

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING**

September 7, 2010

7:00 p.m.

Present at the 7:00 p.m. meeting were:

Chairman: James Bowman

Commissioners Present: Ralph Begleiter
Patricia Brill
Peggy Brown
Angela Dressel
Mary Lou McDowell
Kass Sheedy

Staff Present: Roy H. Lopata, Planning and Development Director

Chairman James Bowman called the Planning Commission meeting to order at 7:00 p.m.

1. THE MINUTES OF THE AUGUST 3, 2010 PLANNING COMMISSION MEETING.

MOTION BY BEGLEITER, SECONDED BY DRESSEL, THE MINUTES OF THE AUGUST 3, 2010 PLANNING COMMISSION MEETING ARE ACCEPTED AS SUBMITTED.

VOTE: 7-0

AYE: BEGLEITER, BOWMAN, BRILL, BROWN, DRESSEL, MCDOWELL, SHEEDY

NAY: NONE

MOTION PASSED UNANIMOUSLY

2. REVIEW AND CONSIDERATION OF AN AMENDMENT TO THE ZONING CODE THAT WOULD PERMIT INDOOR RECREATIONAL USES IN THE MANUFACTURING OFFICE RESEARCH (MOR) ZONE.

3. REVIEW AND CONSIDERATION OF A SPECIAL USE PERMIT FOR AN INDOOR RECREATIONAL USE AT 200 INTERCHANGE BOULEVARD.

Mr. Lopata: As you can see, in my report I refer both to the amendment to the Zoning Code as well as the special use permit, so I would like to suggest that the Commission consider both these items at the same time since they go together. And, when you get to a motion – depending upon your proclivities, whether you are for or against – we will need two separate motions – one for the Code amendment and, secondly, for the special use permit.

Mr. Lopata summarized his report to the Planning Commission, which reads as follows:

“As you can see from the attached letter to the Planning and Development Department from Steven Lenderman, the Delaware Juniors Volleyball Club has asked the City to consider permitting indoor recreational uses at the MOR (manufacturing office research) zoned Interchange Industrial Park off Elkton Road. As noted in the letter, the

Club proposes to convert a portion of the interior of the existing building at 200 Interchange Boulevard into an indoor volleyball/recreational facility. In order to permit this use, the Zoning Code for the MOR district would need to be amended to permit indoor and similar recreational uses. Currently such uses – which include, for example, bowling alleys, pool or billiard halls, gymnasiums, tennis courts, skating and hockey rinks – are permitted in the City’s BB (central business district) and BC (general business) districts, with a Council granted special use permit.

The Delaware Juniors Volleyball Club has also applied for a special use permit and submitted the attached supporting materials for its proposed indoor volleyball facility, based on the presumption that the City will amend the Code as requested. This special use application can be considered as companion to the proposed Zoning Code amendment and will, of course, be moot if City Council does not revise the Zoning Code as described here.

The Planning and Development Department’s dual report regarding the proposed Zoning Code amendment and the requested special use permit follows:

Sources

Because of the potential conflicts arising from the mixing of recreational and industrial uses, the Planning and Development Department had some initial misgivings about the proposed Zoning Code amendment. Our research, however, has shown that many jurisdictions (as illustrated below) permit such combinations, typically with some form of “conditional” or “special” permit. The communities that require some form of special use permit are noted with “[sup]:”

City of Anaheim, California, Zoning Code [sup].

City of Aurora, Illinois, Zoning Code [sup].

Town of Carrboro, North Carolina, Zoning Code.

City of Citrus Heights, Florida, Municipal Code [sup].

Frederick County, Virginia, Meeting Minutes, November 4, 2009.

City of Fremont, California, Staff Report, January 28, 2010 [sup].

City of Louisville, Kentucky, Zoning Code [sup].

City of Meridian, Idaho, Planning and Zoning Meeting, December 17, 2009 [sup].

New Castle County, Delaware, Unified Development Code.

City of Newton, Massachusetts, Planning and Development Department Report, September 27, 2004 [sup].

Town of New Town, Connecticut, Planning and Zoning Amendments, August 23, 2007 [sup].

Town of North Kingston, Rhode Island, Zoning Board of Development Minutes, November 8, 2005 [sup].

City of Omaha, Nebraska, Zoning Code [sup].

City of Parris, California, Zoning Code [sup].

City of Richmond, Virginia, Zoning Code [sup].

City of Rifle, Colorado, Zoning Code.

City of San Jose, California, Staff Report, n.d. [sup].

Spokane County, Washington, Zoning Code.

Town of Van Buren, New York, Town Board Minutes, May 7, 2003 [sup].

Warwick Township, Rhode Island, Zoning Code [sup].

City of Woodinville, Washington, Zoning Code, [sup].

Zoning

Zoning Code Section 32-78, Special Use Permits, stipulates that Council may issue a special use permit provided the applicants demonstrate the proposed use will not:

- "A. Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
- B. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- C. Be in conflict with the purposes of the comprehensive development plan of the city."

The applicant has submitted the attached letter regarding the Zoning Code special use permit review criteria for the proposed indoor volleyball facility.

Departmental Comments

1. The Planning and Development Department believes that because of the proposed location of the Delaware Juniors Volleyball Club facility in a large, well lit, and easily accessible portion of the Interchange Business Park, the proposed indoor recreational use meets the special use permit review criteria.
2. The Public Works Department notes that through the building permit process the applicants will need to show adequate handicapped accessibility between the building and existing parking area.
3. The Code Enforcement Division indicates that should the special use permit be approved, the applicant will be required to review Code requirements with the Division through the building permit review process.
4. The Water and Waste Water Department indicates that water and sanitary sewer services can continue to be made available to the site for the proposed use.
5. The Electric Department indicates that electric service can continue to be made available to the site for the proposed use.
6. The Police Department indicates that access and parking will be sufficient for the proposed use at this location.

Recommendation

In light of the proposed request, and the Planning and Development Department findings regarding recreational uses in industrial zones in other communities across the nation; because the utilization of the special use permit process will enable the City to closely evaluate the appropriateness of uses of this type on a case-by-case basis; and because the indoor recreational use in the existing building in the Interchange Business Park will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use; and will not have a negative impact on adjacent and nearby properties, the Planning and Development Department suggests **that the Planning Commission recommend the following:**

- A. That City Council amend Zoning Code section 32-23 MOR Districts (b)(2) by adding the words, “commercial indoor recreation.” [Locating the new use in subsection “(b),” establishes the requirement for a special use permit; “commercial indoor recreation,” is the same language utilized in the BB and BC zones – nonprofit and similar uses would be permitted as the most similar Zoning Code use category].
- B. That City Council approve the Delaware Juniors Volleyball Club special use permit for a commercial indoor recreational facility at 200 Interchange Boulevard, with the conditions in the Planning and Development Department Report.”

Let me note, too, we have received two letters of support for the proposal – one from the manager of the Homewood Suites and Embassy Suites Hotels (Bryan Treude), and also from the Blue Crab Grill Restaurant in Suburban Plaza (Richard Schmidt). They asked me to put these in the record.

The applicant is here, and hopefully, he will make a brief presentation and he will be happy to answer your questions.

Mr. James Bowman: Are there any initial questions from the Planning Commission? If not, the applicant will make his presentation. Please state your name and address for the record.

[Secretary’s note: Mr. Longo, Commissioners and the public referred to a PowerPoint presentation by the applicants].

Mr. Matt Longo: With Hillcrest Associates. My address is 210 Nathan Court, Newark. I am here tonight on behalf of Delaware Juniors Volleyball Club. I do have a team of people here with me that I would like to introduce: Mr. Steve Lenderman who is the owner and director of Delaware Juniors Volleyball Club; Mr. Dave Cook who is with the Flynn Company, the property managers for the landlord of this site; Mr. Rod Gerhart who is a parent of a player; Mr. Larry and the Honorable Chandlee Kuhn who are parents who came to speak tonight about their experiences with DVVC; Mr. Steve Halberg, a parent and coach; and Mr. Kevin Mayhew who is also a current parent.

Delaware Juniors is here to ask for a Code amendment to allow indoor recreational use in the MOR district under a special use permit. There is a 200,000 square foot building at 200 Interchange Boulevard. They are looking to lease 30,000 feet of space for that use.

This is the site plan drawn by Hillcrest. You can see the entrance off of Elkton Road coming in this direction. These are the two buildings currently being leased by the Flynn Company. Delaware Juniors Volleyball Club is looking to rent the front portion of this lower building – again 30,000 sq. ft.

There are 56 existing car parking spaces for this portion of the building along this front. 216 parking spaces are proposed which you can see striped right here. The loading bays are on the left side of the building as you face the building. Any deliveries will come in and make a left turn over to the loading bays and not interfere with parents and players parking in this proposed parking area.

I want to thank the Planning and Development Department for providing the list of 21 comparable jurisdictions. I want to emphasize New Castle County; they allow the indoor recreational use. They have a special use type permit similar to the City of Newark.

This is a view of the front of the building. Elkton Road is right behind us. We are standing in this photo where the parking is proposed for the 216 spaces. This is the main entrance on the lower right side of the building. Otts Chapel Road would be just off the photo to your right.

Here is the parking lot with Elkton Road to your left and those striped spaces here and Otts Chapel would be behind the photographer in this picture.

This is the left side of the building where the loading bays are which is kind of out of the way and positive also for the proposal.

Mr. Dave Cook: Flynn Company, 216 Martin Luther King Blvd. in Wilmington, Delaware. I am the leasing agent for FRP, which is located in Sparks, Maryland. They have about 3 million sq. ft. of industrial space. We have these two buildings available for lease. We have had them for roughly about two years since Chrysler moved out and right after that we had Anderson Windows move out. When Anderson Windows moved out we lost about 100 jobs, the Chrysler suppliers, we lost about another 60 jobs out of the other building. So, we have had these two buildings available for not quite 24 months. We marketed them before then. I have taken the owner around and showed him other developments. I showed him where in Pencader they have put an activity in about 20,000 sq. feet. It is a gym not anything like this. It has worked very well for a number of years.

They are very excited about having the volleyball group come in and get money coming in to pay the electric and all the utilities. We have dropped our price way below anybody else in the market, and we haven't had anybody come to the building. In and around the greater Newark market there is about 1.2 million sq. ft. of industrial space available. So, with our demand we have been looking at about a 10 year supply in and around New Castle of industrial buildings. I think it would be very good for Newark and it would be good for this industrial park.

Mr. Steve Lenderman: I am with Delaware Juniors Volleyball Club. My address is 772 Whitebriar Road, Hockessin, Delaware.

I have been with Delaware Juniors for a little over four years now. The Club was originally developed by Barb Viera, a longtime coach at the University of Delaware. Her program has helped girls for over 25 years. Just recently we added boys programs. We are the largest in the State. We are operating roughly 28 teams with over 350 participants. We have recently expanded into Kent and Sussex Counties. We handle boys and girls ages 6 – 18 years of age to provide them with the opportunity to learn life skills through the sport of volleyball.

We have been in this business for 25 years. We rent gyms from schools, churches, etc. Recently, the way things have been going, it is very difficult to find gym space. It is becoming a growing trend for us to be able to maybe find our own spot. I relate this situation to being like a married couple – you don't buy a new home to start with so you rent a home, we have been renting homes for too long. We want to start investing and do some things and this is the next step for us in progression. So, our goal is, basically, to build a facility that we can house all of our programs in New Castle County under one roof instead of having these kids spread over 14 different sites four nights a week.

Why we want it here. Delaware is a great location. The City of Newark is a great location. You go right up I-95, Rt. 1, Rt. 896, RT. 301, etc. I have made the drive to the City of Newark for the last 17 years coaching and going to Baltimore practically every weekend of my life it feels like. So, we want to bring those people who we always travel to up to see what we have to offer here. We don't host many tournaments in New Castle County or in the City of Newark just because there aren't the facilities or resources available to do that. This will cure that problem.

The benefits, obviously, we bring in lots of out-of-state individuals. Most of our opponents we play come from Baltimore, Virginia, Washington, D.C., Philadelphia, New Jersey and as far as West Virginia. These individuals come in for the day and typically spend one or two nights in a hotel generating revenue from taxes and food at the local establishments. We know the other municipalities, including the City of Newark, have to rent their gyms just like we do and it becomes more and more difficult for us to find those gyms. We offer the opportunity to partnership with other municipalities, the City of Newark, maybe even New Castle County. In addition, we are going to partner with the

Delaware Sports League which is an adult sports league that has been running for about three or four years. I have a letter of support from that owner.

Ideally, we want between 25,000 and 30,000 sq. ft.; this came to fruition literally driving home from Baltimore one night from one of these tournaments and seeing the lease sign available outside on Elkton Road. I pulled in at around 11:30 at night, looking through the window, waiting for the City of Newark Police to roll up wondering what I was doing looking through the window of the warehouse. Looked in there with a flashlight – probably not the smartest thing to do at 11:30 on a Saturday night – but at that point in time the lights went off. In any case, the facility is fantastic and the location is fantastic. This is the fourth time I have tried this. To put it into perspective, remember the old Kiddie World in Prices Corner that is now a Staples, we were close to owning that property as well. So, we have been trying this for a long, long time. We want to get in there and do some interesting things. We are not recreating the wheel here, this is a concept that has been done over and over throughout the country.

Competition – no one else around here has anything like this. The YMCAs are closed member facilities. It is very difficult getting school districts. They are very stretched with their tax dollars. They don't want to open the gyms and have additional expenses. There is no one else to compete against us. We want this to be open for anyone to be able to use. This is not an exclusive membership only type facility. It is open for anyone who wants to use it. Just come in and pay your usage fee.

These are all warehouses that have been converted into volleyball facilities. What you are seeing here on this particular court are just some kids playing. This is a warehouse facility with a floor that they put down and put the net systems in, all the safety equipment and padding where kids come and play in this facility seven days a week. It runs from about noon until about 10 o'clock in the evening. The facilities get really big. This one is in the Great Lakes Center. It is a very, very large facility. The largest facility we could find is in Anaheim, California. They have 35 courts in the facility.

What I see right now is just an empty warehouse with some sky lighting and six months from now we are going to see kids running around bouncing volleyballs, kids playing dodge ball, and all kinds of things that aren't going on there right now.

This is the interior plan of the facility right now. There are seven courts that are laid out in this facility. We will be using only five courts during tournament time to allow for safety issues. We will use seven courts during practice time. Those courts can be used for anything from volleyball to basketball to indoor lacrosse to field hockey to soccer, you name it. The flooring system we are putting down is a multi-usage type system. The only thing we can't do in there is grow grass in it.

Mr. Begleiter: Mr. Lenderman, you mentioned that you were this close to owning the space where the Staples is in Prices Corner. Are you talking about owning this facility?

Mr. Lenderman: This is a rental. Our goal is to rent it from one to three years. We have an option for year four and five, but ideally, we would like to have this be a somewhat temporary, permanent home until we can build our own custom facility. Ideally, for a multi-sport facility, we want a facility without the column spacing in there. We like a big open space, but this situation the location is perfect, the price is even better and the opportunity is available.

Mr. Begleiter: You just answered my question about the support posts.

Mr. Lenderman: They are going to pad those from 0 ft. to 8 ft.

Mr. Lopata: Presumably, if it is successful, you can build the facility right in front of it.

Mr. Cook: I would love that. We have eight acres available.

Ms. Peggy Brown: Have you funded it? Is it strictly fee based or membership?

Mr. Lenderman: Our club is a fee based product. A parent would pay a set fee depending on what team their child is selected to. In order to support this facility we would have to offer volleyball camps, private lessons, sports leagues, things of that nature, but the primary funding is going to come from Delaware Juniors Newark fees that parents pay for the club.

Mr. Larry Coon: I am with Coon Construction Company. My address is 104 Montchanin Road, Wilmington, Delaware. Let me preface what I say with the fact that I am not a resident of the City of Newark. I also have no details or understanding of specifics of why Steve is receiving opposition to a zoning variance to bring his Delaware Junior Volleyball Club to the City of Newark. By the looks of it, there doesn't seem to be much opposition. I know what I have to say will be of benefit to the Commission in making a decision.

I know Steve Lenderman and I am familiar with his organization, Delaware Juniors Volleyball, through my daughter. She met for the first time and played for Steve's club about two years ago. Tonight's meeting comes on the heels of my wife and me returning from Gettysburg College where my daughter is now a freshman and a student athlete. But more important than all of that is the fact that my daughter is a genuinely happy, confident young woman. That was made very clear by her in our conversations this weekend.

Two years ago that was not the case. I know as a parent I would like to take the credit for this transformation in my daughter over the past two years. I honestly can't. When raising a child, you realize that if you are lucky there are a handful of people that come into your child's life and have a profound and positive effect on your child's future. Steve Lenderman was that person. In our daughter Steve took a lost soul and quickly reverted her future. From his first invitation for her to play in his club, which consisted of the simple words, "Come out to a practice with my club and check it out. If you don't enjoy it, no problem, you don't have to play. You don't have to make any kind of commitment." What transpired from those simple words is a truly inspirational story.

You see, on my daughter's part, there was no initial commitment, but on Steve's part there was total selfless commitment from the beginning. He coached her, mentored her, and, through volleyball taught her the life skills necessary to be successful in life. He even guided her towards enrolling at Gettysburg College. I could list pages of accolades and awards that my daughter has received since first playing for Steve, but that is not my intent. My intent is to convey to you what type of person Steve Lenderman is and what type of organization Delaware Juniors Volleyball is. Yes, Steve is a volleyball coach and yes, Delaware Juniors is a volleyball club, but Steve and his organization is truly one of the only remaining athletic organizations that serves the originally intended purpose of teaching children through athletic competition qualities that will serve them well in life.

So, this meeting involves traffics, economic impacts and so on, I ask you all to consider the social impacts of this decision. If your restaurants are busier, your hotels are fuller and University of Delaware gains exposure to future students, it is a great thing. But, what clearly overrides these factors, and ultimately this decision, is the chance to positively influence our children's future.

Mr. Begleiter: The applicant described the route that delivery vehicles would take to access the delivery bays on the back or north side of this building. I couldn't tell by looking at the large plans (inaudible) that there is this median strip separating one building from the other building. What I would like to ask is whether it might be possible if very inexpensively to break through that median strip at a place other than near the parking lot for children, teenagers and parents, even if only temporarily, for the duration of the three year lease, so that trucks can pull down.

Mr. Lopata: The one thing that they didn't do was show the actual front of the building, which faces the embankment. You touched, Ralph, on my original concern, but when I went and looked at this site, the entrance is on the south or west side of the building that

faces the embankment on Otts Chapel Road. That's how you will enter the building. All the walking entrances to this building are the exact opposite side of the loading bays.

Mr. Begleiter: I was just concerned about the large vehicles (tractor trailers) making that turn at the place where smaller vehicles with their kids inside would be pulling in and pulling out. I understand the weekend aspect of it, and that is important and that is a significant factor. I was unaware of the grade change.

Mr. Lopata: The main factor here is that doorway access on foot, which is what I would think would be of most concern once you get out of your vehicle, is going to be at the exact opposite side of the building from the trucks.

Mr. Cook: That is all parking right there for the building. That was part of the necessary parking to bring the building to, probably, code when they built it. That is parking right there for the 100 building, and this is parking all along here for the 200 building. This is all our entrances or storefronts that go into each bay. Right there is the fire lane. It really doesn't look like it, but that has to remain open and this is the fire lane in here.

Mr. Begleiter: Is there a grade change at the median strip there?

Mr. Cook: There is a grade change. I don't know how much it is, but we have looked at it and it seems to be several feet.

Mr. Lopata: First of all, there is nobody in there now. It is vacant. Again, you are touching on my major concern – the mixture of the two uses. Because of the nature of this site, in the future, if we have to deal with that, I think we should. But, again, because of the location of the main entrances, this should not be a problem.

Mr. Cook: That is the front of the 100 building. The cars come straight in, trucks come around this way and load. This is the front of the 200 building. Trucks would come in and come down here.

Mr. Lopata: And that is on the opposite side and that is what reassured me.

Ms. Dressel: You said you are going to have 6 to 18 year old girls, which means you are going to have 16, 17 and 18 year old drivers. I have two of those myself. They try to be careful but they are concentrating on too many things. It is possible to say that the trucks would go in by the 100 building (the first building) and then come around to the back and go down that entrance because that isn't open.

Mr. Lopata: What they are going to need to do with appropriate signage is separate the truck and the volleyball traffic. That is something we would require as a matter of course internally because of the nature of these uses. It is something, as we have seen, done throughout the country, so this is not something that can't be handled. But, it is a matter of devising the truck route and a car route in an appropriate way so the vehicles are not mingled. That is something that will be our responsibility, ultimately, because you are really approving a Zoning Code change and a special use permit which is the "use."

Ms. Dressel: I just want to make sure the kids are going to be safe.

Mr. Lopata: Absolutely. That is our number one issue from day one as Kevin, who first brought this to me, and I discussed.

Ms. Brown: You are saying that things are going to end at 10 o'clock at night, probably midnight in reality when you are having tournaments. What kind of security is there – lighting and getting people from point A to point B?

Mr. Cook: There are already light standards in the vacant parking lot. And, then all down through here are light standards and there are wall packs on the building. We would look at whether they would need additional wall packs high up shining down.

Mrs. Valerie Gleason: I am a Landenberg, Pennsylvania, resident. I just wanted to say what a wonderful organization Delaware Juniors has been for us. My daughter actually has a mission in life, a goal, a love for a sport. It has given her dreams for college. It keeps her out of the mall. Instead she is at practice. She is doing something that is very beneficial to her future. She has played volleyball with Delaware Juniors for the past three years and has benefitted tremendously from the experience. I watch her go into a responsible and committed adult with every bump, set and serve. A dedicated volleyball facility would help build a community that can be shared by coaches, players, parents, spectators, area residents and businesses that will benefit from tournament and summer camp tourism and recreational activities. Currently, we are driving two and three hours for tournaments. We need a home. We need a place here in Newark. We are hoping that we can play in this lovely facility.

Mr. Rod Gerhart: I reside at 207 Welsh Tract Road in Newark. I, too, like Val, my daughter has been playing now for Delaware Juniors for about three years. At 14 years old, it is not like she wants to go hang out at the mall, or go to the movies with boys. It is all about putting knee pads on and let's go play ball. The season starts early December and goes until June or early July. What she has gained through this is the friendships of the other kids, let alone the fact of good sportsmanship and teamwork. Like Val said, we are driving quite a bit. Let some of these folks come up and see our nice city and spend some money in our area.

Mr. Steve Hubbard: I live at 28 Kennard Court, Newark. In 1982, 1983 a Newark High School girl was competing on the first Delaware Juniors Volleyball Club team coached by Barb Viera against women from Delaware, Maryland and Virginia. As this was her only opportunity to play more competitive ball in the region and better prepare herself to play D-2 ball here at the University of Delaware. At the same time, one high school boy with a growing passion was trying to compete in adult leagues and start a high school boys volleyball program unsuccessfully as there were no other opportunities elsewhere for boys to compete in volleyball at that time.

Fast forward seven years. In 1990, these two young professionals are introduced at a volleyball tournament hosted by the UD Alumni Club team at Carpenter Sports Building, married 18 months later here in Newark.

20 Years fast forward, 2010, with many seasons behind us, three boys of our own each expressing a desire to play competitive volleyball plus hearing the plea of other parents and boys, my wife and I have made a ten year personal commitment to invest personal time and resources to create wholesome opportunities for middle and high school boys with a passion for developing competitive volleyball skills.

An adequate facility has always been the biggest hurdle especially as the weather cools to properly meet these needs and desires. My wife, Kristie, and I, our personal aim is to promote family values and reinforce priceless life lessons through competitive volleyball regarding respect for all, communication being vital in every relationship, and while the will to win is important, the will to prepare to win vital. Delaware Juniors has embraced this ideal and is entering the third year of offering boys club volleyball with growing interest in New Castle County plus neighboring communities in Pennsylvania and Maryland as well. Program participation just for the boys program has grown from just enough boys to field one team to nearly three teams this past year with the youngest group being the regional champions this past season.

Just as I have more grey after every haircut, the complexion of Newark has matured these past 27 years and volleyball participation in the U.S. has begun to approach its worldwide popularity second only to soccer. In Delaware we have befriended players from Hawaii, Puerto Rico, Finland, Japan, Cuba, China, Germany Brazil, as well as Delaware, Pennsylvania, Maryland and New Jersey. They athletes have been University of Delaware students, ELI students, small business owners, teachers, bankers, PhDs and such.

With employment's challenges plus capital improvements such as the coming UD Research Center, Newark's landscape will change, too. Bringing this facility on line, I

believe, will complement other athletic opportunities that set Newark apart that are offered here such as Suburban Swim League, The Pond and the University of Delaware's Ice Skating Development Center.

I asked my 16 year old son to read this, and for him to tell me what he got out of it, not knowing what was really before us. He said, "Dad, this tells me you and Mom have a passion." I met my wife through volleyball, I have my best relationships, the fondest ones through volleyball, and there is a lot of outreach there that I didn't have way back when that I would like to continue to contribute to those who do want to participate. Any opportunity that we have to do that in a wholesome way, I am in full support of.

Ms. Theresa Wiley: I live in Hockessin, Delaware. I do have four children. I know firsthand the benefits of them being involved in sports can bring. My youngest is involved in the Delaware Juniors program. I have two boys that go to the University of Delaware. I have been finding myself in Newark quite a bit these days and have come to very much appreciate the City of Newark. I didn't really have cause to come down here until the College started and every once in awhile for volleyball, but when my daughter, who does have a passion as some of these parents have said, for volleyball, wanted to branch off into the club aspect of the sport, we looked at a couple of the different clubs that are available and what drew her and myself to Delaware Juniors is exactly what these parents are saying. The passion that they have for teaching the children, the sportsmanship that belongs with playing sports, not so much you have to win at all costs, which is good, but the sportsmanship that goes with it is what pulled us to Delaware Juniors and the advantages and benefits of having a facility in the State of Delaware, as Val said, to call home and to bring other people to our State and to show them what we have to offer, and to eliminate some of the driving, which we very eagerly and readily do to get our girls to play at these tournaments because they just love it. It would be wonderful to have something at home to be able have these girls call their own.

Mr. Bowman: If there is no one else in the public who wishes to step forward, we will bring it back to the table for any additional questions or comments for the applicants or for the Planning and Development Department.

Ms. Dressel: I was just going to say, from the looks of the plan, I appreciate all the work you put into the presentation and I think that it looks like a fabulous idea and a great asset to the area and to our children's health and athletic growth as well as personal growth. My concern is solely with the potential truck traffic, so according to Roy, that will be taken care of so that we won't have to worry about the safety of those young drivers and the parents driving in young children. Thank you very much. I think this is a good proposal.

MOTION BY DRESSEL, SECONDED BY SHEEDY, THAT THE PLANNING COMMISSION MAKES THE FOLLOWING RECOMMENDATION:

THAT CITY COUNCIL AMEND ZONING CODE SECTION 32-23 MOR DISTRICT BY ADDING A NEW SECTION (b)(2) TO READ, "COMMERCIAL INDOOR RECREATION."

VOTE: 7-0

AYE: BEGLEITER, BOWMAN, BRILL, BROWN, DRESSEL, MCDOWELL, SHEEDY

NAY: NONE

MOTION PASSED UNANIMOUSLY

MOTION BY DRESSEL, SECONDED BY SHEEDY, THAT THE PLANNING COMMISSION MAKES THE FOLLOWING RECOMMENDATION:

THAT CITY COUNCIL APPROVE THE DELAWARE JUNIORS VOLLEYBALL CLUB SPECIAL USE PERMIT FOR A COMMERCIAL

INDOOR RECREATIONAL FACILITY AT 200 INTERCHANGE
BOULEVARD, WITH THE CONDITIONS IN THE PLANNING AND
DEVELOPMENT DEPARTMENT REPORT.

VOTE: 7-0

AYE: BEGLEITER, BOWMAN, BRILL, BROWN, DRESSEL, MCDOWELL,
SHEEDY

NAY: NONE

MOTION PASSED UNANIMOUSLY

Mr. Lopata: Mary Lou, as you know, in light of your resignation letter, this may be your last meeting and I wanted to say goodbye. You may continue to serve until Councilman Tuttle finds a replacement. We won't have a meeting in October, so he has some extra time, but I wanted to, on behalf of the staff, wish you the best of luck and thank you for your service.

There being no further business, the Planning Commission adjourned at 7:50 p.m.

Respectfully Submitted,

Elizabeth Dowell
Secretary, Planning Commission