

**CITY OF NEWARK  
DELAWARE  
PLANNING COMMISSION  
MEETING**

**TUESDAY, JULY 2, 2013**

**7:00 P.M.**

**NEWARK MUNICIPAL BUILDING  
220 SOUTH MAIN STREET**

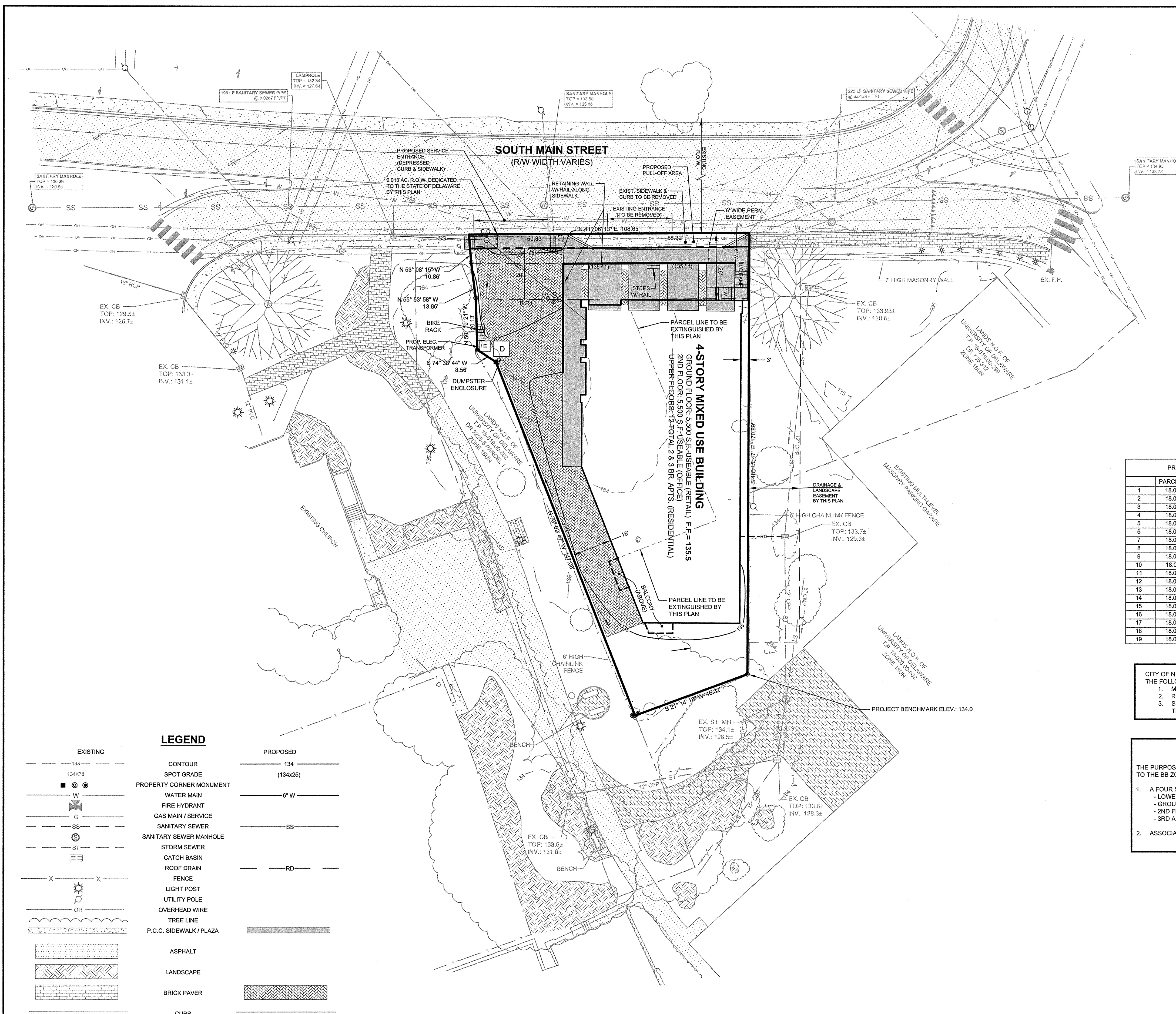
**COUNCIL CHAMBER**

**AGENDA  
(Revised)**

1. The summary minutes of the May 14, 2013 Planning Commission workshop.
2. The minutes of the June 4, 2013 Planning Commission meeting.
3. Review and consideration of the 2014 – 2018 Capital Improvements Program. ~~Withdrawn~~.
4. Review and consideration of a request for an extension for an approved major subdivision at 163, 171, 175 and 179 South Chapel Street (Pike Park), which was started but not completed within the required timeframes.
5. Review and consideration of a rezoning from BC (general business) to BB (central business district) and major subdivision of the .335 acre property located at 7 and 15 South Main Street to construct a four-story mixed use building containing 11,000 sq. ft. of office/retail space and 12 apartments.
6. Review and consideration of a rezoning from RS (one family detached residential) to RR (row or townhouses), and major subdivision of 1.38 acres to build 14 fee simple townhomes at 1101 and 1107 Barksdale Road. ~~Withdrawn~~
7. A Comprehensive Development Plan update discussion.

The Planning Commission may modify the above agenda items.

Advertised on Tuesday, June 18, 2013

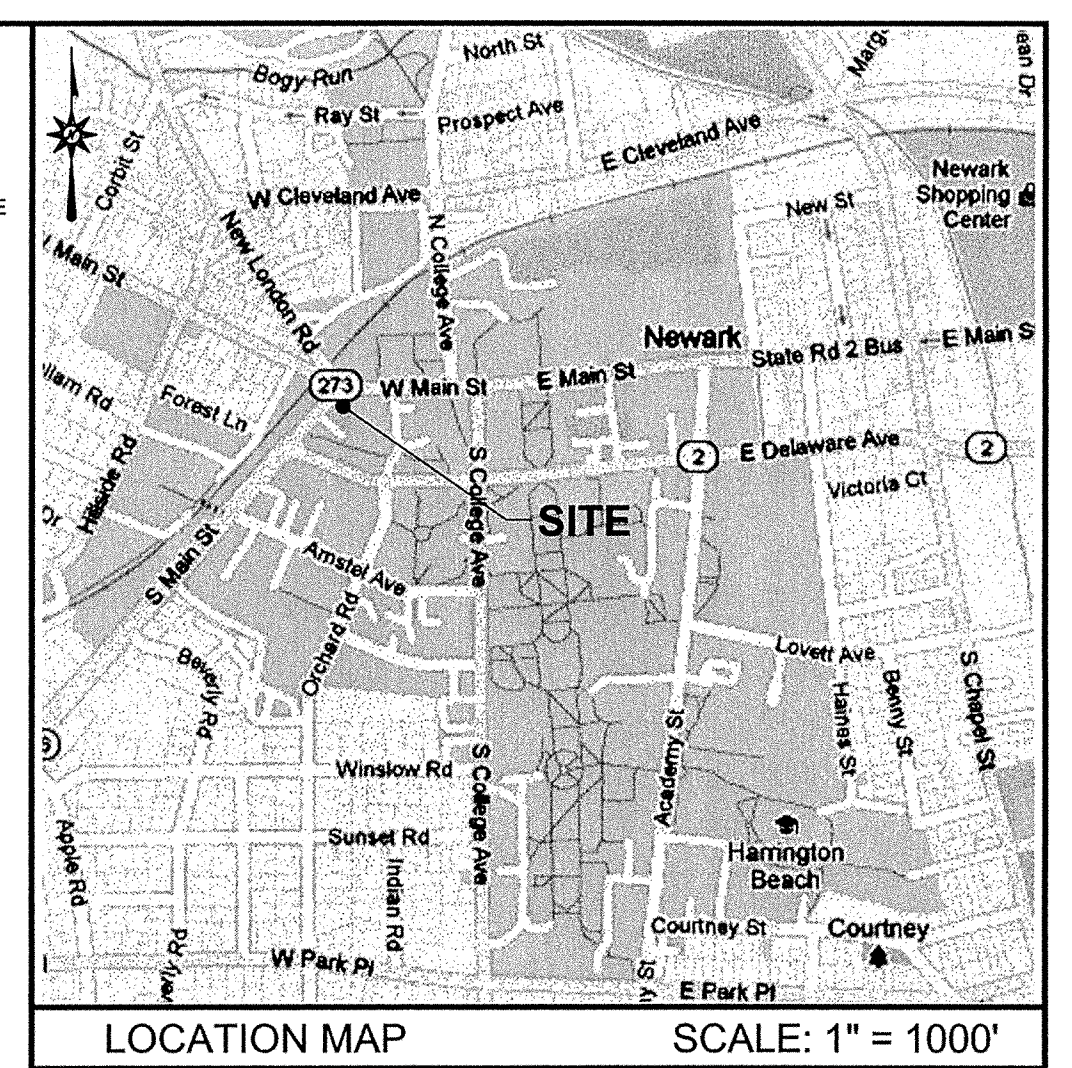


22. EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. COMPLETENESS OR CORRECTNESS THEREOF IS NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATION 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:

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



**PLAN DATA:**

|                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. TAX PARCEL NOS.:                                                                                                                                                                                                                                                                                          | 18-019.00-300 & 18-019.00-301<br>(7 & 15 SOUTH MAIN STREET)                                                                                                       |
| 2. SOURCE OF TITLE:                                                                                                                                                                                                                                                                                          | INS. NO. 201205030024763                                                                                                                                          |
| 3. EXISTING ZONING:                                                                                                                                                                                                                                                                                          | BC                                                                                                                                                                |
| 4. PROPOSED ZONING:                                                                                                                                                                                                                                                                                          | BB                                                                                                                                                                |
| 5. DATUM:                                                                                                                                                                                                                                                                                                    | HORIZONTAL: NAD 83, STATE PLANE<br>VERTICAL: NAVD 88                                                                                                              |
| 6. GROSS AREA:                                                                                                                                                                                                                                                                                               | 0.335 AC                                                                                                                                                          |
| R.O.W. DEDICATION:                                                                                                                                                                                                                                                                                           | 0.015 AC                                                                                                                                                          |
| NET AREA:                                                                                                                                                                                                                                                                                                    | 0.322 AC                                                                                                                                                          |
| 7. WATER SUPPLY:                                                                                                                                                                                                                                                                                             | CITY OF NEWARK                                                                                                                                                    |
| 8. SANITARY SEWER:                                                                                                                                                                                                                                                                                           | CITY OF NEWARK                                                                                                                                                    |
| 9. ELECTRIC:                                                                                                                                                                                                                                                                                                 | CITY OF NEWARK                                                                                                                                                    |
| 10. GAS:                                                                                                                                                                                                                                                                                                     | DELMARVA POWER                                                                                                                                                    |
| 11. DEBRIS DISPOSAL:                                                                                                                                                                                                                                                                                         | NO DEBRIS WILL BE BURIED OR DISPOSED OF ON THIS SITE.                                                                                                             |
| 12. 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 2006. |
| 13. NO 100-YEAR FLOOD PLAIN EXISTS ON THIS PARCEL. IN ACCORDANCE WITH FLOOD INSURANCE RATE MAP, 1000300120J PANEL 120 OF 475 DATED JANUARY 17, 2007.                                                                                                                                                         |                                                                                                                                                                   |
| 14. TOPOGRAPHY NOTE: TOPOGRAPHIC INFORMATION IS BASED ON A SURVEY BY KARINS AND ASSOCIATES DATED MARCH 6, 2013. PROJECT BENCHMARK IS A FOUND CAPPED REBAR LOCATE AT THE SOUTHEAST PROPERTY CORNER, ELEVATION= 134.0                                                                                          |                                                                                                                                                                   |
| 15. 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. |                                                                                                                                                                   |
| 16. AREA REGULATIONS:                                                                                                                                                                                                                                                                                        |                                                                                                                                                                   |
| A. MINIMUM AREA:                                                                                                                                                                                                                                                                                             | 3,000 S.F.                                                                                                                                                        |
| B. BUILDING SETBACK:                                                                                                                                                                                                                                                                                         | 20'                                                                                                                                                               |
| C. REAR YARD:                                                                                                                                                                                                                                                                                                | 15'                                                                                                                                                               |
| D. SIDE YARD:                                                                                                                                                                                                                                                                                                | 0' - PER SEC. 32-18(d)(7) - (ADJOINING UN DISTRICT)                                                                                                               |
| E. MAXIMUM LOT COVER:                                                                                                                                                                                                                                                                                        | 100%                                                                                                                                                              |
| F. MAXIMUM BUILDING HEIGHT:                                                                                                                                                                                                                                                                                  | 78' - (6 STORIES) PER SEC. 32-18 (d)(4)(c)                                                                                                                        |
| 17. LAND DEVELOPMENT DATA:                                                                                                                                                                                                                                                                                   |                                                                                                                                                                   |
| BUILDING AREA:                                                                                                                                                                                                                                                                                               | EXISTING: 0.066 AC. (20%)<br>PROPOSED: 0.158 AC. (49%)                                                                                                            |
| PAVED AREA:                                                                                                                                                                                                                                                                                                  | 0.241 AC. (72%)<br>0.121 AC. (38%)                                                                                                                                |
| LANDSCAPE SURFACE AREA:                                                                                                                                                                                                                                                                                      | 0.028 AC. (8%)<br>0.043 AC. (13%)                                                                                                                                 |
| TOTAL                                                                                                                                                                                                                                                                                                        | 0.335 AC. (100%)<br>0.322 AC. (100%)                                                                                                                              |
| * NET ACREAGE                                                                                                                                                                                                                                                                                                |                                                                                                                                                                   |

PROPERTIES WITHIN 200 FEET OF PROJECT SITE

| PARCEL NUMBER    | OWNER                              |
|------------------|------------------------------------|
| 1 18.019.00-295  | CITY OF NEWARK                     |
| 2 18.019.00-298  | DEER PARK REAL ESTATE LLC          |
| 3 18.019.00-299  | UNIVERSITY OF DELAWARE             |
| 4 18.019.00-302  | UNIVERSITY OF DELAWARE             |
| 5 18.019.00-303  | UNIVERSITY OF DELAWARE             |
| 6 18.019.00-304  | ST THOMAS EPISCOPAL CHURCH         |
| 7 18.019.00-308  | LISA JAMES P JR & KAREN J          |
| 8 18.019.00-309  | UNIVERSITY OF DELAWARE             |
| 9 18.019.00-310  | BOHEMIA DEVELOPMENT ASSOCIATES INC |
| 10 18.019.00-311 | CLEVELAND AVENUE PROPERTIES LLC    |
| 11 18.019.00-312 | LISA JAMES P JR & KAREN J          |
| 12 18.019.00-313 | PRETTYMAN HAROLD B                 |
| 13 18.019.00-314 | SAMMI MAHMOOD & LORRAINE           |
| 14 18.019.00-315 | SAMMI MAHMOOD & LORRAINE           |
| 15 18.019.00-333 | UNIVERSITY OF DELAWARE             |
| 16 18.019.00-337 | B & O RAILROAD CO                  |
| 17 18.020.00-002 | UNIVERSITY OF DELAWARE             |
| 18 18.020.00-003 | UNIVERSITY OF DELAWARE             |
| 19 18.020.00-014 | UNIVERSITY OF DELAWARE             |

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

1. MAJOR SUBDIVISION (FOR MULTI-FAMILY RESIDENTIAL)
2. REZONING (FROM BC TO BB)
3. SPECIAL USE PERMIT (FOR RESIDENTIAL APARTMENTS IN THE BB ZONING DISTRICT)

**PLAN PURPOSE**

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

1. A FOUR STORY BUILDING PLUS A LOWER LEVEL WITH:
  - LOWER LEVEL: COMMERCIAL SUPPORT / STORAGE / MECHANICAL
  - GROUND FLOOR: RETAIL
  - 2ND FLOOR: OFFICE
  - 3RD AND 4TH FLOORS: RESIDENTIAL APARTMENTS
2. ASSOCIATED SITE IMPROVEMENTS.

**LEGEND**

| EXISTING                 | PROPOSED |
|--------------------------|----------|
| 133                      | 134      |
| 134X78                   | (134X25) |
| PROPERTY CORNER MONUMENT |          |
| WATER MAIN               | 6" W     |
| FIRE HYDRANT             |          |
| GAS MAIN / SERVICE       |          |
| SANITARY SEWER           | SS       |
| SANITARY SEWER MANHOLE   |          |
| STORM SEWER              | SS       |
| CATCH BASIN              |          |
| ROOF DRAIN               |          |
| FENCE                    |          |
| LIGHT POST               |          |
| UTILITY POLE             |          |
| OVERHEAD WIRE            |          |
| TREE LINE                |          |
| P.C.C. SIDEWALK / PLAZA  |          |
| ASPHALT                  |          |
| LANDSCAPE                |          |
| BRICK PAVER              |          |
| CURB                     |          |

**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 THE DIRECTION AND THAT WE AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE CITY OF NEWARK.

DATE

**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. \_\_\_\_\_

**MAJOR SUBDIVISION PLAN FOR ONE SOUTH MAIN**

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

|                                |                                                                                                                    |                     |           |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------------|-----------|
| 6-10-13                        | 5-21-13                                                                                                            | 4-24-13             | date      |
| TMA                            | TMA                                                                                                                | TMA                 | checked   |
| PER C.O.N. COMMENTS            | PER C.O.N. COMMENTS                                                                                                | PER C.O.N. COMMENTS | revisions |
| OWNER:                         | 15 ELKTON ROAD ASSOCIATES, LLC<br>6000 WOOLEN WAY<br>NEWARK, DE 19711<br>PHONE: (302) 369-2900 FAX: (302) 369-2975 |                     |           |
| SURVEY BY: KARINS & ASSOCIATES | SCALE: 1" = 20'                                                                                                    |                     |           |
| DESIGNED BY: TMA               |                                                                                                                    |                     |           |
| DRAWN BY: WRB                  | DATE: 3-12-13                                                                                                      | SHEET 1 OF 1        |           |
| CHECKED BY: TMA                | DRAWING NO. 2569-A01-OPT-2                                                                                         |                     |           |