

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING**

TUESDAY, DECEMBER 3, 2013

7:00 P.M.

**NEWARK MUNICIPAL BUILDING
220 SOUTH MAIN STREET**

COUNCIL CHAMBER

AGENDA

1. The minutes of the November 5, 2013 Planning Commission meeting.
2. Review and consideration of a Subdivision Amendment for Chapter 27, Appendix III, Section VIII, Wetlands, to give the Public Works and Water Resources Director authority, in certain instances, to modify the site design and construction requirements concerning wetlands.

3. Review and consideration of a major subdivision to construct a four story building with ground and second level parking and 12 upper floor apartments at the location of the Trader's Alley's existing surface parking lot and attached to the Trader's Alley building fronting on Main Street (147-163 E. Main Street). In addition, the applicants request the required BB zoning special use permit for apartments.

Agenda Item #3 has been withdrawn from the agenda and will not be reviewed.

4. Review and consideration of the major subdivision, parking waiver and special use permit for 58 E. Main Street to demolish the existing buildings to construct a new mixed use, four story building consisting of 24 upper floor apartments and first floor commercial space.
5. Review and consideration of the annexation and minor subdivision at 428 Paper Mill Road. The minor subdivision of the property is being sought to create a new buildable lot off of Lasalle Way at the rear of the property.

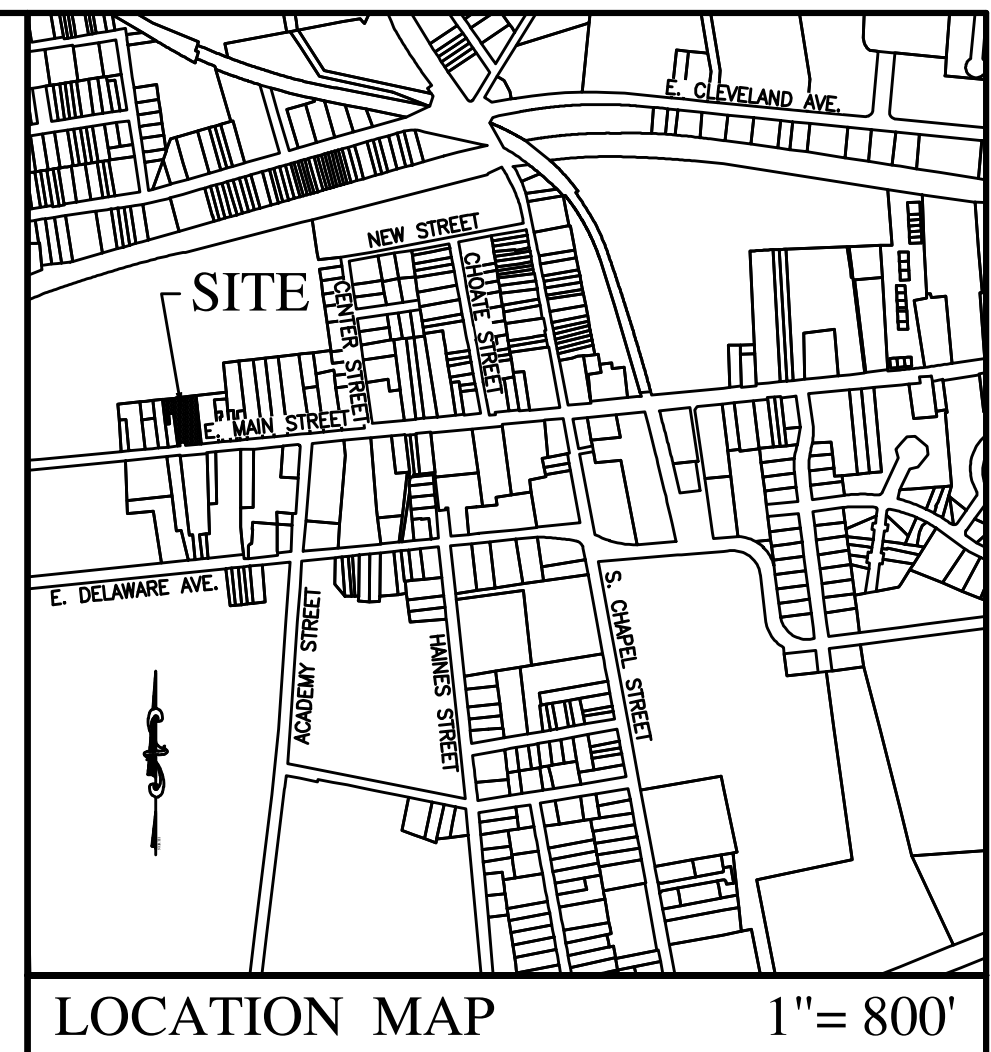
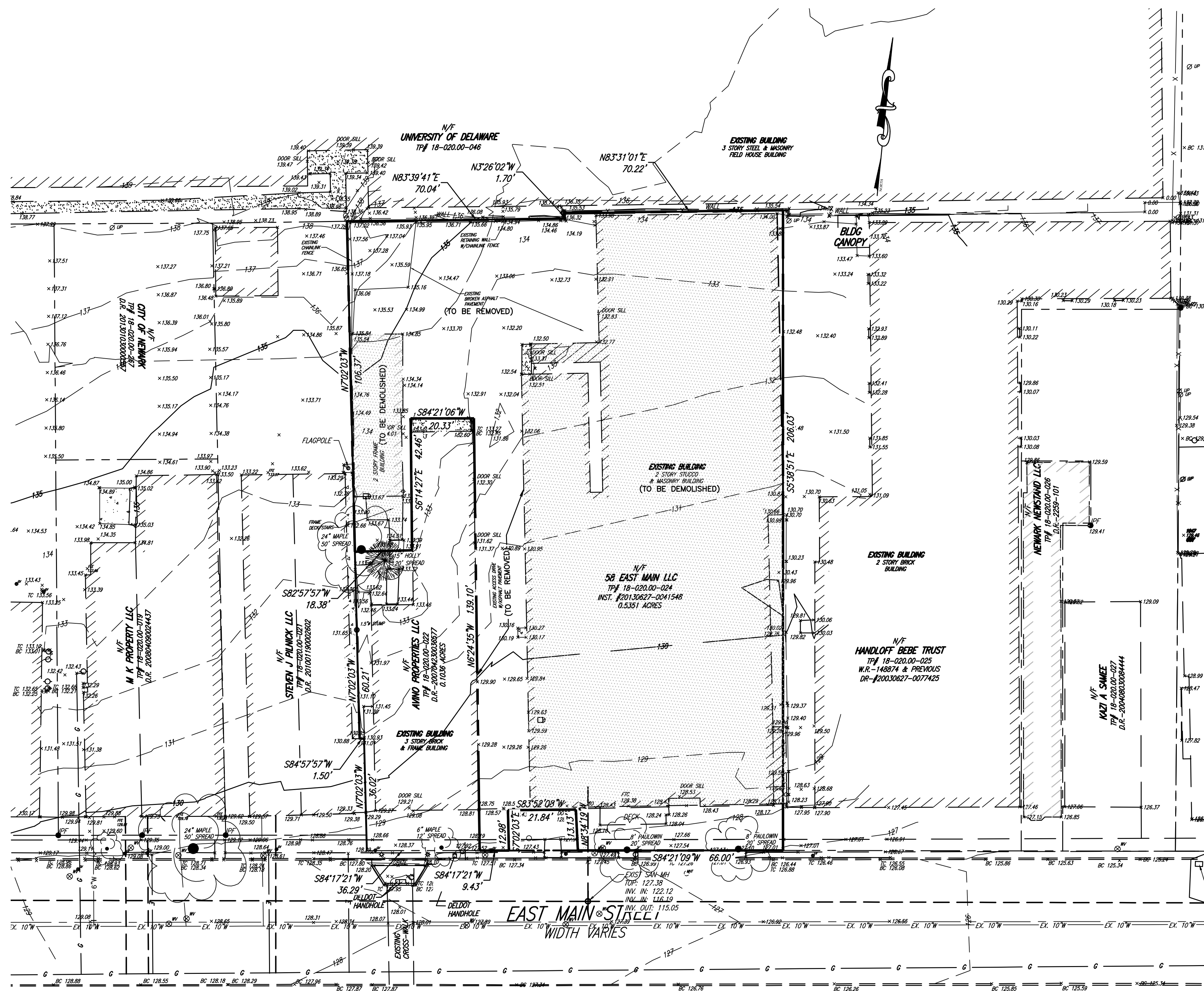
6. Review and consideration of a rezoning, special use permits and major subdivision of the 6.77 acre site on Terrace Drive just off of Cleveland Avenue to raze the existing buildings on the site and construct 13 new three-story buildings with a total of 56 affordable housing apartment units. The special use permits are for an after school care/daycare use in a residential zone and for commercial parking in a residential zone.

Agenda Item #6 has been withdrawn from the agenda and will not be reviewed.

7. A Comprehensive Development Plan update discussion.

The Planning Commission may modify the above agenda items.

SUMMARY OF ADJACENT PROPERTIES WITHIN 200' OF SITE		
TAX PARCEL NO.	OWNER	ZONING
18-02.00-0046	UNIVERSITY OF DELAWARE	UN
18-02.00-0017	CARSA PROPERTIES INC.	BB
18-02.00-0018	RICHARD M. & ELAINE M. HANDLOFF	BB
18-02.00-0019	M K PROPERTY LLC	BB
18-02.00-0267	CITY OF NEWARK	BB
18-02.00-0021	STEVEN J PILNICK LLC	BB
18-02.00-0022	AVINO PROPERTIES LLC	BB
18-02.00-0025	NEWARK BEES TRUST	BB
18-02.00-0026	HANDLOFF NEWSSTAND LLC	BB
18-02.00-0027	KAZI A SAME	BB
18-02.00-0028	FRAELLI FOUR INC.	BB
18-02.00-0029	MANUFACTURERS & TRADERS TRUST CO	BB
18-02.00-0030	FRAELLI ENTERPRISES INC.	BB
18-02.00-0031	MANUFACTURERS & TRADERS TRUST CO	BB
18-02.00-0056	DONNA J. FRISWELL	BB
18-02.00-0057	NEWARK UNITED METHODIST CHURCH	BB
18-02.00-0058	ORIENTAL LODGE	BB
18-02.00-0062	JAMES P. & LETITIA R. BRENNAN TRS	BB
18-02.00-0063	EXPONENTIAL DEVELOPMENT GROUP LLC	BB
18-02.00-0064	PARKWAY GRAVEL INC.	BB



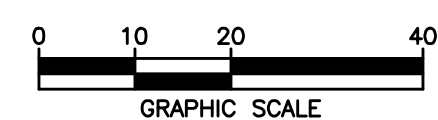
- | LEGEND | |
|---------------|---------------------------------------|
| | EXISTING CONTOUR |
| | EXISTING SPOT ELEVATION |
| | EXISTING UTILITY POLE |
| | EXISTING SANITARY SEWER AND MANHOLE |
| | EXISTING STORM DRAINAGE & CATCH BASIN |
| | EXISTING CURB |
| | EXISTING GAS MAIN & GAS VALVE |
| | EXISTING FIRE HYDRANT |
| | EXISTING WATER MAIN & WATER VALVE |
| | EXISTING PARKING COURT |
| | EXISTING LIGHT POLE |

THE PURPOSE OF THIS PLAN IS TO:

1. DEMOLISH 28,720± GSF OF EXISTING BUILDINGS TO PROVIDE FOR THE REDEVELOPMENT OF THE SITE BY THE APPROVAL OF A SPECIAL USE PERMIT ALLOWING FOR THE CONSTRUCTION OF ONE NEW MIXED-USE, 4-STORY BUILDING CONSISTING OF 27 UPPER FLOOR APARTMENTS AND 6,800 SF OF 1st FLOOR COMMERCIAL SPACE.

SPECIAL USE PERMIT AND
RECORD MAJOR SUBDIVISION PLAN
FOR
58 EAST MAIN STREET

CITY OF NEWARK – NEW CASTLE COUNTY
DELAWARE
OWNER/DEVELOPER
58 EAST MAIN, LLC
65 S. CHAPEL ST.
NEWARK, DE 19711



REVISIONS	CHECKED BY	 Landmark Science and Engineering 100 WEST COMMONS BOULEVARD, SUITE 301 NEW CASTLE, DELAWARE 19720 PHONE - (302) 323-9377 • FAX - (302) 323-9461 INFO @ LANDMARKJCM.COM • WWW.LANDMARKJCM.COM	NEW CASTLE, DE (302) 323-9377				
			DOVER, DE (302) 734-9597				
			GEORGETOWN, DE (302) 854-9138				
			HAVRE DE GRACE, MD (410) 939-2144				
			INFO @ LANDMARKJCM.COM • WWW.LANDMARKJCM.COM				
SCALE:		1" = 20'		DRAWN BY:		JRB	
DESIGNED BY:		JGC,JRB		CHECKED BY:		JGC	
DATE: 8--22-13		COMM. NO. C 2500-1		FILE NO. 002		DRAWING NAME RECORD.DWG	
						SHEET NO. CR-01 of 2	
CR-01							



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

I, 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 TWO (2) SHEETS, 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 58 EAST MAIN, 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 PUBLIC USE.

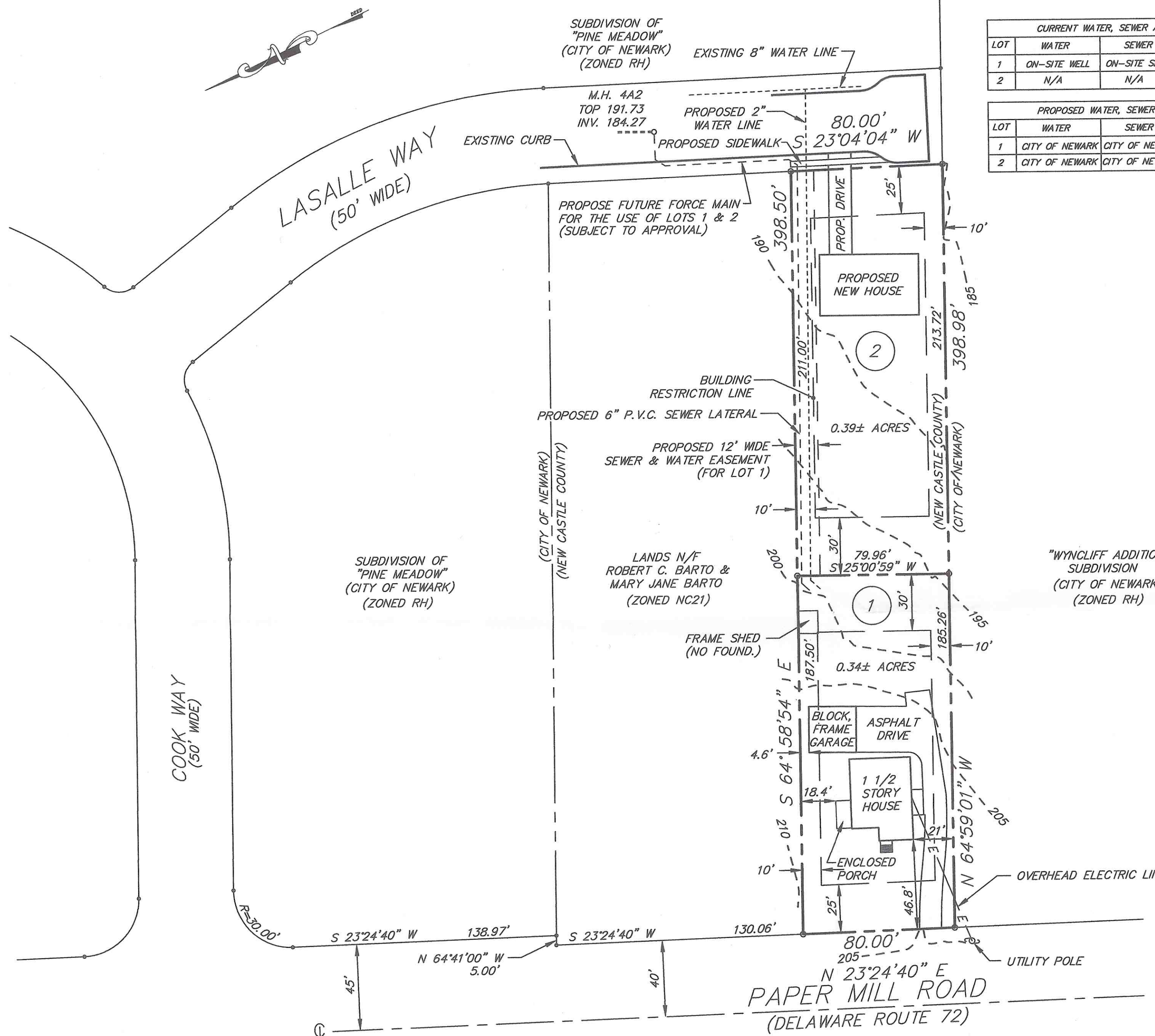
SIGNATURE (MANAGING MEMBER)

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 _____, AND ACCORDINGLY, IS ELIGIBLE FOR RECORDING IN THE OFFICE OF THE RECORDER OF DEEDS FOR NEW CASTLE COUNTY, DELAWARE.

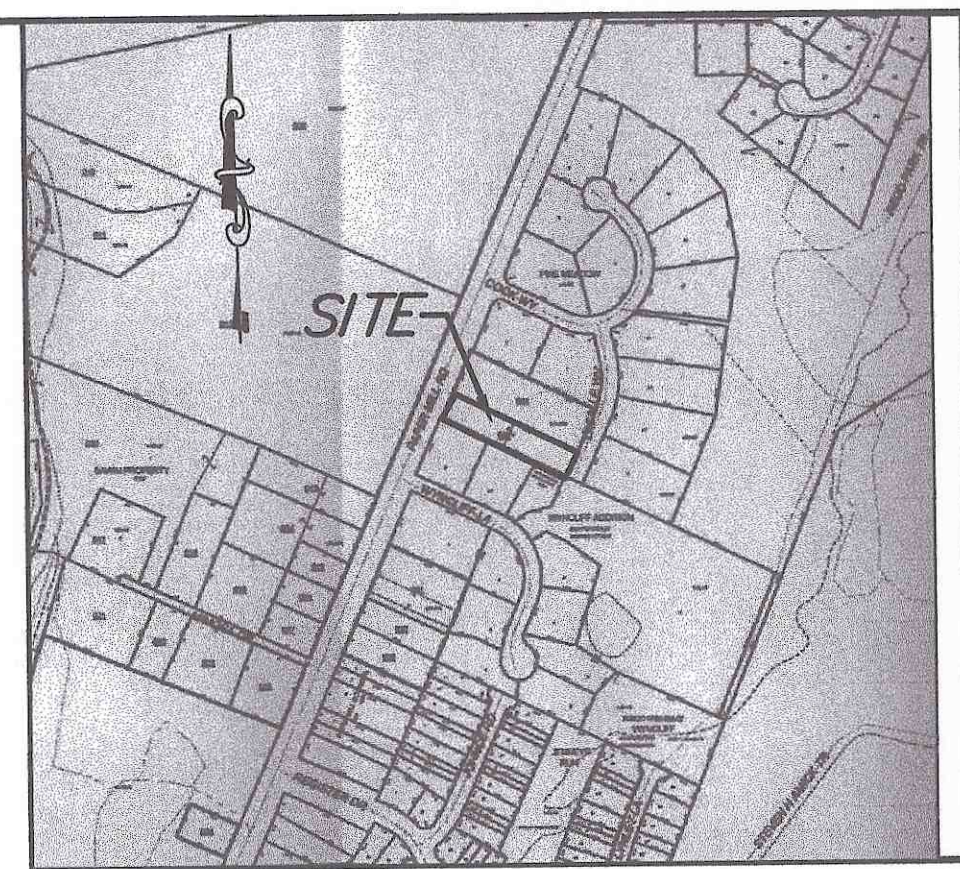
APPROVED: _____ BY: _____
PLANNING DIRECTOR

APPROVED: _____ BY: _____
CITY SECRETARY



CURRENT WATER, SEWER AND ELECTRIC			
LOT	WATER	SEWER	ELECTRIC
1	ON-SITE WELL	ON-SITE SEPTIC	DELMARVA POWER
2	N/A	N/A	N/A

PROPOSED WATER, SEWER AND ELECTRIC			
LOT	WATER	SEWER	ELECTRIC
1	CITY OF NEWARK	CITY OF NEWARK	DELMARVA POWER
2	CITY OF NEWARK	CITY OF NEWARK	CITY OF NEWARK



LOCATION MAP SCALE: 1"=800'

TAX PARCEL: 08-052.00-033
DEED: 20130201-0007495

THE APPLICANT IS REQUIRED TO PAY ALL CITY OF NEWARK COSTS TO ALLOW THE FUTURE HOUSE TO BE CONNECTED TO THE ELECTRICAL DISTRIBUTION SYSTEM OF THE CITY OF NEWARK.

EACH LOT SHALL BE REQUIRED TO HAVE ITS OWN GRINDER PUMP & LIFT STATION OUTSIDE OF THE LASALLE WAY RIGHT OF WAY.

A WATER METER PIT FOR LOT 1 IS REQUIRED TO BE INSTALLED OUTSIDE OF THE LASALLE WAY RIGHT OF WAY.

THE PROPOSED HOUSE ON LOT 2 IS REQUIRED TO BE SERVICED BY A 3/4" DOMESTIC WATER LINE AND A 2" FIRE DOMESTIC WATER LINE.

NO FURTHER SUBDIVISION OF THESE LOTS IS PERMITTED.

LOT & ZONING REQUIREMENTS			
CONDITION	N.C.C. ZONING NC 21 (CURRENT)	CITY OF NEWARK ZONING RS (PROPOSED)	EXISTING
LOT AREA	21,780 S.F.	9,000 S.F.	31,884 S.F.
FRONTAGE	75'	75'	80'
FRONT SETBACK	40'	25'	46.8'
REAR SETBACK	40'	30'	308.9'
SIDE SETBACK	10'	10'	18.4' & 21'

OWNER:
MR. RALPH BUSH
310 VANIER DRIVE
NEWARK, DE 19711

THE PURPOSE OF THIS PLAN IS TO ANNEX THE SUBJECT PROPERTY INTO THE CITY OF NEWARK AND SUBDIVIDE INTO 2 PARCELS.

MINOR SUBDIVISION AND ANNEXATION PLAN

RALPH E. BUSH
428 PAPER MILL ROAD
MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

NO.	DATE	REVISIONS	BY

EAST
COAST
SURVEY

PROFESSIONAL LAND SURVEYING

P.O. BOX 265
YORKLYN, DE 19736
PHONE: (302) 234-8100
FAX: (302) 234-8103

DRAWN	CHECKED	DATE	SCALE	SHEET	PROJECT
J.A.B.	J.A.B.	2-20-13	1" = 40'	1 OF 1	513-10376A

CERTIFICATION OF ACCURACY
I, James A. Bielicki, Jr., hereby certify that I am a Professional Land Surveyor in the State of Delaware with a background in civil engineering. To the best of my knowledge and belief, I certify that the information on this plan is true and correct to the accuracy required by accepted surveying standards and practices.

10/9/13
DATE
PROFESSIONAL LAND SURVEYOR

OWNER'S CERTIFICATION
I, Ralph E. Bush, certify that I am the owner of the property (deed 20130201-0007495) that is the subject of this plan and the proposed land use action is made at my direction.

10/10/13
DATE
Ralph E. Bush
OWNER