CITY OF NEWARK DELAWARE

PLANNING COMMISSION MEETING

TUESDAY, FEBRUARY 7, 2012

7:00 P.M.

NEWARK MUNICIPAL BUILDING 220 ELKTON ROAD

COUNCIL CHAMBER

AGENDA

- 1. The minutes of the December 6, 2011 Planning Commission meeting.
- 2. Review and consideration of a major subdivision, parking waiver and special use permit for the 1.079 acre properties at 144-150 E. Main Street and 21-27 Choate Street for a four story building with 2,760 sq. ft. of first floor commercial space and 22 upper floor two-bedroom apartments, and five four-bedroom townhouse apartments.
- 3. Review and consideration of a <u>Comprehensive Plan</u> amendment, the rezoning from MI (general industrial) to RH (single family, detached) of the 20.62 acre properties on the west side and south end of McIntire Drive in the Newark Interstate Business Park and the minor subdivision of the site for the conversion of the existing building to a Newark Charter Junior and Senior High School facility.

The Planning Commission may modify the above agenda items.

Advertised on Tuesday, January 24, 2012

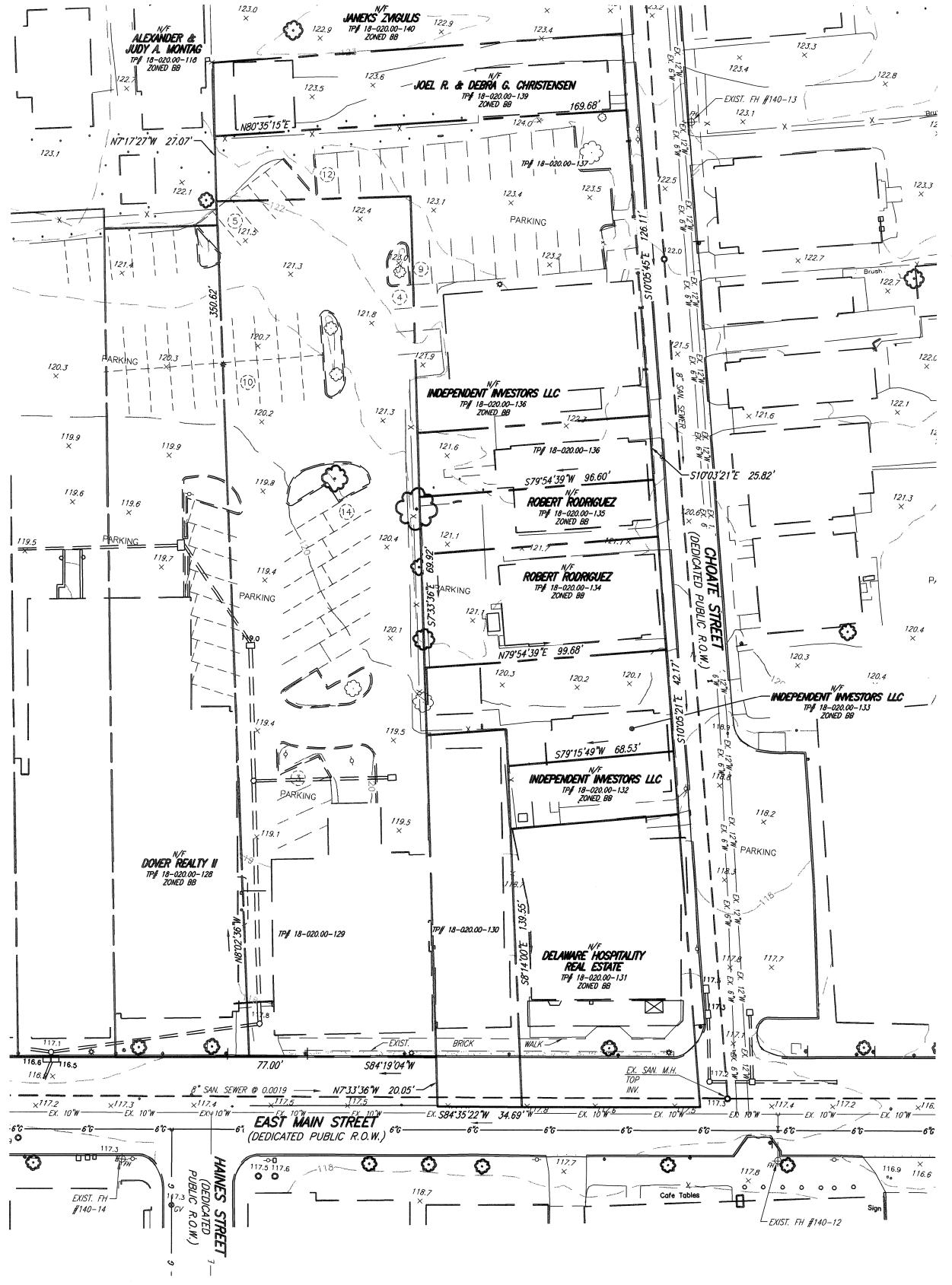
SUMMARY OF ADJACENT PROPERTIES WITHIN 200' OF SITE

-	HAMAINI OI	ADVACE	41 PROPERTIES WITHIN 200 OF	311
AX	PARCEL	NO.	OWNER Z	ONIN
18	8-020.00-1	04	NEWARK SQUARE LLC	BB
18	3-020.00-1	05	J. TODD & CYNTHIA H. LADUTKO	BB
18	3-020.00-1	06	J. TODD & CYNTHIA H. LADUTKO	вв
18	3-020.00-1	07	129 E. MAIN ASSOCIATES LLC	BB
18	3-020.00-1	08	123 E. MAIN LLC	BB
18	3-020.00-1	11	ARISTEDES YIOURNAS	RS
18	3-020,00-1	12	ARISTEDES YIOURNAS	RS
18	3-020.00-1	13	BOWDLE & SLACK LLC	RS
18	3-020.00-1	14	CHRISTIANA INVESTORS LLC	RS
18	3-020,00-1	15	CONNELL HOLDINGS LLC	RS
18	3-020.00-1	16	JLP PROPERTIES LLC	RS
	3-020.00-1		DIANE BLYTHE LK	RS
	3-020.00-1		ALEXANDER & JUDY A MONTAG	RS
	3-020.00-1	· -	MARTIN P. CRANDALL	RS
	3-020.00-1		PAUL SCHLOSSER JR.	RS
	3-020,00-1		DANIEL P. BURKE	RS
	3-020.00-1		JEROME D. & TONYA N. GRAVATT	RS
	3-020.00-1		CITY OF NEWARK	BB
	3-020.00-1		CENTER STREET ASSOCIATES LLC	BB
	3-020.00-1		DANNEMANN & DANNEMANN LLC	BB
	3-020.00-1		DANNEMANN & DANNEMANN LLC	BB
	3-020.00-1 3-020.00-1		DOVER REALTY II DELAWARE HOSPITALITY REAL ESTATE LLC	BB
	3-020,00-1 3-020,00-1		INDEPENDENT INVESTORS LLC	BB
	3-020.00-1 3-020.00-1		INDEPENDENT INVESTORS LLC	BB
	3-020.00-1		ROBERT RODRIGUEZ	BB
	3-020.00-1	-	ROBERT RODRIGUEZ	BB
	3-020.00-1		INDEPENDENT INVESTORS LLC	BB
	3-020.00-1		JOEL R. & DEBRA G. CHRISTENSEN	BB
18	3-020.00-1	40	JANEKS ZVIGULIS	BB
18	3-020.00-1	41	LJUBICA PAJIC	RS
18	3-020.00-1	42	JAMES P. JR. & KAREN J. LISA	RS
18	3-020.00-1	43	JAMES P. JR. & KAREN J. LISA	RS
18	3-020.00-1	44	JAMES P. JR. & KAREN J. LISA	RS
18	3-020.00-1	45	INDEPENDENT INVESTORS LLC	RS
18	3-020.00-1	46	JAMES P. JR. & KAREN J. LISA	RS
18	3-020.00-1	48	SOUTH POND PROPERTIES LLC	BLR
18	3-020.00-1	49	STEPHEN L. ROSS	RM
18	3-020.00-1	50	CHOATE HOUSE ROW LLC	RM
18	3-020.00-1	51	CHOATE HOUSE ROW LLC	BC
18	3-020.00-1	52	CHOATE HOUSE ROW LLC	BC
18	3-020.00-1	53	SLIJEPCEVIC NIKOLA	BC
18	3-020.00-1	54	BOHEMIA DEVELOPMENT ASSOCIATES INC.	BLR
18	3-020.00-1	55	DONNA WILLINGHAM & JAMES E. SCOTT	BC
18	3-020.00-1	56	SHARON D. WEMLINGER	BC
18	3-020.00-1	57	S. MATTHEW & SUSAN W. DUTT	BC
18	3-020.00-1	58	BRETT AND DAVID LLC	BC
	3-020.00-1		CHOATE STREET ASSOCIATES LLC	BB
	3-020.00-1		NORM GERSHMANS THINGS TO WEAR	BB
	3-020.00-1		DR. RICHARD L. SKLUT	BB
	3-020,00-1		ASTRA PLAZA ASSOCIATES LLC	BB
	3-020.00-1		TSIONAS PROPERTIES LLC	RM
	3-020.00-1		CHARLES P. DETURK	RM
	3-020.00-1 3-020.00-1		UNIVERSITY DRAMA GROUP INC. PETER M. CLARK	RM RM
	3-020.00-1 3-020.00-1		JOHN D. SMITH	RM RM
	3-020.00-1 3-020.00-1	_	JAMES P. JR. & KAREN J. LISA	RM
	3-020.00-1 3-020.00-1		GLENN D. SCHMALHOFER &	17101
		- •	SALVATORE J. & SHERYL L. MANNINO	RM
18	3-020.00-1	75	RYAN L. GERMAN	RM
	3-020.00-1		RYAN L. GERMAN	RM
	3-020.00-1		SCHLOSSER & DENNIS LLC	BB
	8-020 00-1		TRANSPS ALLEY LLC	DD

HESSLER PROPERTIES INC

CHOATE HOUSE ROW LLC

JEROME D. & TONYA N. GRAVATT



EXISTING CONDITIONS VIEW

Know what's **below**. Call before you dig. S UTILITY PHONE 1-800-257-7777 PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE

18-020,00-187

18-020.00-188

18-020.00-260

18-020.00-262

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.

ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

AND THE RULES AND REGULATIONS THERETO APPURTENANT

CERTIFICATION OF PERIMETER

, TROY W. REES, P.L.S., HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE, AND THAT THE PERIMETER BOUNDARY TOPOGRAPHIC SURVEY 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 OF THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THEIR POSITIONS ARE CORRECTLY SHOWN.

TROY W. REES, PLS

CERTIFICATION OF OWNERSHIP

I, _______ HEREBY CERTIFY THAT INDEPENDENT INVESTORS, LLC IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE SUBDIVISION PLAN THEREOF WAS MADE AT MY DIRECTION, AND THAT I 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

SIGNATURE (MANAGING MEMBER)

CERTIFICATION OF ACCURACY AND SUBDIVISION PLAN APPROVAL IT IS HEREBY CERTIFIED THAT THIS SUBDIVISION PLOT PLAN WAS GRANTED 'APPROVAL' BY THE COUNCIL OF THE CITY OF NEWARK, DELAWARE ON ______, ANI

CITY SECRETARY

ACCORDINGLY, IS ELIGIBLE FOR RECORDING IN THE OFFICE OF THE RECORDER OF DEEDS FOR NEW CASTLE COUNTY, DELAWARE. APPROVED: PLANNING DIRECTOR

APPROVED:

LOCATION MAP 1'' = 800'LEGEND

_ ____ EXISTING CONTOUR EXISTING SPOT ELEVATION EXISTING UTILITY POLE - EXISTING SANITARY SEWER AND MANHOLE = EXISTING STORM DRAINAGE & CATCH BASIN ______ EXISTING GAS MAIN & GAS VALVE EXISTING FIRE HYDRANT — W ■ EXISTING WATER MAIN & WATER VALVE EXISTING PARKING COUNT EXISTING LIGHT POLE

THE PURPOSE OF THIS PLAN IS TO:

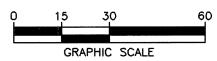
- . RECONFIGURE TAX PARCELS 18-020.00-129, -130, -133 AND -136 TO FORM A SINGLE PARCEL, AND CONVEY 0.352± ACRES TO THE CITY.
- 2. CONVEY 0.141± ACRES FROM TAX PARCEL 18-020.00-137 TO THE CITY.
- 3. APPROVE A SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF ONE NEW MIXED-USE, 3-STORY BUILDING CONSISTING OF 22 APARTMENTS AND 2,760 SF COMMERCIAL SPACE ON MAIN STREET AND ONE NEW 3-STORY BUILDING CONSISTING OF 5 TOWNHOUSE-STYLE APARTMENTS ON CHOATE STREET. BOTH BUILDINGS SHALL HAVE ENCLOSED, GROUND-LEVEL PARKING AREAS.

SPECIAL USE PERMIT AND RECORD MAJOR SUBDIVISION PLAN

KATE'S PLACE & CHOATE STREET TOWNHOUSES

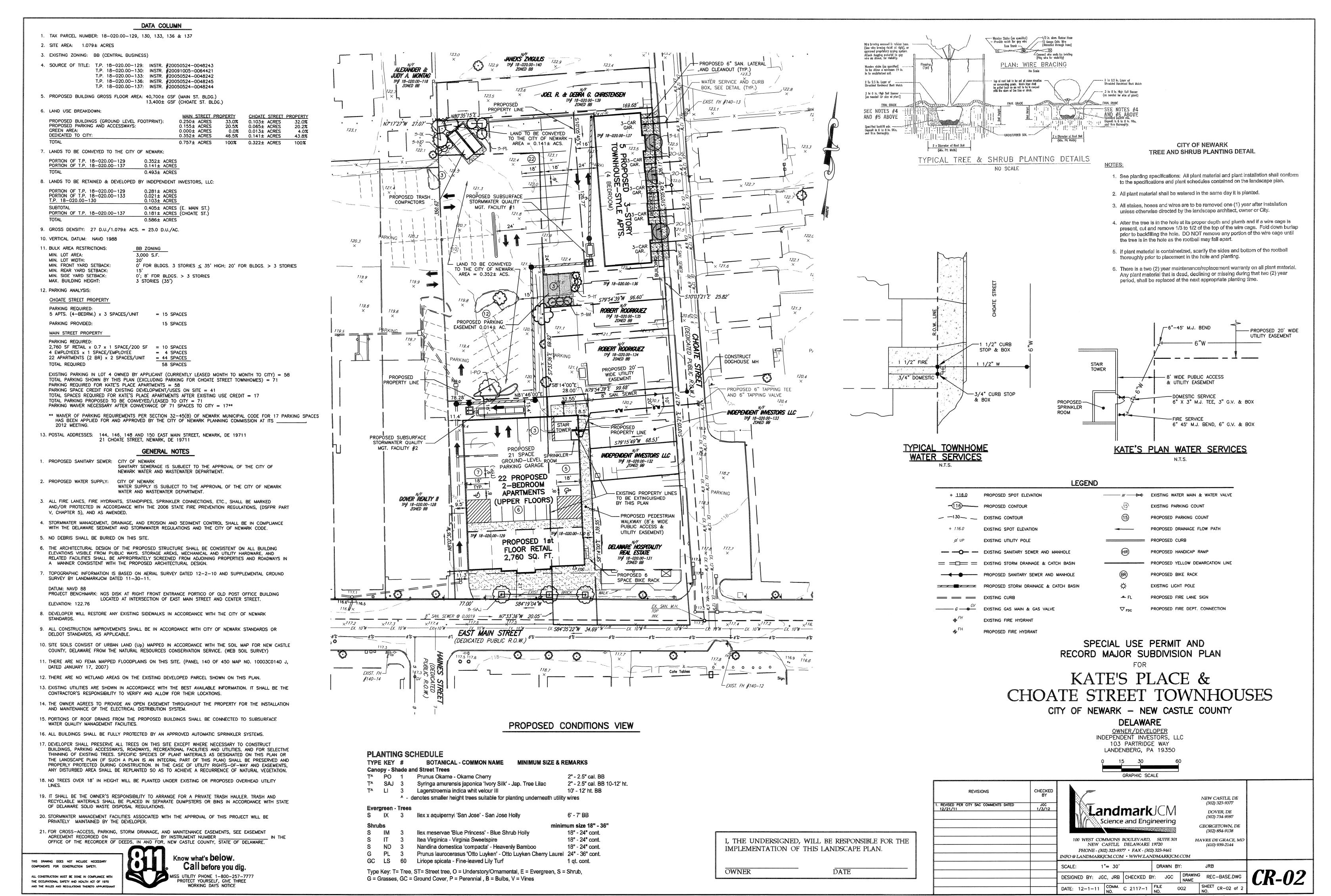
CITY OF NEWARK - NEW CASTLE COUNTY DELAWARE

INDEPENDENT INVESTORS, LLC 103 PARTRIDGE WAY LANDENBERG, PA 19350



REVISIONS CHECKED BY SED PER CITY SAC COMMENTS DATED 1/11 JGC 1/3/12	Landma Science and E 100 WEST COMMONS BOULEV. NEW CASTLE, DELAW. PHONE - (302) 323-9377 • FAX INFO @ LANDMARKJCM.COM • WWW	Engineering ARD, SUITE 301 HA ARE 19720 - (302) 323-9461	NEW CASTLE, DE (302) 323-9377 DOVER, DE (302) 734-9597 GEORGETOWN, DE (302) 854-9138 AVRE DE GRACE, MD (410) 939-2144	
	SCALE: 1"= 30' DESIGNED BY: JGC, JRB CHECK	DRAWN BY: ED BY: JGC DRAWING NAME	JRB REC-BASE.DWG	CR-01
	DATE: 12 1 11 COMM. C 2117		SHEET CP_O1 of 2	UII-UI

DATE: 12-1-11 | COMM. C 2117-1 | TIEL 001 | STILL CR-01 of 2 © 2011 LANDMARK ENGINEERING, INC.



© 2011 LANDMARK ENGINEERING, INC.

GENERAL NOTES

1. SANITARY SEWER: CITY OF NEWARK (NEW CASTLE COUNTY) SANITARY SEWAGE IS SUBJECT TO THE APPROVAL OF THE CITY OF NEWARK WATER AND WASTEWATER DEPARTMENT.

ESTIMATED AVERAGE DAILY DEMAND: 10,338 GPD

2. WATER SUPPLY: UNITED WATER DELAWARE

WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF

- 3. ALL FIRE LANES, FIRE HYDRANTS, STANDPIPES, SPRINKLER CONNECTIONS, ETC., SHALL BE MARKED AND/OR PROTECTED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS, (DSFPR PART V, CHAPTER 5), DATED 2009 AND AS
- 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. ALL SEDIMENT AND DEBRIS FROM THE MAINTENANCE OF STORMWATER FACILITIES WILL BE DISPOSED OF OFFSITE IN ACCORDANCE WITH ALL APPLICABLE DNREC REGULATIONS.
- 6. UTILITIES, TRASH, AND RELATED FACILITIES SHALL BE APPROPRIATELY SCREENED FROM ADJOINING PROPERTIES AND ROADWAYS.
- 7. BOUNDARY AND TOPOGRAPHY AERIAL SURVEY PERFORMED BY AXIS GEOSPATIAL. LLC. HORIZ. DATUM: DESPCS 83/91 VERT. DATUM: NAVD 88

PROJECT BENCHMARK: _____, ELEV. ____

- 8. DEVELOPER WILL RESTORE ANY EXISTING SIDEWALKS DISTURBED BY CONSTRUCTION ACTIVITIES 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 REQUIRED.
- 10. SITE SOILS ARE MAPPED AS ELSINBORO-DELANCO-URBAN LAND COMPLEX (ErB) IN ACCORDANCE WITH THE USDA NRCS WEB SOIL SURVEY
- 11. NO PORTION OF THIS PROPERTY LIES WITHIN THE 100-YEAR FLOOD PLAIN IN ACCORDANCE WITH FEMA PANEL 120 OF 475 - MAP NO. 10003C0120J, DATED
- 12. NO WETLANDS EXIST ON THESE PREVIOUSLY DEVELOPED PARCELS.
- 13. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND
- 14. THE OWNER AGREES TO PROVIDE AN OPEN EASEMENT THROUGH THE PROPERTY FOR THE INSTALLATION AND MAINTENANCE OF THE ELECTRICAL DISTRIBUTION SYSTEM.
- 15. ALL BUILDINGS ON-SITE TO BE FULLY PROTECTED BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM AND ALL BUILDINGS WILL MEET THE CURRENT INTERNATIONAL
- 16. 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 SPECIES OF PLANT MATERIALS AS DESIGNED ON THIS PLAN OR THE LANDSCAPE 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 RIGHT OF WAYS AND EASEMENTS, ANY DISTURBED AREA SHALL BE REPLANTED SO AS TO ACHIEVE A RECURRENCE OF NATURAL VEGETATION.
- 17. PROPOSED GRADING SHOWN IS CONCEPTUAL AND IS INTENDED TO DENOTE PROPOSED GENERAL DRAINAGE CONDITIONS. FINAL GRADING WILL BE DEPICTED ON THE CONSTRUCTION IMPROVEMENT PLANS.
- 18. ALL ROADS. STORM DRAINAGE SYSTEMS. STORMWATER QUALITY AND QUANTITY MANAGEMENT FACILITIES, AND ALL UTILITIES ARE AND WILL BE MAINTAINED BY THE CITY OF NEWARK PUBLIC WORKS DEPARTMENT, EXCEPT WHERE NOTED OTHERWISE.
- 19. THE EXACT LOCATION OF THE PROPOSED FENCING SEPARATING THE SITE FROM THE PENN CENTRAL RAILROAD RIGHT-OF-WAY WILL BE DETERMINED IN THE FIELD AND
- 20. NO TREES OVER 18 FEET IN HEIGHT AT MATURITY CAN BE PLANTED UNDER AERIAL
- 21. PORTIONS OF THE EXISTING BUILDINGS AND PAVEMENT SHALL BE DEMOLISHED. DEBRIS SHALL BE DISPOSED OF OFF-SITE.
- 22. MAINTENANCE OF THE PARKING AREAS WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

SUMMARY OF ADJACENT PROPERTY OWNERS WITHIN 200 FEET

JMMART UF	ADJACENT PROPERTY OWNERS WITHIN	200 PE
X PARCEL NO.	OWNER	ZONING
-054.00-016	618 G.P. WAREHOUSE LLC	MI
-054.00-018	ELKTON INDUSTRIAL PARK LP	MI
-054.00-019	ELKTON INDUSTRIAL PARK LP	MI
-056.00-005	ELKTON INDUSTRIAL PARK LP	MI
-004.00-003	BENJAMIN MALMAN	CN (UI
-004.00-004	BEVERLY A. HOWELL	CN (UI
-054.00-008	ROBERT K. MUNYON & KATHLEEN A. WHITE	BC
-004.00-006	EAST SHORE NATURAL GAS CO.	l (UD
-054.00-006	NIKOLA & MICO SLIJEPCEVIC AND NICOLINA NOVAKOVIC	BC
-054.00-005	CITY OF NEWARK	PL
-054.00-004	CITY OF NEWARK	PL
-054.00-003	ARCIS ASSOCIATES LLC	BC
-054.00-002	ANTHONY II & FELICIA SCARANGELLO	BC
-054.00-022	IRON HILL PROPERTIES LLC	AC

PROPOSED CONTOUR

PROPOSED BIKE RACK

EXISTING ELECTRIC LINE

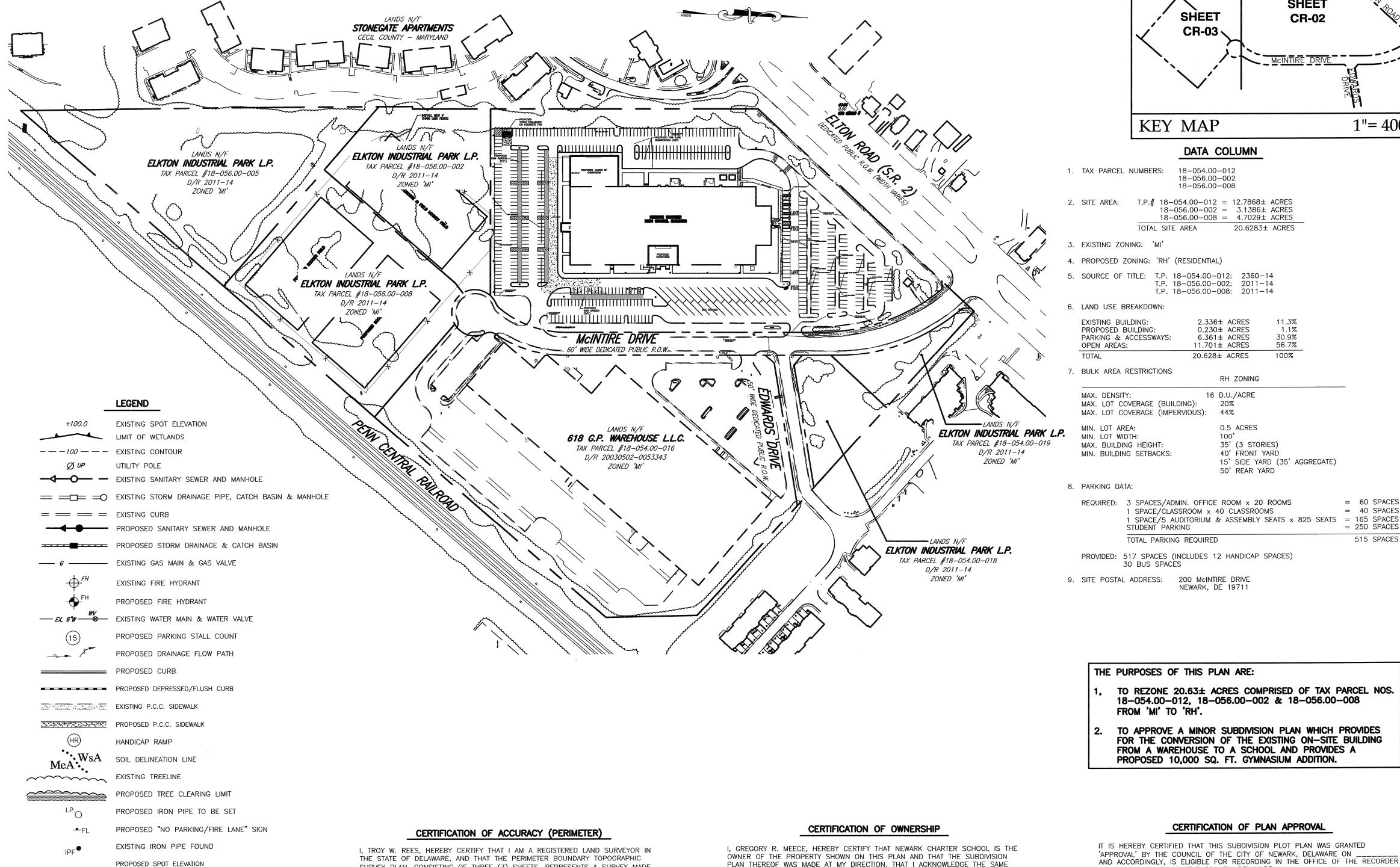
PROPOSED LIGHT POLE

EXISTING LIGHT POLE

REZONING AND RECORD MINOR SUBDIVISION PLAN

NEWARK CHARTER HIGH SCHOOL

CITY OF NEWARK - NEW CASTLE COUNTY **DELAWARE**



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

SIGNATURE

SURVEY PLAN, CONSISTING OF THREE (3) SHEETS, REPRESENTS A SURVEY MADE

BY LANDMARKJCM AND IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY

MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THEIR POSITIONS ARE

ACCEPTED SURVEYING STANDARDS AND PRACTICES, AND THAT ALL OF THE

TROY W. REES, PLS



MISS UTILITY PHONE 1-800-257-7777 PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE

CERTIFICATION OF PLAN APPROVAL

1.1%

30.9%

56.7%

RH ZONING

0.5 ACRES

35' (3 STORIES)

40' FRONT YARD

50' REAR YARD

15' SIDE YARD (35' AGGREGATE)

= 40 SPACES

= 250 SPACES

515 SPACES

FLETCHWOOD ROAD

LOCATION MAP

1'' = 800'

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.

PPROVED:	BY:PLANNING DIRECTOR
PPROVED:	BY:

