

**CITY OF NEWARK  
DELAWARE**

**PLANNING COMMISSION  
MEETING**

**TUESDAY, AUGUST 2, 2011**

**7:00 P.M.**

**NEWARK MUNICIPAL BUILDING  
220 ELKTON ROAD**

**COUNCIL CHAMBER**

**AGENDA**

1. The minutes of the July 5, 2011 Planning Commission meeting.
2. Review and consideration of amendments to the Zoning Code concerning alcoholic beverage service in restaurants.
3. Review and consideration of the major subdivision, site plan approval, and special use permit approval for the .88 acre property at the parking facility of 157-159 East Main St. (Trader's Alley) for a four story building with second floor interior parking and two upper levels of 14 apartments.

The Planning Commission may modify the above agenda items.

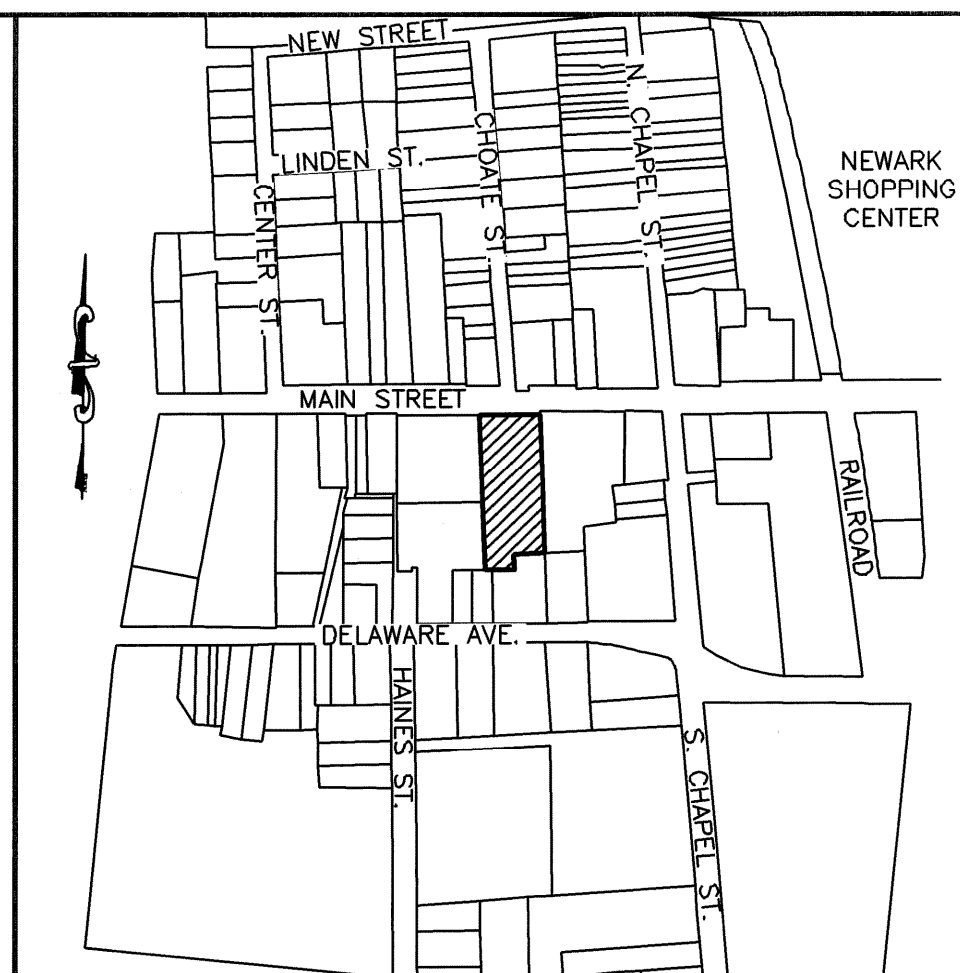
Advertised on Tuesday, July 19, 2011

|                                                  |                                       |
|--------------------------------------------------|---------------------------------------|
| 3. TAX PARCEL NUMBER: 18-020.00-187              |                                       |
| 2. SITE AREA: 0.88± ACRES                        |                                       |
| 3. EXISTING ZONING: BB (CENTRAL BUSINESS)        |                                       |
| 4. SOURCE OF TITLE: INST. NO. 20100729-0039243   |                                       |
| 5. PROPOSED BUILDING GROSS FLOOR AREA: 31,300 SF |                                       |
| 6. LAND USE BREAKDOWN:                           |                                       |
| EXISTING BUILDING: 13,271± (FOOTPRINT)           | 0.30± ACRES                           |
| PROPOSED BUILDING: 14,500± SF (FOOTPRINT)        | 0.33± ACRES                           |
| PARKING AND ACCESSWAYS:                          | 0.25± ACRES                           |
| GREEN AREA:                                      | 0.00± ACRES                           |
| <b>TOTALS:</b>                                   | <b>0.88± ACRES</b>                    |
| 7. VERTICAL DATUM: NAVD 1988                     |                                       |
| 8. BULK AREA RESTRICTIONS:                       |                                       |
|                                                  | <u>BB ZONING</u>                      |
| MIN. LOT AREA:                                   | 3,000 S.F.                            |
| MIN. LOT WIDTH:                                  | 20'                                   |
| MIN. FRONT YARD SETBACK:                         | 0' FOR BUILDINGS 3 STORIES ≤ 35' HIGH |
| MIN. REAR YARD SETBACK:                          | 15'                                   |
| MIN. SIDE YARD SETBACK:                          | 0'                                    |
| MAX. BUILDING HEIGHT:                            | 3 STORIES (35')                       |
| 9. PARKING REQUIREMENTS:                         |                                       |
| EXISTING:                                        |                                       |
| APARTMENTS, RETAIL, AND RESTAURANT:              | 44 SPACES                             |
| (GRANDFATHERED BY PRIOR PLAN APPROVAL)           |                                       |
| PROPOSED:                                        |                                       |
| APARTMENT UNITS: 14 UNITS x 2 SPACES/UNIT        | <u>28 SPACES</u>                      |
| PROPOSED REQUIRED:                               | 72 SPACES                             |
| TOTAL REQUIRED:                                  | <u>74 SPACES</u>                      |
| 10. POSTAL ADDRESS: 157-159 EAST MAIN STREET     |                                       |

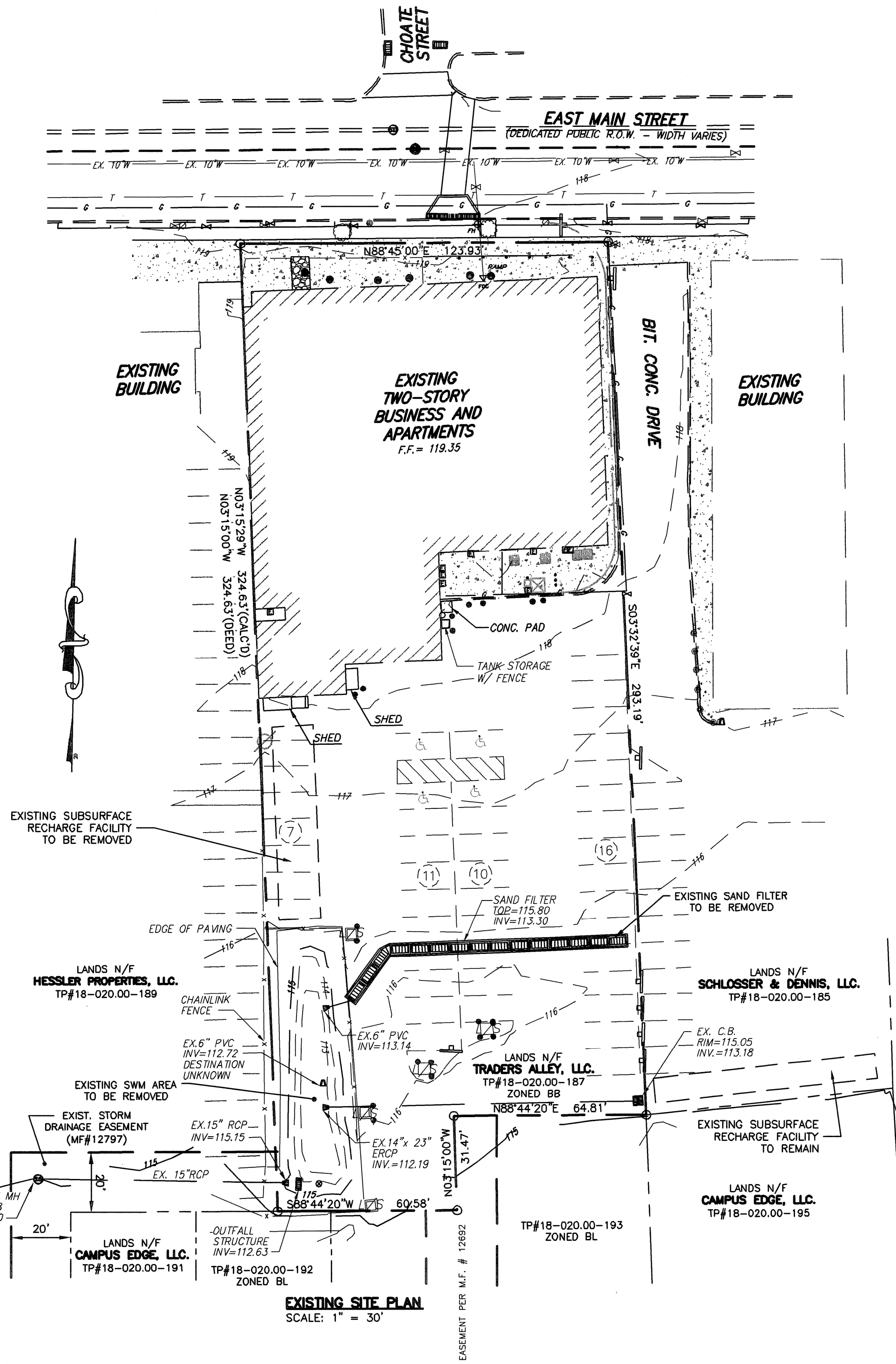
1. PROPOSED SANITARY SEWER; CITY OF NEWARK SANITARY SEWERAGE IS SUBJECT TO THE APPROVAL OF THE CITY OF NEWARK WATER AND WASTEWATER DEPARTMENT. (14 APARTMENTS X 200 GPD/UNIT = 2,800 GPD AVG. X 4 = 11,200 GPD PEAK)
2. PROPOSED WATER SUPPLY: CITY OF NEWARK WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE CITY OF NEWARK WATER AND WASTEWATER DEPARTMENT.
3. ALL FIRE LINES, FIRE HYDRANTS, STANDPIPES, SPRINKLER CONNECTIONS, ETC. SHALL BE MARKED AND/OR PROTECTED IN ACCORDANCE WITH THE 2008 STATE FIRE PREVENTION REGULATIONS, (OSPRP PART V, CHAPTER 5), AND AS AMENDED.
4. STORMWATER MANAGEMENT, DRAINAGE, AND EROSION AND SEDIMENT CONTROL SHALL BE IN COMPLIANCE WITH THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS AND THE CITY OF NEWARK CODE.
5. NO DEBRIS SHALL BE BURIED ON THIS SITE.
6. THE ARCHITECTURAL DESIGN OF THE PROPOSED STRUCTURE SHALL BE CONSISTENT ON ALL BUILDING ELEVATIONS VISIBLE FROM PUBLIC WAYS. STORAGE AREAS, MECHANICAL AREAS AND UTILITY AREAS AND RELATED FACILITIES SHALL BE APPROPRIATELY SCREENED FROM ADJOINING PROPERTIES AND ROADWAYS IN A MANNER CONSISTENT WITH THE PROPOSED ARCHITECTURAL DESIGN.
7. TOPOGRAPHIC INFORMATION IS BASED ON FEBRUARY 2011 PHYSICAL SURVEY BY MCBRIDE & ZIGLER, INC.  
NATURAL NAVO 1982  
PROJECT BENCHMARK: TOP OF EXISTING SANITARY SEWER MANHOLE IN MAIN STREET  
ELEVATION: 118.44
8. DEVELOPER WILL RESTORE ANY EXISTING SIDEWALKS IN ACCORDANCE WITH THE CITY OF NEWARK STANDARDS.
9. ALL CONSTRUCTION IMPROVEMENTS SHALL BE IN ACCORDANCE WITH CITY OF NEWARK STANDARDS OR DELDOT STANDARDS, AS APPLICABLE.
10. SITE SOLS CONSIST OF URBAN LAND (Up) MAPPED IN ACCORDANCE WITH THE NATIONAL RESOURCE CONSERVATION SERVICE MAPPING.
11. THERE ARE NO FEWA MAPPED FLOODPLANS ON THIS SITE. (PANEL 140 OF 475 MAP NO. 1000CS0140 J, DATED JANUARY 17, 2007)
12. THERE ARE NO WETLAND AREAS OTHER PROTECTED NATURAL RESOURCES OR WITHIN 500 FEET OF THE EXISTING DEVELOPED PARCEL SHOWN ON THIS PLAN.
13. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND ALLOW FOR THEIR LOCATIONS.
14. THE OWNER AGREES TO PROVIDE AN OPEN EASEMENT THROUGHOUT THE PROPERTY FOR THE INSTALLATION AND MAINTENANCE OF THE ELECTRICAL DISTRIBUTION SYSTEM.
15. ALL ROOF DRAINS FROM THE PROPOSED BUILDING SHALL BE CONNECTED DIRECTLY TO THE STORM DRAINAGE SYSTEM.
16. BUILDING AND PARKING STRUCTURE SHALL BE FULLY PROTECTED BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM AND WILL MEET ALL APPLICABLE SECTIONS OF ICC 2009.
17. DEVELOPER SHALL PRESERVE ALL TREES ON THIS SITE EXCEPT WHERE NECESSARY TO CONSTRUCT BUILDINGS, PARKING ACCESSWAYS, ROADWAYS, RECREATIONAL FACILITIES AND UTILITIES, AND FOR SELECTIVE THINNING OF EXISTING TREES. SPECIFIC LINES OF PLANTING SHALL BE DESIGNATED ON THIS PLAN OR THE DRAINAGE PLAN (IF SUCH A PLAN IS AN INTEGRAL PART OF THIS PLAN) SHALL BE PRESERVED AND PROPERLY PROTECTED DURING CONSTRUCTION. IN THE CASE OF UTILITY RIGHTS-OF-WAY AND EASEMENTS, ANY DISTURBED AREA SHALL BE RE-PLANTED SO AS TO ACHIEVE A RECURRENCE OF NATURAL VEGETATION.
18. NO TREES OVER 18' IN HEIGHT WILL BE PLANTED UNDER EXISTING OR PROPOSED OVERHEAD UTILITIES.
19. FOR VEHICULAR AND PEDESTRIAN CROSS-ACCESS EASEMENT BETWEEN TAX PARCELS 120-000-0125, 187, AND 193. SEE EASEMENT PER MICROFILM NO. 12692, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE.
20. THIS PLAN SUPERSEDES, IN PART, THE RECORD MINOR SUBDIVISION PLAN FOR TRADERS ALLEY, PREPARED BY KCI TECHNOLOGIES, INC. DATED JUNE 29, 1995, RECORDED DECEMBER 27, 1995, MICROFILM NUMBER 12692 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE.
21. THE GROUND LEVEL PARKING SHOWN ON TAX PARCEL NO. 18-020-00-187 IS HEREIN SPECIFICALLY SET ASIDE FOR THE USE OF THE CITY OF NEWARK IN GOOD REPAIR BY THE CITY OF NEWARK AND USED AS A PUBLIC PARKING LOT.

| TAX PARCEL #  | OWNER                                 | ZONE |
|---------------|---------------------------------------|------|
| 18-020-00-100 | BJFK PROPERTIES, LLC                  | BLR  |
| 18-020-00-101 | KAM, LLC                              | BB   |
| 18-020-00-102 | JAMES W. TUNIS                        | BB   |
| 18-020-00-103 | PARAGON DESIGN, INC.                  | BB   |
| 18-020-00-104 | TSIONAS PROPERTIES, LLC               | BB   |
| 18-020-00-105 | TODD J. & CYNTHIA H. LADUTKO          | BB   |
| 18-020-00-127 | DANNEGAN & DANNEGAN, LLC              | BB   |
| 18-020-00-128 | DOVER REALTY II                       | BB   |
| 18-020-00-129 | INDEPENDENT INVESTORS, LLC            | BB   |
| 18-020-00-130 | INDEPENDENT INVESTORS, LLC            | BB   |
| 18-020-00-131 | DELAWARE HOSPITALITY REAL ESTATE, LLC | BB   |
| 18-020-00-132 | INDEPENDENT INVESTORS, LLC            | BB   |
| 18-020-00-133 | INDEPENDENT INVESTORS, LLC            | BB   |
| 18-020-00-158 | NETTET AND DAVID                      | BB   |
| 18-020-00-160 | CHOATE STREEK ASSOCIATES, LLC         | BB   |
| 18-020-00-161 | NORM GERSHMAN'S THINGS TO WEAR        | BB   |
| 18-020-00-162 | DR. STEPHEN L. SCHWARTZ               | BB   |
| 18-020-00-164 | ASTRA PLAZA ASSOCIATES, LLC           | BB   |
| 18-020-00-182 | ADEL THOMAS ARMSTRONG                 | BB   |
| 18-020-00-185 | SCHLOSSER & DENNIS, LLC               | BB   |
| 18-020-00-188 | HESSLER PROPERTIES, INC               | BB   |
| 18-020-00-189 | HESSLER PROPERTIES, INC               | BB   |
| 18-020-00-191 | CAMPUS EDGE, LLC                      | BL   |
| 18-020-00-192 | CAMPUS EDGE, LLC                      | BL   |
| 18-020-00-193 | CAMPUS EDGE, LLC                      | BL   |
| 18-020-00-195 | CAMPUS EDGE, LLC                      | BL   |
| 18-020-00-196 | TO BANK NA                            | BB   |
| 18-020-00-201 | JOHN W. SMITH                         | BB   |
| 18-020-00-202 | KIRBY D. & KAFEN JACKSON              | BB   |
| 18-020-00-204 | 32 DELAWARE AVENUE, LLC               | BC   |
| 18-020-00-205 | CALVARY BAPTIST CHURCH                | BL   |
| 18-020-00-206 | CALVARY BAPTIST CHURCH                | BL   |
| 18-020-00-207 | NEWARK MASONIC CROP                   | BL   |
| 18-020-00-208 | NEWARK NEW CENT CLUB                  | BL   |

|                                                                                     |                                       |                                                                                     |                                        |
|-------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------|
|  | PROPOSED SPOT ELEVATION               |  | EXISTING WATER MAIN & WATER VALVE      |
|  | PROPOSED CONTOUR                      |  | EXISTING PARKING COUNT                 |
|  | EXISTING CONTOUR                      |  | PROPOSED PARKING COUNT                 |
|  | EXISTING SPOT ELEVATION               |  | PROPOSED DRAINAGE FLOW PATH            |
|  | EXISTING UTILITY POLE                 |  | PROPOSED CURB                          |
|  | EXISTING SANITARY SEWER AND MANHOLE   |  | PROPOSED HANDICAP RAMP                 |
|  | EXISTING STORM DRAINAGE & CATCH BASIN |  | PROPOSED YELLOW DEMARCATION LINE       |
|  | PROPOSED SANITARY SEWER AND MANHOLE   |  | CURB                                   |
|  | PROPOSED STORM DRAINAGE & CATCH BASIN |  | PROPOSED BIKE RACK                     |
|  | EXISTING CURB                         |  | EXISTING LIGHT POLE                    |
|  | EXISTING GAS MAIN & GAS VALVE         |  | PROPOSED FIRE LANE SIGN                |
|  | EXISTING FIRE HYDRANT                 |  | PROPOSED FIRE DEPARTMENT CONNECTION    |
|  | PROPOSED FIRE HYDRANT                 |  | EXISTING TIMBER PLANTERS TO BE REMOVED |



LOCATION MAP 1"= 400'



I, \_\_\_\_\_, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE, AND THAT THIS PLAN, CONSISTING OF ONE (1) SHEET REPRESENTS A SURVEY MADE BY LANDMARK ENGINEERING, INC. AND IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES, AND THAT ALL THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THEIR POSITIONS ARE CORRECTLY SHOWN.

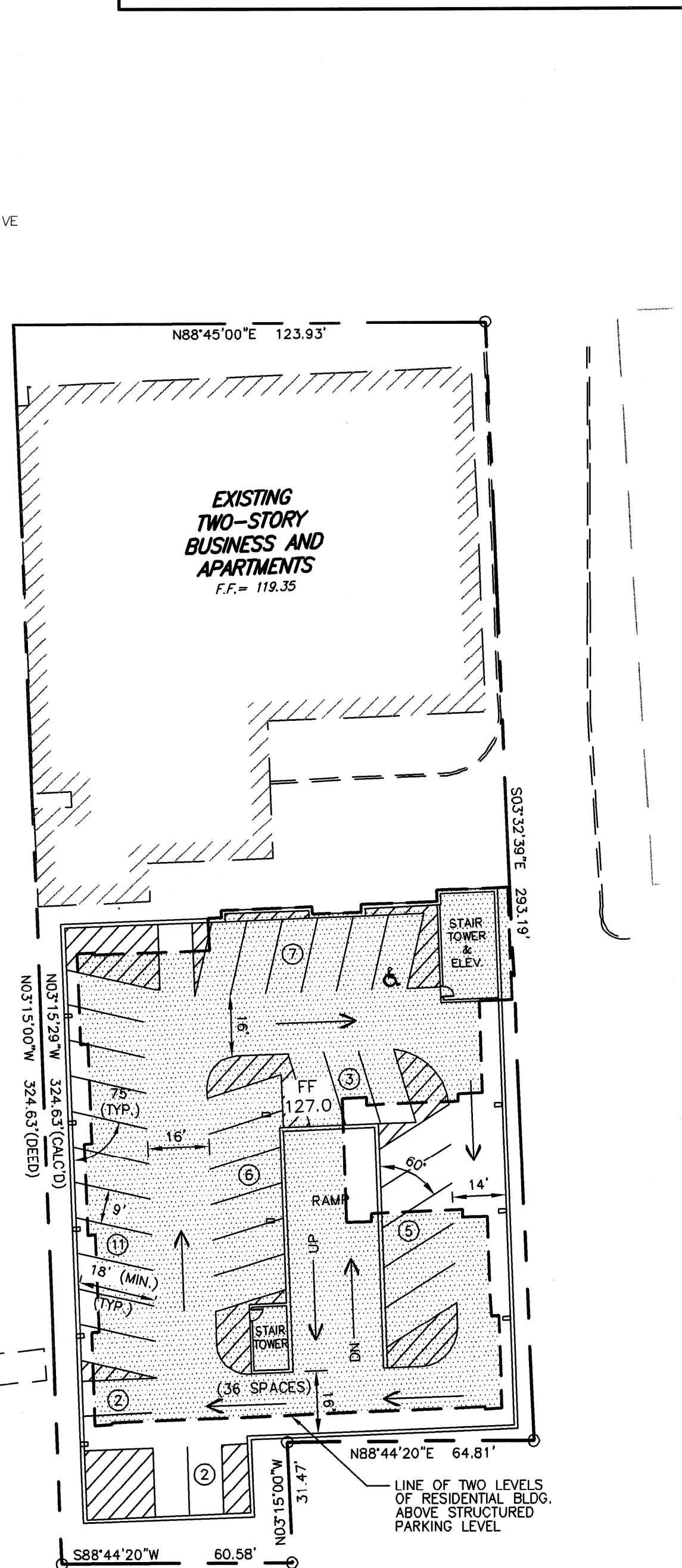
WE, TRADERS ALLEY, LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF TAX PARCEL 18-020.00-187 SHOWN ON THIS PLAN, AND THAT THE SUBDIVISION PLAN THEREOF WAS MADE AT OUR DIRECTION, THAT WE ACKNOWLEDGE THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW, AND IN ACCORDANCE WITH THE SUBDIVISION AND LAND REGULATIONS OF THE CITY OF NEWARK, AND THAT ALL STREETS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC USE.

IT IS HEREBY CERTIFIED THAT THIS SUBDIVISION PLOT PLAN WAS GRANTED 'APPROVAL' BY THE COUNCIL OF THE CITY OF NEWARK, DELAWARE ON \_\_\_\_\_ AND ACCORDINGLY, IS ELIGIBLE FOR RECORDING IN THE OFFICE OF THE RECORDER OF DEEDS FOR NEW CASTLE COUNTY, DELAWARE.

APPROVED: \_\_\_\_\_ BY: \_\_\_\_\_  
DATE CITY MANAGER

APPROVED: \_\_\_\_\_ BY: \_\_\_\_\_  
DATE PLANNING DIRECTOR

APPROVED: \_\_\_\_\_ BY: \_\_\_\_\_  
DATE CITY SECRETARY



SCALE: 1" = 30'

THE PURPOSE OF THIS PLAN IS TO CONSTRUCT A NEW 2-STORY, 14 UNIT APARTMENT BUILDING ABOVE A SECOND STORY 36 SPACE PARKING DECK AND RELATED SITE IMPROVEMENTS.

MAJOR SUBDIVISION SITE PLAN APPROVAL  
AND SPECIAL USE PERMIT

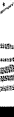
FOR  
TRADERS ALLEY  
CITY OF NEWARK - NEW CASTLE COUNTY, DELAWARE

**OWNER/DEVELOPER**  
TRADER ALLEY, LLC.  
1114 HEDGE APPLE LANE  
WILMINGTON, DE 19807  
302-369-8895  
OWNER FAX

NEW CASTLE, DE  
(302) 323-9377

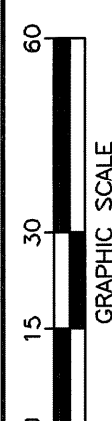
(302) 734-9597  
GEORGETOWN, DE  
(302) 854-9138

WAYNE, PA  
(610) 687-1976



**Landmark** Science and Engineering

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@ I AND M A R E T I C M . C O M • W W W . I A N D M A R E T I C M . C O M



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THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.

|                  |                 |
|------------------|-----------------|
| DRAWN BY: BES    | SCALE: 1' = 30" |
| DESIGNED BY: JGC | DATE: 6/30/2011 |

|                 |                       |
|-----------------|-----------------------|
| CHECKED BY: JGC | LAST MODIFIED 6/30/11 |
| COMM. NO. C2371 | FILE NO. 001          |

DRAWING NAME: REC-BASE.DWG

CR-01

SHEET NO.  
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