, and a special use permit for upper floor apartments, of the 4.39 acre properties at 250 Elkton Road in order to demolish the existing buildings on this property and construct three buildings with 17,250 square feet of retail/commercial space and 65 upper floor apartments.

The Planning Commission may modify the above agenda items.

Advertised on Tuesday, May 11, 2010

PLAN DATA:

1. TAX PARCEL NO.: PARCEL 1: 18-025.00-141
PARCEL 2: 18-025.00-140
2. SOURCE OF TITLE: D.R. 2189-098
3. EXISTING ZONING: PARCEL 1: BC
PARCEL 2: RR
4. PROPOSED ZONING: BB
5. DATUM: HORIZONTAL: NAD 83, STATE PLANE COORDINATES
VERTICAL: NAVD 88
6. GROSS AREA: PARCEL 1: 3.36 AC
PARCEL 2: 1.04 AC
TOTAL: 4.39 AC
6. WATER SUPPLY: CITY OF NEWARK
7. SANITARY SEWER: CITY OF NEWARK
8. ELECTRIC: CITY OF NEWARK
9. GAS: DELMARVA POWER
10. DEBRIS DISPOSAL: NO DEBRIS WILL BE BURIED OR DISPOSED OF ON THIS SITE.
11. WATER RESOURCE PROTECTION: NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A WATER RESOURCE PROTECTION AREA (WRPA). SEE WRPA MAP FOR NEW CASTLE COUNTY, DE, SHEET 1 OF 3, DATED FEBRUARY 2008.
12. NO 100-YEAR FLOOD PLAIN EXISTS ON THIS PARCEL, IN ACCORDANCE WITH FLOOD INSURANCE RATE MAP, 10003C0120J PANEL 120 OF 475 DATED JANUARY 17, 2007.
13. TOPOGRAPHY NOTE: TOPOGRAPHIC INFORMATION IS BASED ON A SURVEY BY KARINS AND ASSOCIATES DATED JANUARY 7, 2010. PROJECT BENCHMARK IS DELDOT TRAVERSE PT 111, A CAPPED REBAR LOCATED IN THE MEDIAN, EL.: 129.38.
14. WETLANDS: THIS SITE WAS EVALUATED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1), AND SUBSEQUENT PUBLIC NOTICES, TO IDENTIFY THE PRESENCE OF JURISDICTIONAL WETLANDS, AND NO WETLANDS WERE FOUND TO EXIST ON THE SITE.
15. LAND DEVELOPMENT DATA:
A. MINIMUM AREA: 3,000 S.F.
B. BUILDING SETBACK: 0'
C. REAR YARD: 15'
D. SIDE YARD: 0'
E. MAXIMUM LOT COVER: 100%
F. MAXIMUM BUILDING HEIGHT: 35'
17. FIRE PROTECTION: ALL FIRE LANES, FIRE HYDRANTS, SPRINKLERS, STANDPIPE CONNECTIONS AND FIRE EXITS SHALL BE MARKED AND PROTECTED IN ACCORDANCE WITH THE STATE OF SPECIFIC FIRE PROTECTION REQUIREMENTS ON THIS SITE.
18. ALL SOILS ON SITE ARE K&B2 (KEYPORT SILT LOAM, 2-5% SLOPES, MODERATELY ERODED, HSG C) AS DISTURBED BY PRIOR DEVELOPMENT.

19. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO THE CONTRACTOR'S NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (TELEPHONE 800-282-8555). THE FOLLOWING TICKET NUMBERS APPLY:
100560001 (2/25/10)
- THE FOLLOWING UTILITIES HAVE BEEN IDENTIFIED BY MISS UTILITY AS HAVING UNDERGROUND FACILITIES IN THE AREA OF THIS PROJECT:
CITY OF NEWARK-ELECTRIC
CITY OF NEWARK-WATER
DELMARVA POWER-GAS
COMCAST
VERIZON
- DELAWARE STATE HWY DEPT
MCI TELECOMMUNICATIONS
ABOVENET COMMUNICATIONS
UNIVERSITY OF DELAWARE

20. AN OPEN UTILITY EASEMENT IS RESERVED ON THE PROPERTY FOR ELECTRIC UTILITIES.

PARKING RATIONALE:

REQUIRED PARKING

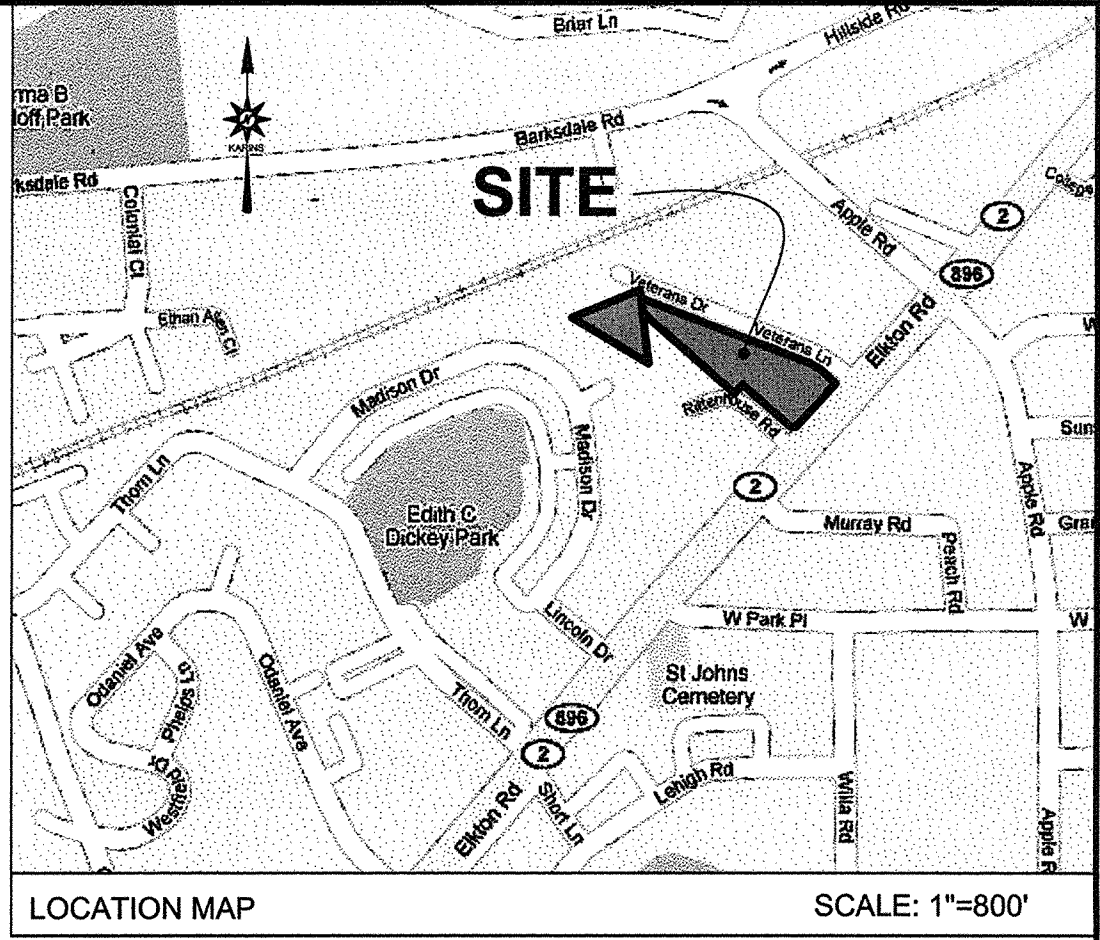
PARCEL 1:

RETAIL: 17,250 S.F. x 80% SALES AREA x 1 SP/200 S.F. +
1 SPACE/EMPLOYEE x 15 EMPLOYEES = 84 SPACES
APARTMENT: 56 - 4 BEDROOM APTS. x 3 SP/APT. = 168 SPACES
TOTAL = 252 SPACES
APARTMENT: 9 - 4 BEDROOM APTS. x 3 SP/APT. = 27 SPACES

PARCEL 2:

	PARCEL	TAX PARCEL #	ZONING DISTRICT	AREA (AC)	USE	NON-RESIDENTIAL BLDG GFA (S.F.)	RESIDENTIAL UNITS / G.F.A. (S.F.)	PARKING REQUIRED	PARKING PROVIDED (ON-SITE)
EXISTING	1	18-025.00-141	BC	3.36	AUTO DEALERSHIP	22,000	0	-	-
	2	18-025.00-140	RR	1.04	AUTO DEALERSHIP	0	0	-	-
	TOTAL			4.39		22,000	0	-	-
PROPOSED	1	18-025.00-141	BB	3.36	COMMERCIAL RETAIL / PARKING RESIDENTIAL APARTMENTS	17,250 (RETAIL) 30,780 (PARKING)	56 / 96,060	252	256
	2	18-025.00-140	BB	1.04	PARKING / RESIDENTIAL APARTMENTS	6,750 (PARKING)	9 / 13,500	27	36
	TOTAL			4.39		54,780	65 / 109,560	279	292

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	188.00'	72.95'	72.49'	S 57°42'33" E	22°13'57"
C2	20.00'	15.48'	15.10'	S 24°29'15" E	44°20'39"



LEGEND

EXISTING		PROPOSED
-----136-----	CONTOUR	-----(136)-----
-----W-----	WATER MAIN	-----W-----
-----G-----	GAS MAIN	
-----SS-----	SANITARY SEWER	-----SS-----
-----ST-----	STORM SEWER	-----ST-----
-----OH-----	OVERHEAD WIRE	
	FIRE HYDRANT	
	LIMITS OF DISTURBANCE	-----LOD-----
	SIDEWALK	
	CURB	
	PARKING UNDERNEATH BUILDING	
	DUMPSTER	[D]
	PARKING COUNT	[9]
	ELECTRIC TRANSFORMER	[E]
	HC RAMP	

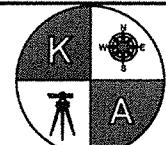
PLAN PURPOSE

THE PURPOSE OF THIS PLAN IS TO REZONE THE SUBJECT PARCELS TO THE BB ZONING DISTRICT AND CONSTRUCT THE FOLLOWING:

- A THREE STORY BUILDING WITH A 17,250 SF FIRST FLOOR CONTAINING COMMERCIAL RETAIL SPACE AND THE SECOND AND THIRD FLOORS CONTAINING A TOTAL OF 20 APARTMENT UNITS.
- A THREE STORY BUILDING WITH A 30,780 SF FIRST FLOOR CONTAINING A PARKING GARAGE AND THE SECOND AND THIRD FLOORS CONTAINING A TOTAL OF 36 APARTMENT UNITS.
- A THREE STORY BUILDING WITH 6,800 S.F. FIRST FLOOR CONTAINING PARKING GARAGES AND THE SECOND AND THIRD FLOORS CONTAINING A TOTAL OF 9 APARTMENT UNITS.
- ASSOCIATED SANITARY SEWER, WATER, AND DRAINAGE INFRASTRUCTURE, PARKING, AND OTHER AMENITIES.

COVER SHEET
MAJOR SUBDIVISION, REZONING AND
SPECIAL USE PERMIT PLAN
FOR
RITTENHOUSE STATION

SITUATED IN: CITY OF NEWARK, NEW CASTLE COUNTY, DELAWARE



Karins and Associates
ENGINEERS • PLANNERS • SURVEYORS
NEWARK, DE • MILLSBORO, DE
www.karinsengineering.com

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28433 DUPONT BOULEVARD
MILLSBORO, DELAWARE 19966
PHONE: (302) 934-9656 FAX: (302) 934-9679

OWNER:
GARY P. & SHARON HENDRIXSON
203 MASON DRIVE
NEWARK, DE 19711

PREPARED FOR:
BARIGLIO CORPORATION
116 S. BROAD STREET
UNIT B
KENNETT SQUARE, PA 19348
888-299-5271

SURVEY BY: K.A.

DESIGNED BY: T.M.A.

DRAWN BY: ARJ, R.B.

CHECKED BY: T.M.A.

SCALE: 1" = 60'

DATE: 4-1-10

DRAWING NO. 2382-A01

INDEX OF SHEETS

SHEET 1	COVER SHEET
SHEET 2	MAJOR SUBDIVISION, REZONING AND SPECIAL USE PERMIT PLAN

NOTE: FINAL CONSTRUCTION IMPROVEMENT PLAN TO INCLUDE ADDITIONAL CONSTRUCTION DETAIL SHEETS

CITY OF NEWARK APPROVALS REQUIRED FOR THIS PLAN INCLUDE THE FOLLOWING:

- MAJOR SUBDIVISION (FOR MULTI-FAMILY RESIDENTIAL)
- REZONING (FROM BC/RR TO BB)
- SPECIAL USE PERMIT (FOR RESIDENTIAL APARTMENTS IN THE BB ZONING DISTRICT)

CERTIFICATION OF PLAN APPROVAL

APPROVED _____ DATE _____ BY _____
DIRECTOR OF PLANNING AND DEVELOPMENT
CITY OF NEWARK

APPROVED _____ DATE _____ BY _____
CITY MANAGER
CITY OF NEWARK

APPROVED _____ DATE _____ BY _____
CITY SECRETARY
CITY OF NEWARK

RECORDED _____ IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR
NEW CASTLE COUNTY, STATE OF DELAWARE, AT INSTRUMENT NO. _____

CERTIFICATION OF ACCURACY

I, TIM ANDERSON, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE, AND THAT ALL OF THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES TO THE EXTENT THAT IT DESCRIBES THE BEARINGS AND DISTANCES OF THE SUBDIVIDED LANDS, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THEIR POSITIONS ARE ACCURATELY SHOWN.

REGISTERED PROFESSIONAL ENGINEER WITH A
BACKGROUND IN CIVIL ENGINEERING

DATE

CERTIFICATION OF OWNERSHIP

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED IS MADE AT ITS DIRECTION AND THAT WE AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE CITY OF NEWARK.

DATE

SANITARY SEWER STRUCTURE TABLE

STRUCTURE	TOP	INV. IN	INV. IN	INV. OUT
MH #1	135.65	125.23	-	125.23
MH #2	131.50	125.50	-	125.50
MH #3	131.75	126.75	-	126.75
MH #4	136.00	128.75	-	128.75
MH #5	136.00	129.30	-	129.30
MH #6	136.00	133.00	-	133.00
MH #7	138.62	133.62	-	133.62
MH #8	146.00	140.00	-	140.00
MH #9	150.0	143.22	-	143.22
MH #10	150.50	143.54	-	143.54
MH #11	150.90	143.88	-	143.88
MH #12	151.20	-	-	145.40

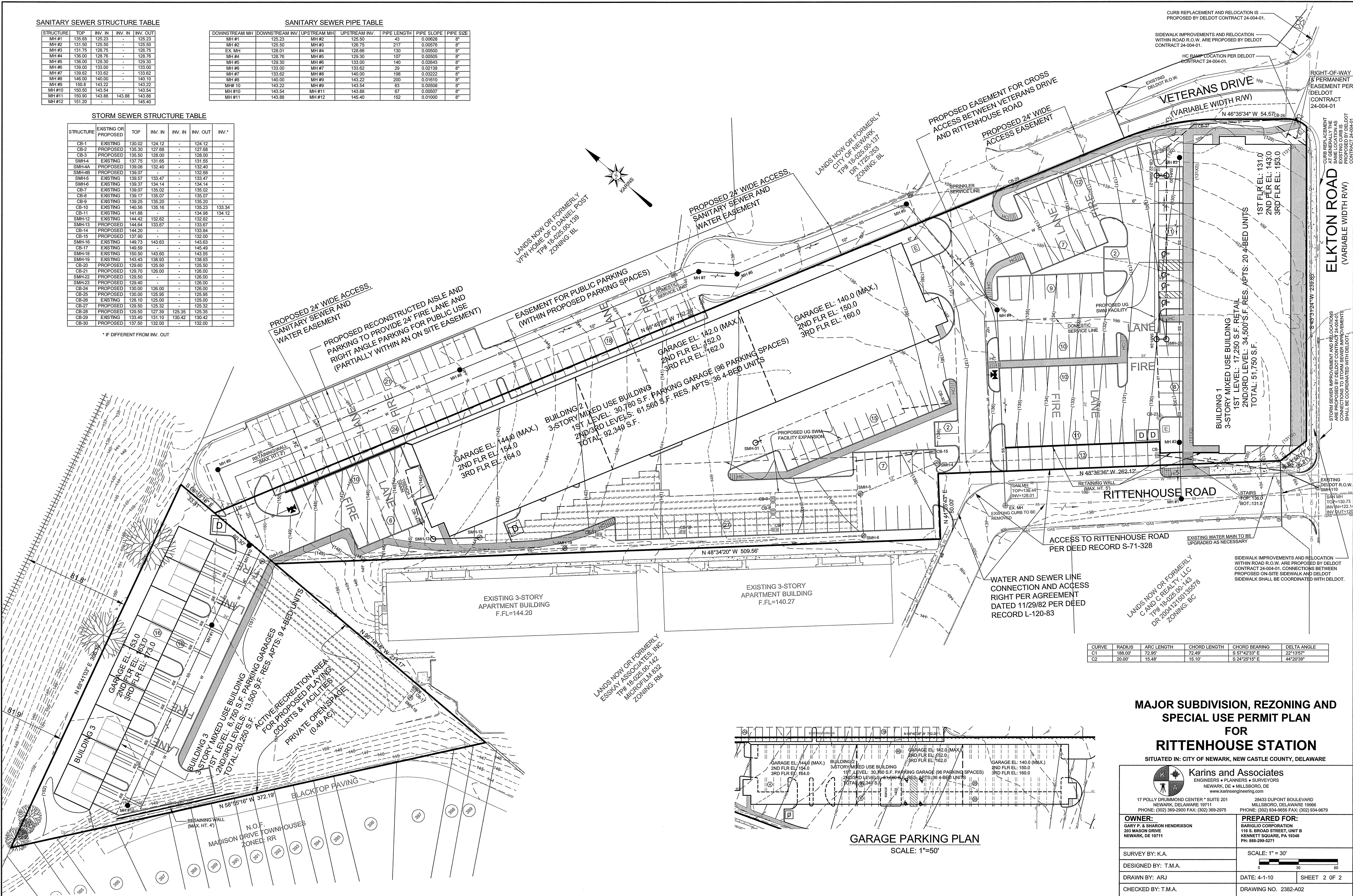
SANITARY SEWER PIPE TABLE

DOWNSIDE MH	DOWNSIDE INV.	UPSIDE MH	UPSIDE INV.	PIPE LENGTH	PIPE SLOPE	PIPE SIZE
MH #1	125.23	MH #2	125.50	43	0.00628	8"
MH #2	125.50	MH #3	126.75	217	0.00576	8"
EX MH	128.01	MH #4	128.66	130	0.00500	8"
MH #4	128.75	MH #5	129.30	107	0.00505	8"
MH #5	129.30	MH #6	133.00	140	0.02643	8"
MH #6	133.00	MH #7	133.62	29	0.02138	8"
MH #7	133.62	MH #8	140.00	108	0.03222	8"
MH #8	140.00	MH #9	143.22	200	0.01610	8"
MH #10	143.22	MH #9	143.54	63	0.00508	8"
MH #10	143.54	MH #11	143.88	67	0.00507	8"
MH #11	143.88	MH #12	145.40	152	0.01000	8"

STORM SEWER STRUCTURE TABLE

STRUCTURE	EXISTING OR PROPOSED	TOP	INV. IN	INV. IN	INV. OUT	INV.*
CB-1	EXISTING	130.02	124.12	-	124.12	-
CB-2	PROPOSED	135.30	127.68	-	127.68	-
CB-3	PROPOSED	135.50	128.00	-	128.00	-
SMH-4	EXISTING	137.75	131.65	-	131.65	-
SMH-4A	PROPOSED	139.08	132.40	-	132.40	-
SMH-4B	PROPOSED	139.07	-	-	132.68	-
SMH-5	EXISTING	139.57	133.47	-	133.47	-
SMH-6	EXISTING	139.37	134.14	-	134.14	-
CB-7	EXISTING	139.07	135.02	-	135.02	-
CB-8	EXISTING	139.17	135.07	-	135.07	-
CB-9	EXISTING	139.25	135.20	-	135.20	-
CB-10	EXISTING	140.56	135.16	-	135.23	133.34
CB-11	EXISTING	141.88	-	-	134.98	134.12
SMH-12	EXISTING	144.42	132.62	-	132.62	-
SMH-13	PROPOSED	144.64	133.67	-	133.67	-
CB-14	PROPOSED	144.20	-	-	133.84	-
CB-15	PROPOSED	137.90	-	-	132.00	-
SMH-16	EXISTING	149.73	143.63	-	143.63	-
CB-17	EXISTING	149.59	-	-	145.49	-
SMH-18	EXISTING	150.50	143.60	-	143.55	-
SMH-19	EXISTING	143.43	138.93	-	138.93	-
CB-20	PROPOSED	129.60	125.50	-	125.50	-
CB-21	PROPOSED	129.70	126.00	-	126.00	-
SMH-22	PROPOSED	129.50	-	-	126.00	-
SMH-23	PROPOSED	129.40	-	-	126.00	-
CB-24	PROPOSED	130.00	126.00	-	126.00	-
CB-25	PROPOSED	130.00	125.95	-	125.95	-
CB-26	EXISTING	128.10	125.00	-	125.00	-
CB-27	PROPOSED	129.50	126.32	-	126.32	-
CB-28	PROPOSED	129.50	127.39	125.35	125.35	-
CB-29	EXISTING	133.40	131.10	130.42	130.42	-
CB-30	PROPOSED	137.50	132.00	-	132.00	-

* IF DIFFERENT FROM INV. OUT



GARAGE PARKING PLAN
SCALE: 1"=50'

MAJOR SUBDIVISION, REZONING AND
SPECIAL USE PERMIT PLAN
FOR
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SITUATED IN: CITY OF NEWARK, NEW CASTLE COUNTY, DELAWARE



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PH: 888-299-5271

SURVEY BY: K.A.

DESIGNED BY: T.M.A.

DRAWN BY: ARJ

CHECKED BY: T.M.A.

SCALE: 1" = 30'

DATE: 4-1-10

DRAWING NO. 2382-A02

SHEET 2 OF 2