

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING**

TUESDAY, MARCH 1, 2011

7:00 P.M.

**NEWARK MUNICIPAL BUILDING
220 ELKTON ROAD**

COUNCIL CHAMBER

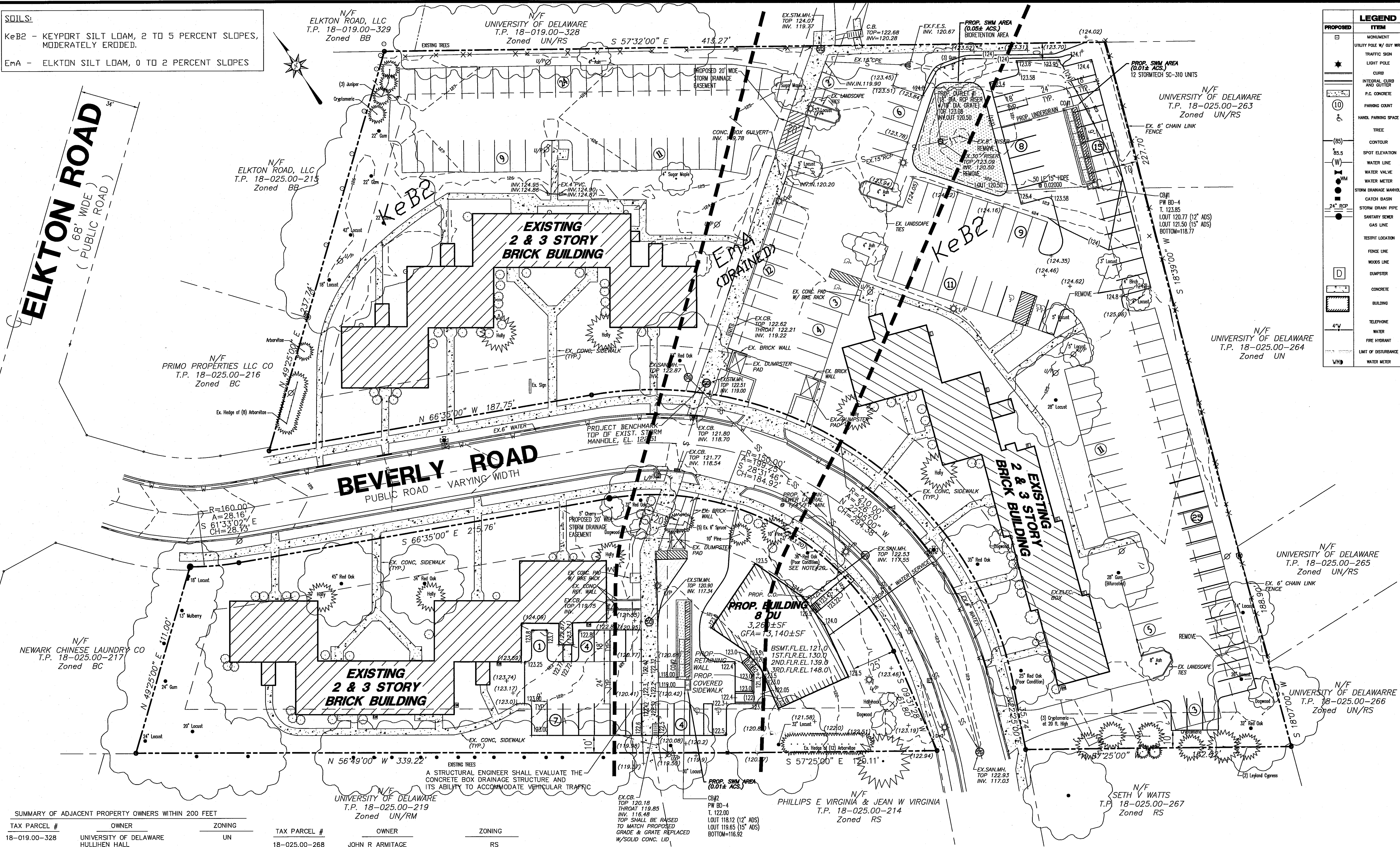
AGENDA

1. The minutes of the September 7, 2010 Planning Commission meeting.
2. Election of Officers.
3. Review and consideration of the major subdivision of a portion of the 4.22 acre University Garden Apartments property on Beverly Road to add eight apartment units.
4. Review and consideration of the rezoning from BL (business limited) to BB (central business district); major subdivision; site plan approval; a parking waiver; and special use permit approval of the .85 acre properties at 206, 208, 220 and 224 E. Delaware Avenue to replace the existing buildings with a five story mixed use facility including 12,116 sq. ft. of first floor commercial space, 39 upper floor apartments, as well as second floor interior parking and two levels of parking to the rear of the proposed building, to be known as Campus Edge.

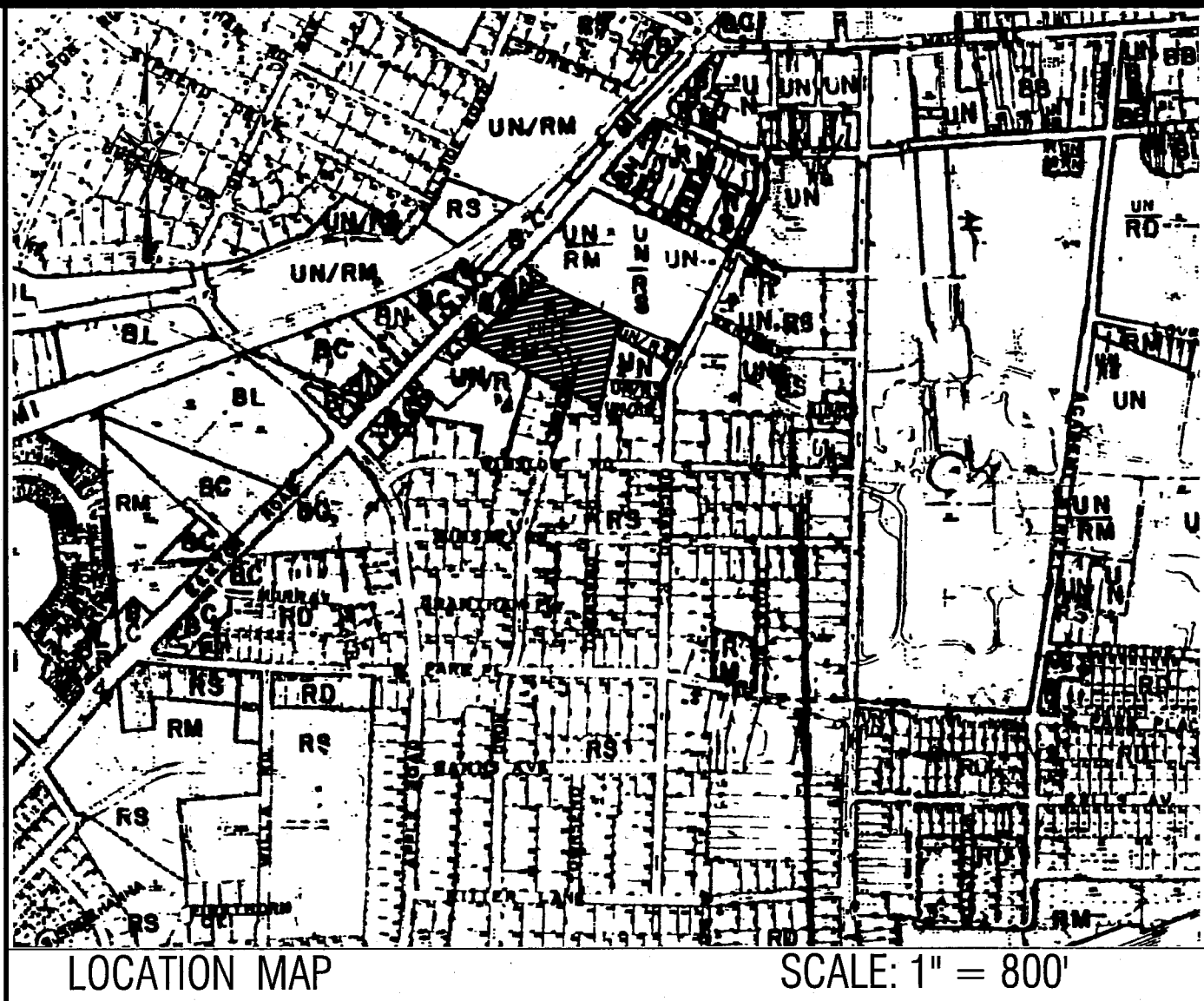
The Planning Commission may modify the above agenda items.

Advertised on Tuesday, February 15, 2011

SOILS:
KeB2 - KEYPORT SILT LOAM, 2 TO 5 PERCENT SLOPES,
MODERATELY ERODED.
Ema - ELKTON SILT LOAM, 0 TO 2 PERCENT SLOPES



PROPOSED	ITEM	EXISTING
MONUMENT	UTILITY POLE W/ GUY WIRE	MONUMENT
TRAFFIC SIGN	TRAFFIC POLE	TRAFFIC SIGN
CURB	INTERIOR CURB	CURB
P.C. CONCRETE	P.C. CONCRETE	P.C. CONCRETE
PARKING SPACE	HAND PARKING SPACE	PARKING SPACE
TREE	CONTOUR	TREE
SPOT ELEVATION	WATER LINE	SPOT ELEVATION
WATER VALVE	WATER METER	WATER VALVE
STORM DRAINAGE MANHOLE	STORM DRAIN PIPE	STORM DRAINAGE MANHOLE
CATCH BASIN	SANITARY SEWER	CATCH BASIN
TEST PIT LOCATION	FENCE LINE	TEST PIT LOCATION
WOODS LINE	DUMPSTER	WOODS LINE
CONCRETE	TELEPHONE	CONCRETE
BUILDING	FIRE HYDRANT	BUILDING
UNIT OF DISTURBANCE	WATER METER	UNIT OF DISTURBANCE



- LOCATION DATA**
- TAX PARCEL NUMBERS / DEED REFERENCE: 18-025.00-335 / 195-66
 - EXISTING ZONING: RM - GARDEN APARTMENTS
BULK AREA RESTRICTIONS (RM ZONING)
LOT COVERAGE: 40%
OPEN AREA: 25' INTERIOR STREET, 30' PERIMETER STREET
STREET YARD SETBACK: 25'
SIDE YARD: 20'
REAR YARD: 25'
LOT AREA: 1 ACRE
BUILDING HEIGHT: 35/3 STORIES
 - DATUM: NGS
 - GROSS AREA: Parcel "A" 2.9972± Acres
Parcel "B" 1.2154± Acres
Total 4.2126± Acres
 - WATER SUPPLY: Existing - City of Newark
 - SANITARY SEWER: Existing - City of Newark
 - DEBRIS DISPOSAL: No debris will be buried or disposed of on this site.
 - TOPOGRAPHY NOTE: Topography for this site was field shot by McBride & Ziegler, Inc. in August 2010. Site Benchmark is the top of the existing Storm Manhole to the North of Beverly Road, El. 122.51.
 - 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 1993, REVISED FEBRUARY 2006.
 - NO 100-YEAR FLOOD PLAIN EXISTS ON THIS PARCEL, IN ACCORDANCE WITH FLOOD INSURANCE RATE MAP, 100030120A, PANEL 120 OF 450, DATED JANUARY 17, 2007.
 - CRITICAL NATURAL AREAS: THE STATE INVENTORY OF CRITICAL NATURAL AREAS HAS BEEN EXAMINED AND NONE WERE FOUND TO EXIST ON THIS SITE.
 - POSTAL ADDRESS: 281 BEVERLY ROAD, NEWARK, DE 19711
 - LAND DEVELOPMENT DATA:

EX. BUILDING AREA:	24,377 SF	0.56 ACS.	13.3%
PROP. BUILDING AREA:	3,260 SF	0.07 ACS.	1.8%
TOTAL BUILDING AREA:	27,637 SF	0.63 ACS.	15.1%
EX. IMPERVIOUS AREA:	68,375 SF	1.57 ACS.	37.3%
PROP. IMPERVIOUS AREA:	4,260 SF	0.10 ACS.	2.3%
TOTAL IMPERVIOUS AREA:	72,635 SF	1.67 ACS.	39.6%
EX. OPEN SPACE AREA (INCL. SWM):	90,754 SF	2.08 ACS.	49.5%
OPEN SPACE TO BE REMOVED:	520 SF	0.17 ACS.	4.1%
TOTAL OPEN SPACE (INCL. SWM):	83,284 SF	1.91 ACS.	45.4%
TOTAL:	183,506 SF	4.22 ACS.	100%
 - PARKING RATIONAL:
TOTAL REQUIRED = 2 SPACES/DWELLING UNIT (68 DU) = 136 SPACES
+ 3 SPACES/DWELLING UNIT (8 UNITS) = 24 SPACES
TOTAL REQUIRED = 160 SPACES
EXISTING PARKING SPACES = 171 SPACES (INCL. 6 HANDICAP SPACES)
PROPOSED = 3 SPACES
TOTAL = 174 SPACES (INCL. 6 HANDICAP SPACES)
 - FIRE PROTECTION: ALL FIRE LANES, FIRE HYDRANTS, SPRINKLERS, STANDPIPE CONNECTIONS AND FIRE EXITS SHALL BE MARKED AND PROTECTED IN ACCORDANCE WITH THE STATE OF DELAWARE FIRE REGULATIONS. SEE THE FIRE MARSHALL RECORD-TYPE PLAN FOR THE SPECIFIC FIRE PROTECTION REQUIREMENTS ON THIS SITE.
FIRE HYDRANTS
F.H. (2) EXISTING
F.H. (0) PROPOSED
 - A LANDSCAPE PLAN PREPARED BY BURCHAM AND ASSOCIATES, LAST DATED DEC. 16, 2010, OR AS LATER AMENDED AND APPROVED IN WRITING BY THE CITY OF NEWARK IS HEREBY CONSIDERED TO BE A PART OF THIS PLAN.
 - ON NOVEMBER 18, 2010, THE BOARD OF ADJUSTMENT GRANTED A VARIANCE TO CONSTRUCT AN ADDITIONAL EIGHT (8) DWELLING UNIT APARTMENT BUILDING AND OCCUPANCY OF SUCH. THE FOLLOWING CONDITIONS APPLY:
- THE STORMWATER MANAGEMENT UPGRADES AND THE PARKING AREAS ARE TO BE COMPLETED PRIOR TO THE COMPLETION OF THE BUILDING AND OCCUPANCY OF SUCH.
- CONSTRUCTION TO COMMENCE WITHIN SIX MONTHS OF APPROVAL OF PLAN.
 - WETLANDS: THIS SITE WAS EVALUATED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN THE 1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT 7-87-1), AND SUBSEQUENT PUBLIC NOTICES TO IDENTIFY THE PRESENCE OF JURISDICTIONAL WETLANDS. AND NO WETLANDS WERE FOUND TO EXIST ON THE SITE. SEE WETLAND INVESTIGATION LETTER PREPARED BY BURCHAM & ASSOCIATES, DATED DECEMBER 2010.
 - UTILITY EASEMENT: THERE SHALL BE A BLANKET UTILITY EASEMENT GRANTING ACCESS TO THE SITE FOR THE CITY OF NEWARK ELECTRIC DEPT. IN ORDER TO PROVIDE ELECTRIC CONNECTION & MAINTENANCE.
 - A CDDIT TEST SHALL BE DONE ON THIS 36" RED OAK TO ASCERTAIN WHETHER THE TREE SHOULD EITHER BE PRUNED OR REMOVED.

SUMMARY OF ADJACENT PROPERTY OWNERS WITHIN 200 FEET

TAX PARCEL #	OWNER	ZONING	TAX PARCEL #	OWNER	ZONING
18-019.00-328	UNIVERSITY OF DELAWARE HULLIEN HALL NEWARK, DE 19711	UN	18-025.00-268	JOHN R. ARMITAGE 130 WINSLOW ROAD NEWARK, DE 19711	RS
18-019.00-329	ELKTON ROAD LLC 103 SANDY DRIVE, SUITE 100 NEWARK, DE 19713	BN	18-025.00-269	LOUIS & MARGARET HIRSH 126 WINSLOW ROAD NEWARK, DE 19711	RS
18-019.00-339	MILLIARD PROPERTY ASSOC. LLC 6000 WOOLEN WAY NEWARK, DE 19711	BN	18-025.00-270	PARKER & SARA JANE TUPIN 124 WINSLOW ROAD NEWARK, DE 19711	RS
18-025.00-212	SANFORD L. & KATHRYN I. ROBBINS 216 BEVERLY ROAD NEWARK, DE 19702	RM	18-025.00-271	JEAN & LINDA LAURENCEAU 216 ORCHARD ROAD NEWARK, DE 19711	RS
18-025.00-213	CHRISTINE B. MORRIS 214 BEVERLY ROAD NEWARK, DE 19702	RM	18-025.00-272	JEAN & LINDA LAURENCEAU 216 ORCHARD ROAD NEWARK, DE 19711	RS
18-025.00-214	HAROLD B. PRETTYMAN 3RD 163 ELKTON ROAD, SUITE A-11 NEWARK, DE 19711	RM	18-025.00-273	RICHARD & DEBORAH WOOL 208 ORCHARD ROAD NEWARK, DE 19711	RS
18-025.00-215	ELKTON ROAD LLC 103 SANDY DRIVE, SUITE 100 NEWARK, DE 19713	BN	18-025.00-340	SONIA Z. LESKEW TRUSTEE 630 WILSON ROAD WILMINGTON, DE 19803	BC
18-025.00-216	LIVE FREE OR DIE FOUNDATION I LLC C/O ANGELA BLAISDELL P.O. BOX 6980 PORTSMOUTH, NH 03802	BC	18-025.00-348	CSX TRANSPORTATION TAX DEPT ATTN: GAYLE MORRIS 500 WATER STREET (CB01) JACKSONVILLE, FL 32202	BN
18-025.00-217	PELICAN KEY LLC 163 ELKTON ROAD, SUITE A-11 NEWARK, DE 19711	BC	18-025.00-124	ELKTON PLAZA ASSOC LLC 114 HEDGE APPLE LANE WILMINGTON, DE 19807	BB
18-025.00-218	PELICAN KEY LLC 163 ELKTON ROAD, SUITE A-11 NEWARK, DE 19711	BC	18-025.00-125	GEORGE DEGERMENTZIOS VASILIOS C & MAVRIDIS PRODRONAKIS 160 ELKTON ROAD NEWARK, DE 19711	BC
18-025.00-219	HAROLD B. PRETTYMAN 3RD 163 ELKTON ROAD, SUITE A-11 NEWARK, DE 19711	UN	18-025.00-127	ELKTON ROAD ASSOC LLC 125 E. MAIN STREET NEWARK, DE 19711	BC
18-025.00-263	UNIVERSITY OF DELAWARE 220 HULLIEN HALL NEWARK, DE 19716	UN			
18-025.00-264	UNIVERSITY OF DELAWARE 188 ORCHARD ROAD NEWARK, DE 19711	UN			
18-025.00-265	UNIVERSITY OF DELAWARE 192 ORCHARD ROAD NEWARK, DE 19711	UN			
18-025.00-266	UNIVERSITY OF DELAWARE 220 HULLIEN HALL NEWARK, DE 19716	UN			
18-025.00-267	CHRISTOPHER WATTS 201 BEVERLY ROAD NEWARK, DE 19711	RS			

CERTIFICATION OF OWNERSHIP

I, UNDERSIGNED, HEREBY CERTIFY THAT UNIVERSITY GARDEN ASSOCIATES IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, AND THE SUBDIVISION PLAN THEREOF WAS MADE AT ITS DIRECTION AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND PLAN AND DESIRE THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW, AND IN ACCORDANCE WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS OF THE CITY OF NEWARK.

RALPH V. WATTS
UNIVERSITY GARDEN APARTMENTS

DATE:

UTILITIES NOTE

McBride & Ziegler, Inc. makes no guarantee as to the existence or non-existence, location, depth, size or condition of any utilities shown on this plan. Existing utilities are shown in accordance with information provided by the respective utility companies at the time the plan was prepared.

It is the responsibility of the Owner, or his contractor to verify and allow for the location and depth of the underground utilities within the work area shown on this plan. The contractor shall NOT begin any excavation or other construction adjacent to existing utilities without notifying the utility owner(s) at least seventy-two (72) hours in advance of the start of excavation or construction. Call "Miss Utility" at 1-800-282-8555.

Prior to any construction, the contractor shall excavate in the area of any potential utility crossing to verify that the utility will not interfere with construction. If, after uncovering the utility, there is any question concerning a possible conflict, the Contractor shall immediately contact the Engineer. The Contractor shall take all necessary precautions to protect all existing utilities and maintain uninterrupted service. Any damage done to them due to his negligence shall be immediately and competently repaired at his expense.

CERTIFICATION OF ACCURACY

I, MONIKA SLOAN, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN NEWARK, DELAWARE, AND THAT ALL THE INFORMATION ON THIS PLAN IS TRUE AND ACCURATE AND THAT THE CITY OF NEWARK SUBDIVISION AND ZONING CODE.

Monika Sloan
MONIKA SLOAN, P.E., REG. #01215

DATE: 2/8/11

CERTIFICATION OF PLAN APPROVAL

Approved: _____ Date: _____ By: _____ NEWARK CITY MANAGER

Approved: _____ Date: _____ By: _____ NEWARK CITY SECRETARY

Approved: _____ Date: _____ By: _____ NEWARK CITY PLANNING DIRECTOR

It is hereby certified that this Subdivision Plot Plan was granted "APPROVAL" by the council at the City of Newark, Delaware on _____, 20____, by Resolution No. _____ and accordingly, is eligible for recording in the Office of the Recorder of Deeds in and for New Castle County, Delaware.

Approved: _____ Date: _____ By: _____ NEWARK CITY MANAGER

Recorded _____ in the office of the Recorder of Deeds in and for New Castle County, State of Delaware at Instrument No. _____

OWNER/DEVELOPER:
UNIVERSITY GARDEN ASSOCIATES
C/O RALPH V. WATTS
P.O. BOX 216
NEWARK, DE 19715-0216
(302) 366-0215

PURPOSE OF PLAN

The purpose of this plan is to construct a new apartment building - 3,276 s.f. - with 8 dwelling units, construct/reconfigure parking and replace the dry pond with a bioretention area.

REV. NO.	DATE	REVISION
1	1/31/11	Rev. per City of Newark comments dated 1/11/11

M & Z

McBRIDE & ZIEGLER, INC.

LAND SURVEYORS • PLANNERS • ENGINEERS
2607 EASTBURN CENTER, NEWARK, DELAWARE 19711
PHONE (302) 737-9138 • FAX (302) 737-2610

APPROVED BY: _____ PROFESSIONAL ENGINEER

SURVEY BY: M&Z CHECKED BY: K.Z.

DESIGN BY: MBS SCALE: 1" = 30'

DRAWN BY: TW/MBS DATE: SEPTEMBER 15, 2010

DWG. NO.: 9703219 - 9002 SHEET 1 of 1

