



Town of Smyrna

DAVID S. HUGG III, TOWN MANAGER

TO: Constance C. Holland, State Planning Director
David Edgell

FROM: David S. Hugg III 

DATE: December 15, 2006

SUBJ: PLUS Application for Comprehensive Plan Amendment
KRM Property at 1511 Paddock Road

Attached is the PLUS Comp Plan form and related materials for addition to the PLUS agenda in January as requested. Unfortunately, we are not able to generate a GIS map at the moment so I am attaching a number of previously printed hard copies that I hope will be sufficient to get the request on the agenda. Please contact me if you need any other information.

2006 DEC 15 PM 3 22

PATRICK J. CAHILL • A. DOUGLAS CHERVENAK • MEMPHIS P. EVANS • GENE A. MULLEN • WILLIAM D. PRESSLEY SR. • VALERIE M. WHITE
27 SOUTH MARKET STREET PLAZA • P.O. BOX 307 • SMYRNA, DELAWARE 19977

BUSINESS OFFICE/BILLING 302-653-9231
Fax 302-653-3492

MANAGER'S OFFICE 302-653-3483
Fax 302-653-3492

PERMITS/INSPECTIONS 302-653-3486
Fax 302-659-4169

**Preliminary Land Use Service (PLUS) Application
Municipal Comprehensive Plans**

Delaware State Planning Coordination

122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Name of Municipality: Smyrna	
Address: 27 Market Street Plaza. P.O. Box 307, Smyrna, DE 19977	Contact Person: David Hugg
	Phone Number: 653-3483
	Fax Number: 653-3492
	E-mail Address: dhugg@smyrnadelawaree.com

Date of Most Recently Certified Comprehensive Plan: March 31, 2006

Information prepared by: Smyrna	
Address:	Contact Person: David Hugg
	Phone Number:
	Fax Number:
	E-mail Address:

Maps Prepared by: Smyrna	
Address:	Contact Person: David Hugg
	Phone Number:
	Fax Number:
	E-mail Address:

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Comprehensive Plan / Amendment Checklist¹

Please check yes or no as to whether the following information has or has not been included in the comprehensive plan and indicate page numbers where information may be found.

Please see Comprehensive Plan – Numbers are pages from certified plan. Plan is on file at State Planning Coordination. Request to PLUS is an Amendment to Land Use Plan Map only for 1511 Paddock Road (KRM Property)

Public Participation	Yes	No	Page # / Sections
Public Participation Summary and Results	X		2-7

Population Data and Analysis	Yes	No	Page #
Past Population Trends	X		8-37
Population Projections	X		"
Demographics	X		"
Position on Population Growth	X		"

Housing	Yes	No	Page #
Housing Stock Inventory	X		99-101
Housing Pipeline	X		"
Housing Needs Analysis	X		"
Position on Housing Growth	X		"
Affordable Housing Plan	X		"

Annexation	Yes	No	Page #
Analysis of Surrounding Land Uses	X		52-68
Annexation Plan	X		"

Redevelopment Potential	Yes	No	Page #
Identification of Redevelopment Areas and Issues	X		69-71

¹ Please go to the following website for detailed checklist information:
<http://www.state.de.us/planning/services/circuit.shtml>.

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			and 86-98
Redevelopment Strategy	X		“
Community Development Strategy	X		“

Community Character	Yes	No	Page #
History of the Town or City	X		8-37
Physical Conditions	X		“
Significant Natural Features	X		8-37
Community Character	X		8-37
Historic and Cultural Resources Plan	X		86-91
Community Design Plan	X		69-71
Environmental Protection Plan	X		102- 109

Land Use Plan	Yes	No	Page #
Existing Land Use	X		45-51
Land Use Plan	X		“

Critical Community Development and Infrastructure Issues	Yes	No	Page #
Review of Community Conditions	X		72-85
Inventory of Community Infrastructure	X		“
Inventory and Analysis of Community Services	X		“
Water and Wastewater Plan	X		72-75
Transportation Plan	X		79-85
Community Development Plan	X		52-68
Community Facilities Plan	X		72-78

Intergovernmental Coordination	Yes	No	Page #
Description of Intergovernmental Relationships	X		110
Intergovernmental Coordination Strategy	X		110-113
Analysis and Comparison of Other Relevant Planning Documents	X		Throughout

Economic Conditions	Yes	No	Page #
Economic Base / Major Employers	X		8-37

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			and 92-98
Labor Market	X		“
Income and Poverty	X		“
Economic Development Plan	X		92-98

Open Space and Recreation	Yes	No	Page #
Inventory of Open Space and Recreation Facilities	X		102- 108
Open Space and Recreation Plan	X		“

Implementation Strategies	Yes	No	Page #
Evaluation of Current Codes and Ordinances	X		111- 113
Zoning Map Revisions	X		“
Zoning and Subdivision Code Revisions	X		“
Implementation Plan	X		“
Coordination with Other Government Agencies	X		110- 113

Other State Programs, Policies, and Issues	Yes	No	Page #
Total Maximum Daily Loads	X		102- 111
Corridor Capacity Preservation Program	X		79-85
Agricultural Preservation Program	X		102- 109
Sourcewater Protection	X		“

Additional Comments: this PLUS request is for amendment to certified plan to reflect proposed residential use of property originally designated for regional commercial on the Land Use Plan map. Property at 1511 Paddock Road is requesting annexation and R2A zoning to permit approximately 22 dwellings. The owner, KRM Properties, took the project through PLUS in June (see OSPC letter of July 24, 2006 incorporated by reference). It was reviewed and approved by the town’s Planning and Zoning Commission on October 18, 2005. Prior to annexation the comp plan must be amended to reflect the approved zoning classification.

Summary:

Preliminary Land Use Service (PLUS) Application
Municipal Comprehensive Plans

Delaware State Planning Coordination

122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6958

Request for amendment to comprehensive plan Land Use Plan map to shown property at 1511 Paddock Road as designated for residential use, to be zoned R2A as requested by the owner, reviewed by PLUS, and approved by Smyrna Planning and Zoning Commission. Annexation of the 25.79 acres is pending before the Town Council. PLUS review and State Planning concurrence is necessary to complete the annexation process.

Location map and parcel map are included with this application. Also included are the Planning Staff report, notice of the approval by the Planning & Zoning Commission, and the plan of services.



15-022.00-063
State of Delaware
"Rest Area"

N 48°13'6.05" E
E 602309.8174

15-022.00-224
State of Delaware
Deed: 985-321
Parcel 423-7-c Residual

S 32°20'10" E
1.20'

N 65°11'29" E
345.20'

N 65°11'29" E
355.40'

S 1°28'10" E
748.27'

S 1°28'10" E
717.75' (Total)

S 1°28'10" E
748.27'

S 1°28'10" E
717.75' (Total)

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748.27'

S 1°28'10" E
717.75' (Total)

AREA
PROPOSED FOR
RESIDENTIAL
USE

Tract "A"
25.779 Acres±

Tract "B"
Tract Area = 41.481 Acres±
less right-of-way (0.247 Acres±)
Net Area = 41.233 Acres±

15-022.00-113
Arthur E. Smith
Deed: 689-182

15-022.00-178
State of Delaware
"Emergency Operations Center"
Deed: 985-321

15-022.00-084
Cort R. Addison
Deed: Y 119-255

15-022.00-085
Lands M/F of Harry F. & Ruth Jurgens
Deed: S 56-114

15-022.00-066
Ronny's Market, Inc.
Deed: S83-649 & Plat #12663

Brick Store Landing Road Right-of-way

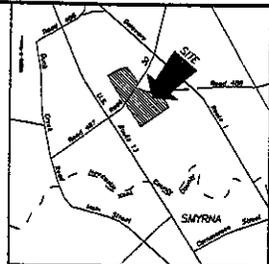
LINE	BEARING	DISTANCE
L1	S 64°25'44" W	38.21'
L2	S 83°57'12" W	151.29'
L3	N 74°47'00" W	535.11'
L4	S 15°24'51" W	3.16'
L5	S 67°49'24" W	79.11'
L6	N 13°24'51" E	15.00'
L7	S 74°47'00" W	532.24'
L8	N 53°57'14" E	148.47'
L9	N 84°38'29" E	32.04'
L10	S 28°19'45" E	16.26'

Surveyor's Certification

The undersigned hereby certifies that KRM Development Corp., its successors and assigns, Lawyers Title Insurance Corporation, its successors and assigns, and Potter Anderson & Corroon LLP and its successors and assigns, are the owners of the property described herein, that the survey represented herein is an accurate boundary survey of all the real property legally described herein, that ingress and egress to the subject property is provided by Paddock Road, the same being a paved and dedicated right-of-way maintained by the State of Delaware, that the information shown hereon has been prepared under the undersigned's supervision from an actual survey made of the real property and to the best of my knowledge and belief is in accordance with good surveying practices as required by the applicable laws and regulations of the State of Delaware.

William A. Carroll
Delaware Professional Surveyor No. 660

Date



VICINITY MAP

REVISIONS

01-25-08 Title Block and figure of way revisions

William A. Carroll
Registered Surveyor

PO Box 136
Chesertown, MD 21620
Ph. (410) 778-1831

KRM Development Corporation

Blackbird Hundred, Newcastle County, Delaware
February 17, 2005
For: KRM Development Corporation

- Notes:
1. Tax parcel ID: 15-022.00-086
 2. Current Owner(s): KRM Development Corporation
 3. Deed Reference: 20050823-0084987
 4. Horizontal Datum: Delaware State Plane NAD 83/91
 5. This survey was prepared with the benefit of a Title Report dated January 2, 2005 and is subject to the findings therein.
 6. This survey was prepared in accordance with the minimum standards of accuracy for a suburban classification.

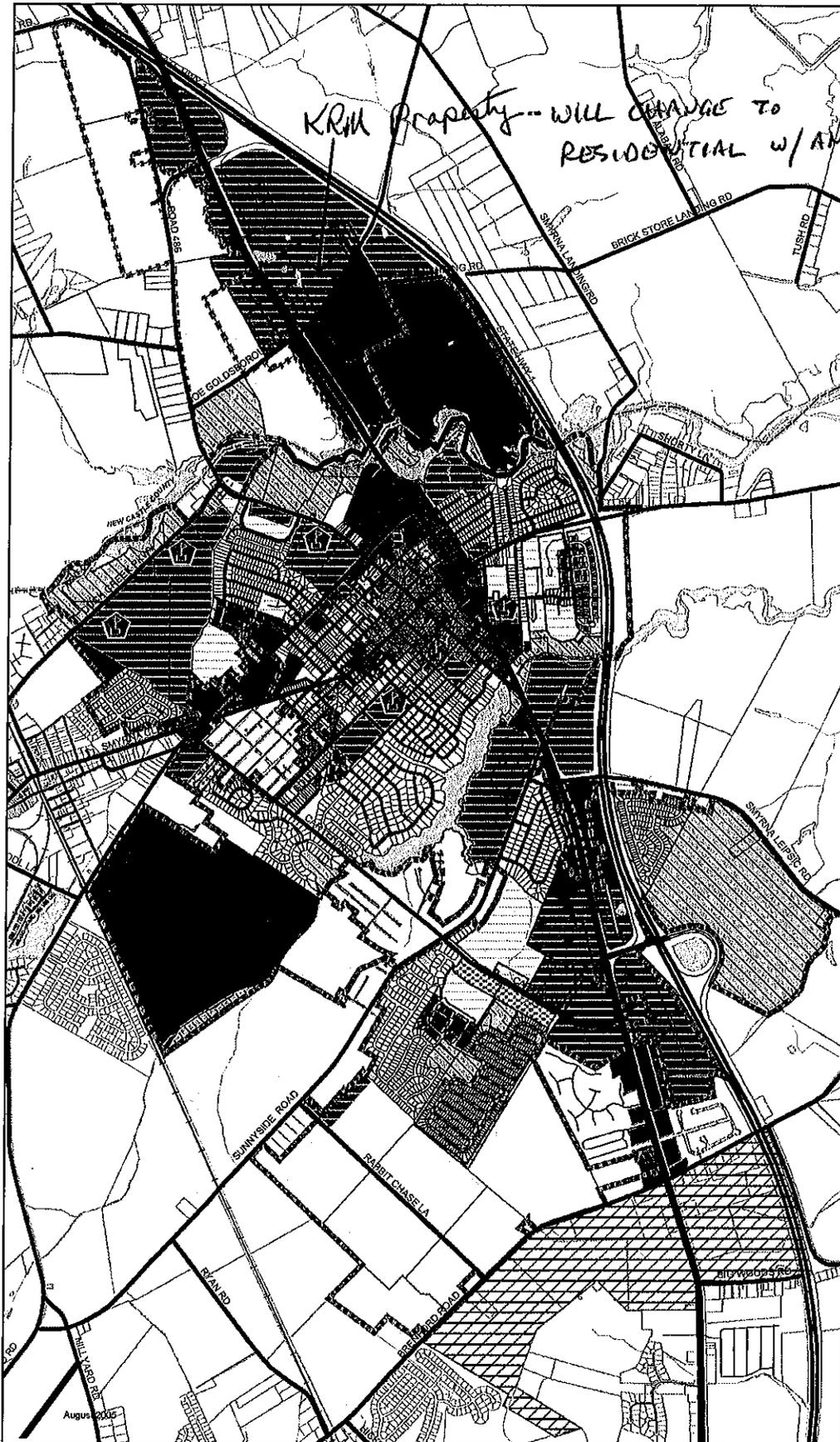




**HISTORIC TOWN OF
SMYRNA
DELAWARE**

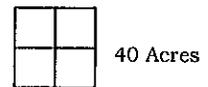
**COMPREHENSIVE
PLAN
2002 UPDATE**

**FUTURE LAND USE
within the
Town of Smyrna**
(Revised December 2004)



Legend

- Corridor Commercial
- Regional Commercial
- Service Commercial
- Employment Center-Light Industry
- Downtown Mixed Use
- Institutional
- Residential Low Density
- Residential-Medium Density
- Residential-High Density
- Residential- Manufactured Home
- Open Space- Recreational
- Area of Concern
- Public School
- Smyrna, as in 2002
- Town of Smyrna, July 2005
- Annexation Growth Boundaries



NOTES: 1) Tax Parcel outlines based on GIS data available through Kent and New Castle Counties, with modifications through Town of Smyrna, Planning and Zoning Department.
 2) Framework data courtesy of DNREC, DGS and the Delaware Geographic Data Committee, various releases.
 3) Maps partially updated in August 2005 by Town of Smyrna GIS service.

Figure No. 8

REZONING DATA SHEET

Planning and Zoning Commission – Wednesday, September 20, 2006
Mayor and Council – Monday, October 16, 2006

APPLICATION: Z0611

PROPERTY OWNER: KRM Development Corporation
151 Dixon Drive
Chestertown, MD 21620

APPLICANT: Same

LOT ADDRESS: 1511 Paddock Road
Smyrna, DE 19977

TAX PARCEL ID: 15-022.00-086

LOT AREA: 67.024 +/- acres

ADVERTISING DATE:
August 30, 2006

POSTING DATE AT TOWN HALL & SUBJECT PROPERTY:
August 30, 2006

NOTICE TO ABUTTING PROPERTY OWNERS & APPLICANT:
August 30, 2006

PRESENT ZONING: SR (Suburban Reserve)

PROPOSED ZONING: Parcel 'A' - R2-A (Medium Density Residential)
Parcel 'B' - IORP (Industrial Office Research Park)

PRESENT USE: Vacant

PROPOSED USE: Residential, Commercial

SYNOPSIS:

This parcel is currently in New Castle County. The applicant has applied to the Town of Smyrna requesting rezoning and annexation of these parcels. The parcels are located on Paddock Road. The applicant is seeking R2-A, Medium Density Residential and IORP, Industrial Office Research Park zoning classification. Rezoning is requested for Parcel 'A' to allow for development of a residential use. Rezoning is requested for Parcel 'B' to allow for development that will be consistent with the proposed uses for land within the Duck Creek Business Campus.

An IORP, Industrial Office Research Park zoning classification for Parcel 'B' would be in keeping with designation of this parcel on the Comprehensive Plan's Future Land Use Map. However, a R2-A, Medium Density Residential zoning classification will not be in keeping with the designation of Parcel 'A' on the Comprehensive Plan's Future Land Use Map, which calls for this parcel to be of a Regional Commercial use.

No written objections or concerns were received by staff and staff has no objections to the rezoning of Parcel 'B', however, staff recommends tabling the rezoning request for Parcel 'A' until the Comprehensive Plan's Future Land Use Map can be amended.



COPY

Town of Smyrna

DAVID S. HUGG III, TOWN MANAGER

September 27, 2006

CORRECTION NOTICE

KRM Development Corp.
Mr. Ronald Athey
151 Dixon Drive
Chestertown, DE 21620

Dear Mr. Athey:

At their meeting of September 20, 2006, the Town of Smyrna Planning and Zoning Commission recommended approval of your rezoning application to Mayor and Council.

The public hearing, prior to the Mayor and Council meeting, will be held on **October 2, 2006 at 7:00 p.m.** at the Smyrna Town Hall. Please plan on attending or having someone attend who can answer questions of the Mayor and Council. If no one is present to address questions, the application will be tabled.

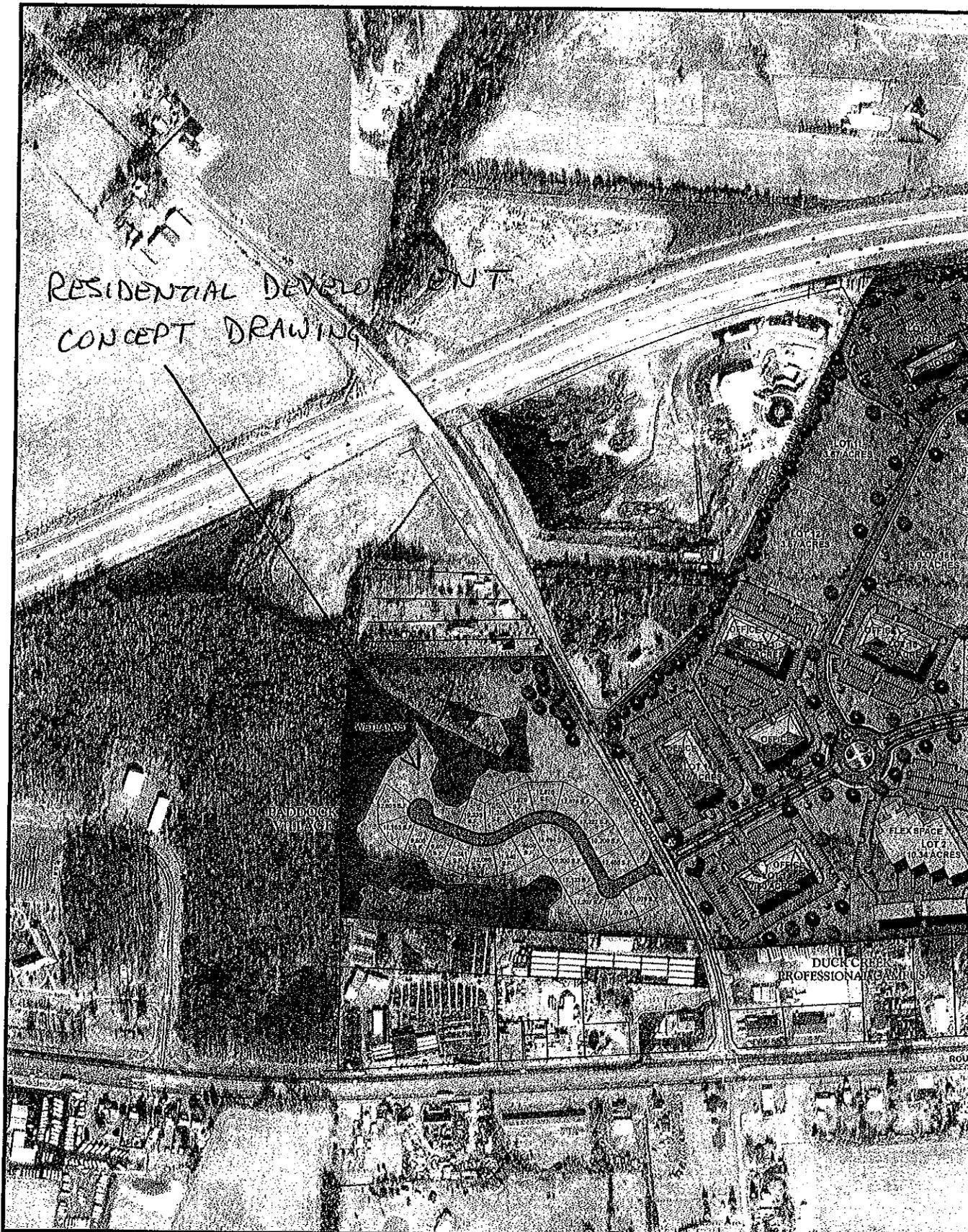
If you have any questions, please call (302)653-3486.

Sincerely,

TOWN OF SMYRNA

A handwritten signature in black ink, appearing to read "Janet L. Vine".

Janet L. Vine
Manager
Planning and Zoning



DUCK CREEK DEVELOPMENT

SCHEMATIC SITE PLAN

2005161.00