

**CITY OF NEWARK  
DELAWARE**

**PLANNING COMMISSION  
MEETING**

**TUESDAY, FEBRUARY 3, 2015**

**7:00 P.M.**

**NEWARK MUNICIPAL BUILDING  
220 SOUTH MAIN STREET**

**COUNCIL CHAMBER**

**AGENDA**

1. The minutes of the January 6, 2015 Planning Commission meeting.
2. Review and consideration of the rezoning, major subdivision and special use permit for 52 N. Chapel Street to demolish the existing building and build a three-story mixed use building with 3,382 sq. ft. of commercial space and parking on the first floor, and 12 apartments on the two floors above.
3. Review and consideration of an Administrative Subdivision for 1119 South College Avenue.

The planning commission may modify the above agenda items.

Advertised on Tuesday, January 20, 2015.

Agenda Posted – January 20, 2015

Attest:

Sworn by:

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City Secretary

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Notary Public (Seal)

PURPOSE

PURPOSE OF THIS PLAN IS TO REZONE THE PARCEL FROM BL TO BB; TO DEMOLISH THE EXISTING BUILDING; TO CONSTRUCT A NEW 3-STORY BUILDING WITH 3,382 SF OF OFFICE SPACE AND GARAGE PARKING ON THE FIRST FLOOR, 12 NEW APARTMENTS ON THE REMAINING FLOORS.

SITE DATA

1. TAX PARCEL NUMBER:

18-014.00-213
2. OWNER:

THOMAS E & PATRICIA G HALL  
52 N CHAPEL ST.  
NEWARK, DE 19711
3. DEVELOPER:

LANG DEVELOPMENT GROUP  
6000 WOOLEN WAY  
NEWARK, DE 19711
4. PROPERTY ADDRESS:

52 N CHAPEL ST  
NEWARK, DE 19711
5. AREA OF PARCEL:

0.36 ACRES
6. DEED REFERENCE:

DEED 140-119 AND MICROFILM 7001
7. ZONING:

EXISTING: BL (LIMITED BUSINESS)  
PROPOSED: BB (CENTRAL BUSINESS)
- REQUIRED: (BB)

DENSITY12.6 UNITS  
120 : 6 (3)-BEDROOM UNITS \* 20  
300 : 6 (2)-BEDROOM UNITS \* 50  
420/12 = 35 X 0.36 = 12.6 UNITS  
LOT AREA3,000 SF  
LOT COVERAGE100%  
LOT WIDTH20 FT.  
OPEN SPACE0%  
BUILDING HEIGHT35 FT. (3 STORIES)  
BUILDING SETBACK0 FT.  
REAR YARD SETBACK15 FT.  
SIDE YARD SETBACK0 FT.
- PROVIDED: (BB)

DENSITY12 UNITS  
LOT AREA15,822 SF MIN. LOT SIZE  
LOT COVERAGE89%  
LOT WIDTH100 FT.  
OPEN SPACE11%  
BUILDING HEIGHT35 FT. (3 STORIES)  
BUILDING SETBACK6.9'± FT.  
REAR YARD SETBACK44.8'± FT.  
SIDE YARD SETBACK7.9'± FT.
8. AREA BREAKDOWN:

BUILDING:0.21 ACS. (58%)  
IMPERVIOUS:0.10 ACS. (28%)  
OPEN SPACE:0.05 ACS. (14%)  
TOTAL:0.36 ACS. (100%)
9. EXISTING LOTS:

1 LOTS
10. APARTMENT DWELLINGS:

PROPOSED : 12 APARTMENTS
11. PARKING:

PROPOSED OFFICE  
12 SPACES : 3,382 SF x 1 SPACES/300 SF  
APARTMENTS  
24 SPACES : 12 APARTMENTS x 2 SPACES/APARTMENT  
36 : REQUIRED PARKING SPACES W/ 2 ADA PARKING SPACES  
10 : PROVIDED PARKING SPACES W/ 2 ADA PARKING SPACES  
26 : PROVIDED GARAGE PARKING SPACES  
36 : TOTAL PROVIDED
12. SOILS:

Up - URBAN LAND
13. DEBRIS DISPOSAL:

NO DEBRIS SHALL BE BURIED ON THE SITE.
14. DRAINAGE:

DRAINAGE AND EROSION AND SEDIMENT CONTROL, AND STORMWATER MANAGEMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE DELAWARE SEDIMENT AND STORMWATER REGULATIONS.
15. LIMIT OF DISTURBANCE:

0.36 ACRES
16. WETLANDS:

THIS IS A DEVELOPED SITE WITH NO DISTURBANCE OUTSIDE THE EXISTING PAVING, BUILDING, OR MANICURED LANDSCAPE AREAS. NO WETLANDS WERE FOUND TO EXIST PER SITE VISIT BY CDA ENGINEERING, INC. FEBRUARY 2014.
17. FLOODPLAIN:

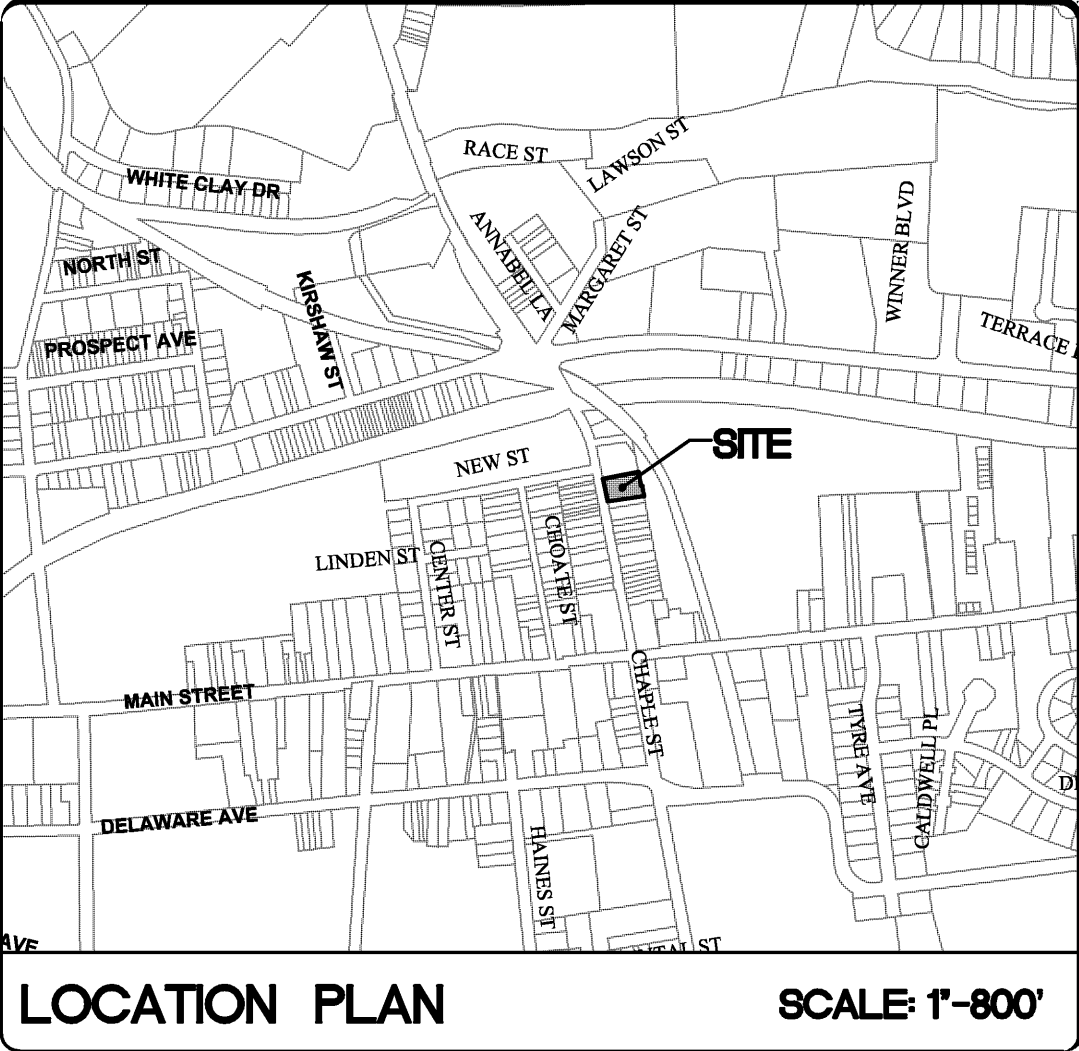
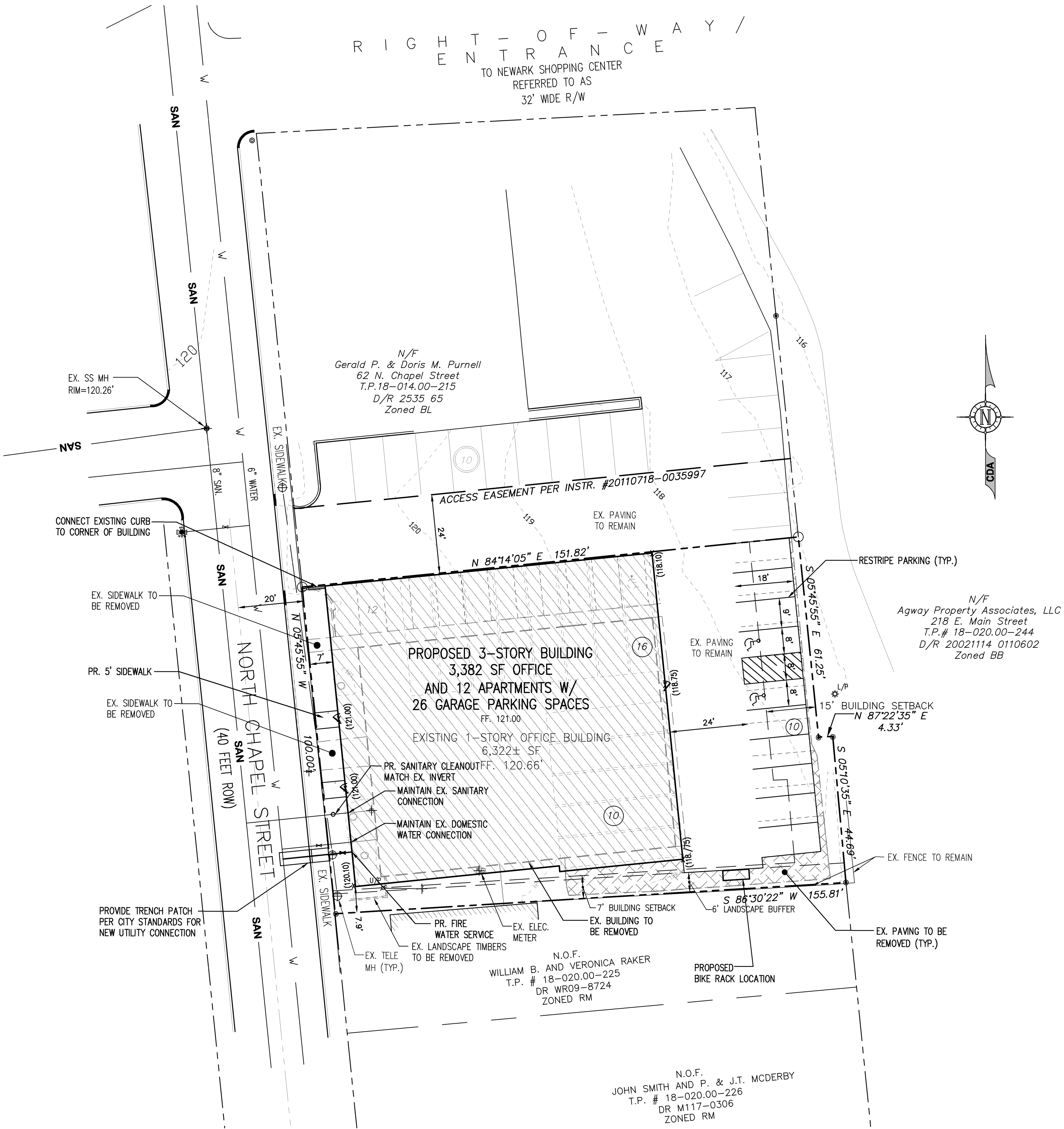
THIS SITE IS OUTSIDE A 100-YEAR MAPPED FLOODPLAIN ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP NUMBER 10003C0120J, PANEL 120 OF 475, EFFECTIVE DATE JANUARY 17, 2007.
18. SEWER FLOW:

EXISTING: 6,322 SF RETAIL x 0.10 GPD  
632 GPD TOTAL; (2,528 GPD PEAK)  
PROPOSED: 2,400 GPD : 12 APARTMENTS x 200 GPD  
338 GPD : 3,382 SF RETAIL x 0.10 GPD  
2,738 GPD : TOTAL  
10,952 GPD : PEAK (2,738 GPD x 4)
19. SURVEY:

TOPOGRAPHIC INFORMATION WAS FIELD SURVEYED BY MCBRIDE AND ZIEGLER, INC. IN JANUARY 2010. SURVEY DATUM: NAVD 88  
SITE BENCHMARK: USGS DISC US; ELEV.=128.96
20. SUPERSEDES:

THIS PLAN SUPERSEDES, IN PART, THE PLAN OF CHAPEL NORTH, INC. DATED 12-1-83 RECORDED ON 12-30-83 IN THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT No. 7001.
21. DUMPSTER:

THIS SITE WILL SHARE THE EXISTING DUMPSTER FOR POMEROY STATION.



LEGEND

| EXISTING | ITEM               | PROPOSED |
|----------|--------------------|----------|
|          | IRON PIPE          |          |
|          | CONCRETE MONUMENT  |          |
|          | REBAR              |          |
|          | SANITARY MANHOLE   |          |
|          | SANITARY           |          |
|          | STORM CATCHBASIN   |          |
|          | STORM              |          |
|          | FIRE HYDRANT       |          |
|          | WATER VALVE        |          |
|          | WATER              |          |
|          | POWER POLE         |          |
|          | CURB               |          |
|          | DEPRESSED CURB     |          |
|          | CONCRETE           |          |
|          | ASPHALT            |          |
|          | BUILDING FOOTPRINT |          |
|          | SPOT ELEVATION     |          |
|          | SPOT ELEV. (CURB)  |          |
|          | COUNTOURS          |          |
|          | SOILS              |          |

CITY OF NEWARK APPROVAL

APPROVED \_\_\_\_\_ BY \_\_\_\_\_  
DATE \_\_\_\_\_ PLANNING DIRECTOR FOR CITY OF NEWARK

APPROVED \_\_\_\_\_ BY \_\_\_\_\_  
DATE \_\_\_\_\_ CITY SECRETARY FOR CITY OF NEWARK

APPROVED \_\_\_\_\_ BY \_\_\_\_\_  
DATE \_\_\_\_\_ CITY MANAGER FOR CITY OF NEWARK

CERTIFICATION OF 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.

CERTIFICATION OF OWNERSHIP

I, \_\_\_\_\_, AUTHORIZED REPRESENTATIVE OF THOMAS E. & PATRICIA G. HALL, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT OUR DIRECTION AND THAT WE AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH REGULATIONS OF THE CITY OF NEWARK SUBDIVISION REGULATIONS.

CERTIFICATION OF PLAN ACCURACY

I, COLMICILE DE ASCANIS, 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 AND BY THE CITY OF NEWARK.

| REVISION                  |          |
|---------------------------|----------|
| CITY OF NEWARK SUBMISSION | 9.1.14   |
| REVISED PER CITY COMMENTS | 10.20.14 |
|                           |          |
|                           |          |
|                           |          |
|                           |          |

**CDA** ENGINEERING INC.

CIVIL/SITE ENGINEERING AND LAND PLANNING

6 LARCH AVENUE  
SUITE 401  
WILMINGTON, DE 19804

Tel: 302.998.9202  
Fax: 302.691.1314  
cdaengineering.com

DRAWN BY: \_\_\_\_\_ ZAC/ET

CHECKED BY: \_\_\_\_\_

PROJECT No.: \_\_\_\_\_ 14-132-00

SCALE: \_\_\_\_\_ 1"=20'

DATE: \_\_\_\_\_ AUGUST 1, 2014

CAD FILE: \_\_\_\_\_ 14-133-00 BASE.DWG

20 0 20 40  
1"=20'

REFERENCE No. 14-09-01

REZONING PLAN  
SPECIAL USE PERMIT  
MAJOR SUBDIVISION PLAN

52 N. CHAPEL STREET

CITY OF NEWARK NEW CASTLE COUNTY DELAWARE

REZONING PLAN  
SPECIAL USE PERMIT  
MAJOR SUBDIVISION PLAN

DRAWING TITLE:

DRAWING NUMBER:

NOTES:

- INDIVIDUAL METERS WILL BE REQUIRED FOR EACH DWELLING UNIT AND/OR COMMERCIAL UNIT. THE DEVELOPER WILL BE RESPONSIBLE FOR THE COST OF METERS. THE METERS SHALL BE LOCATED IN ONE OR MORE CENTRALLY LOCATED METER ROOMS THAT WILL BE READILY ACCESSIBLE TO THE CITY OF NEWARK. TWO LOCKING BALL VALVES SHALL BE ASSOCIATED WITH EACH METER, ONE IMMEDIATELY AHEAD AND ONE IMMEDIATELY BEHIND, IN A METER BANK SET UP.
- THE DEVELOPER WILL PAY SEWAGE TREATMENT PLANT (STP) FEE PRIOR TO RECEIVING A CERTIFICATION OF OCCUPANCY FOR A UNIT OR A BUILDING OF MULTIPLE UNITS.
- THE DEVELOPER SHALL INVESTIGATE THE CAPACITY OF THE WATER SYSTEM TO DETERMINE IF SUFFICIENT CAPACITY EXISTS TO HANDLE THE PROPOSED DEVELOPMENT AND PROVIDE THE REPORT TO THE CITY FOR REVIEW AND APPROVAL.
- THE DEVELOPER SHALL INVESTIGATE THE CAPACITY OF THE SANITARY SEWER SYSTEM TO DETERMINE IF SUFFICIENT CAPACITY EXISTS TO HANDLE THE PROPOSED DEVELOPMENT AND PROVIDE THE REPORT TO THE CITY FOR REVIEW AND APPROVAL.
- AN OPEN UTILITY EASEMENT IS HEREBY GRANTED FOR ALL CITY OF NEWARK UTILITIES ON THE SITE.
- ALL FIRE DEPARTMENT CONNECTIONS AND KNOX BOX SHALL BE INSTALLED ON THE FRONT OF THE BUILDING.
- A FEE-IN-LIEU OF PROVIDING ON-SITE STORMWATER MANAGEMENT WILL PROVIDED FOR THIS PROJECT.
- THE DEVELOPER WILL BE RESPONSIBLE FOR THE INSTALLATION OF ADDITIONAL TRANSMISSION EQUIPMENT AS NECESSARY SHOULD THE PROPOSED BUILDING NEGATIVELY AFFECT THE PERFORMANCE OF THE CITY'S WIRELESS METER READING SYSTEM.
- THE DEVELOPER SHALL PAINT ALL EXISTING AND PROPOSED FIRE HYDRANTS ASSOCIATED WITH THIS PROJECT TO REFLECT THE FLOW CAPACITY AND APPLY 2-INCH REFLECTIVE TAPE IN ACCORDANCE WITH THE STATE FIRE CODE.

DELDOT NOTES:

- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS ON THE DEDICATED SUBDIVISION STREET RIGHT-OF-WAY IN ACCORDANCE WITH DELDOT'S STANDARDS AND REGULATIONS FOR SUBDIVISION STREETS AND STATE HIGHWAY ACCESS, AND THE REQUIREMENTS OF THE LAND USE AGENCY.
- CONSTRUCTION WILL NOT BE PERMITTED UNTIL CONSTRUCTION PLANS HAVE BEEN APPROVED. SURETY HAS BEEN RECEIVED AND COMPLETE. AT DELDOT'S DISCRETION, A TEMPORARY CONSTRUCTION ENTRANCE PERMIT MAY BE ISSUED FOR DEMOLITION, CLEARING, GRUBBING TEMPORARY ENTRANCE CONSTRUCTION, BULK GRADING AND PERIMETER EROSION AND SEDIMENT CONTROLS UP TO 30 DAYS PRIOR TO PLAN APPROVAL. NO BUILDING CONSTRUCTION WILL BE PERMITTED UNDER A TEMPORARY ENTRANCE CONSTRUCTION PERMIT. IF PLAN APPROVAL IS NOT RECEIVED WITHIN 30 CALENDAR DAYS, ALL CONSTRUCTION ACTIVITIES SHALL BE STOPPED. DELDOT WILL NOT PROVIDE A C/O APPROVAL FOR A COMMERCIAL ENTRANCE TO CITY OF NEWARK UNTIL THE ENTRANCE(S) ARE COMPLETED TO THE SATISFACTION OF THE DEPARTMENT.
- AT THE DISCRETION OF THE PUBLIC WORKS INSPECTOR, ANY DAMAGED OR MISSING CURB OR SIDEWALK FOUND ON SITE WILL NEED TO BE REPAIRED OR REPLACED TO MEET CURRENT DELDOT STANDARDS.