

Ordinance 536

An Ordinance to rezone portions of property located at 130 Lukens Drive and 150 Lukens Drive, New Castle, Delaware (Tax Parcels 21-022.00-001 and 21-022.00-002, totaling 168.76 acres) from the IOP zoning classification (Industrial Office Park) to the R-3 zoning classification (Multi-Family Residential) as to 149.08 acres, and to the GC zoning classification (General Commercial) as to 13.96 acres, and further to amend the City's 2020 Comprehensive Plan in a manner consistent therewith.

WHEREAS, Tax Parcels 21-022.00-001 (130 Lukens Drive) and 21-022.00-002, (150 Lukens Drive) (collectively, the "Property") comprise 168.76 acres, more or less, of undeveloped land currently zoned IOP (Industrial Office Park) under the City's Zoning Code; and

WHEREAS, the City's 2020 Comprehensive Plan's "Suggested Land Use" map shows the entirety of the Property to be designated for "Light Industrial, Office Park" use; and

WHEREAS, Parkway Gravel, Inc., the owner of the Property, has petitioned the City Council to alter the Property's current zoning classification from IOP (Industrial Office Park) to R-3 (Multi-Family Residential) as to 149.08 acres, and to GC (General Commercial) as to 13.96 acres, with the remainder of the Property (5.72 acres) retaining its current IOP zoning, all as reflected on Exhibit A attached hereto; and

WHEREAS, if the Property is so rezoned, Parkway Gravel, Inc. intends to re-subdivide the Property into 2 parcels of land for the purpose of developing the R-3 zoned parcel as 451 unit mixed-use project including 46 single family homes, 26 twin units, 107 townhomes and 272 apartment units. The GC zoned parcel is proposed to be developed as 12,000 sq. ft. of retail space with second floor apartment units, a community clubhouse and a public restaurant; and

WHEREAS, the owner of the Property has submitted a concept plan for consideration of the Planning Commission and, prior to final adoption of this ordinance, will be required to successfully complete the site plan and subdivision approval process as set forth in Chapters 213 and 230 of the City Code detailing the proposed subdivision, the precise areas to be rezoned to the R-3 and GC zoning classifications, the area that will remain zoned IOP and the specific nature of all development proposed on the Property; and

WHEREAS, the Council believes that rezoning the Property consistent with a fully Code compliant site plan approved by the Planning Commission, and amending the 2020 Comprehensive Plan as may be necessary in accordance therewith, to be reasonable and will tend to further the general welfare of the City.

NOW, THEREFORE, be it ordained by the Council of the City of New Castle, as follows:

SECTION 1: The official zoning map of the City of New Castle, incorporated into the City Code pursuant to Section 230-2 of the Code, is hereby amended to rezone Tax Parcels 21-022.00-001 (130 Lukens Drive) and 21-022.00-002, (150 Lukens Drive) to the R-3 (Multi-family residential) and GC (General Commercial) zoning classifications with zoning district boundaries consistent with the final site plan determined by the Planning Commission as being in full compliance with the City Code (the "Approved Site Plan").

