

**TOWNSHIP OF MIDDLETOWN
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 847

An Ordinance of the Township of Middletown, Delaware County, Pennsylvania, Amending Chapter 275, titled "Zoning" by amending the Township Zoning Map to provide for a change in zoning for certain parcels of land lying immediately to the east of Donovan Drive from SU-1 Special Use District and R-2 Residence District to SU-1-A Mixed Use District; amending the Land Use Plan for the SU-1-A Mixed Use District and providing a Section concerning sentences, clauses, sections or parts of the Ordinance later determined to be unconstitutional, illegal or invalid, a Section repealing all ordinances or parts of ordinances inconsistent herewith, and a Section stating the effective date of this Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by Council of the Township of Middletown, Delaware County, Pennsylvania, as follows:

Section 1. The zoning for the four (4) parcels of land described in Exhibit "A" attached shall be changed from SU-1 Special Use District and R-2 Residence District to SU-1-A Mixed Use District. The Township Zoning Map and the "Land Use Plan" identified in Attachment 3, Appendix A, to Chapter 275, Section 3:A for the SU-1-A Mixed Use District shall be amended to reflect the change in zoning for the parcels of land described in Exhibit "A" and depicted on Exhibit "B" from SU-1 Special Use District to SU-1-A Mixed Use District. The four (4) parcels of land described in Exhibit "A" attached shall thereafter be considered part of the "Tract" as defined in Section 275-117.2 of the SU-1-A Mixed Use Ordinance.

Section 2. Attachment 3, Appendix A to Chapter 275, titled, "SU-1-A Design Standards", Section 3:A titled "Land Use Plan" is amended by providing a revised Land Use Plan for the SU-1-A Mixed Use District which is attached hereto as Exhibit "C".

Section 3. If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Township Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 4. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall be effective on the 31st day after its enactment.

ENACTED and ORDAINED this 27th day of March 2023

TOWNSHIP OF MIDDLETOWN

By: _____

Mark Kirchgasser
Council Chairman

Attest: _____

John McMullan
Township Manager

EXHIBIT A

Legal Descriptions for Parcels owned by Printers Way Properties LLC to be rezoned from SU-1 Special Use District to SU-1-A Mixed Use District

PARCEL A:

ALL THAT CERTAIN message and lot or place of land, Hereditaments and Appurtenances, Situate in the Township of Middletown, County of Delaware and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the middle of the State Road, commonly called the Baltimore Turnpike, a corner of lands of Charles P. Vernon; thence along the middle of said Road South 71 degrees, 23 minutes West 104 feet and 3 inches; thence by lands of J. Rowland Litsenberg South 16 degrees, 35 minutes East 705.29 feet more or less to land now or late of the Estate of George Drayton, deceased, known as "Overlook"; thence by said last mentioned land North 64 degrees West 105.65 feet more or less to a corner of land of said Charles F. Vernon; thence by said Vernon land passing over a stake set 25 feet from the middle of said first mentioned Road North 16 degrees, 35 minutes West 690.16 feet to the place of beginning.

PARCEL B:

ALL THAT CERTAIN tract or piece of land with the buildings and improvements thereon erected, Hereditaments and Appurtenances, Situate in the Township of Middletown, in the County of Delaware and Commonwealth of Pennsylvania, and bounded and described according to a survey thereof made by Joseph Pennell and Sons, bearing date the 27th day of April, A.D. 1927, as follows, to wit:

BEGINNING at a point in the center line of Baltimore Pike, a corner of lands now or late of the Estate of James C. Donovan; extending thence by said lands passing over a stake set in 20 feet from the center line of said Baltimore Pike, South 16 degrees, 35 minutes East, 722 feet to a stake, a corner of lands now or late of the Estate of George Drayton, known as the Overlook Tract, said stake being on the Southwesterly side of a large cherry tree; thence by the said Overlook Tract, North 64 degrees, East 116.62 feet to a stake, a corner of lands now or late of Anna C. and Alice M. Garrett; thence along said last mentioned lands, passing over a stake set back 21 feet from the center line of said Baltimore Pike, North 16 degrees, 35 minutes West, 707.01 feet to the center line of said Baltimore Pike; and thence along the center line of same South 71 degrees, 23 minutes West 115.17 feet to the first mentioned point and place of beginning.

PARCEL C:

ALL THAT CERTAIN lot or piece of ground with buildings and improvements, thereon erected, situate in the Township of Middletown, County of Delaware, Commonwealth of Pennsylvania, bounded and described according to a Final Subdivision Plan made for Dave Garrett, dated 8/24/95 last revised 10/30/95 and recorded in Plan Book 18 Page 470.

BEGINNING at a point on the Southerly side of Hunter Street 40 feet wide said point being a corner of lands now or late of Regina E. Dagdale; thence from said beginning point and along said lands South 7 degrees 30 minutes East 229.82 feet to a point in line of Shooster Development; thence along the same South 82 degrees 34 minutes 40 seconds West 148.09 feet to a point in line of lands now or late of Ann M. Donovan; thence along the same North 14 degrees 54 minutes 30 seconds West 34.35 feet to a point a corner of lands now or late of Granite Partners Limited; thence along the same North 17 degrees 11 minutes 00 seconds West 68.57 feet to a point a corner of parcel "C" of said plan; thence along the same the two following courses and distances (1) North 82 degrees 30 minutes East 164.71 feet to a point (2) North 7 degrees 30 minutes West 155.73 feet to a point on the South side of said Hunter Street; thence along the same North 82 degrees 30 minutes East 20 feet the first mentioned point and place of beginning.

Being parcel "B" of the above mentioned Plan.

Being Lot 60.

And also:

PARCEL D:

ALL THAT CERTAIN lot or piece of ground with buildings and improvements, thereon erected, situate in the Township of Middletown, County of Delaware, Commonwealth of Pennsylvania, bounded and described according to a Final Subdivision plan made for Dave Garrett, dated 8/24/95 last revised 10/30/95 and recorded in Plan Book 18 Page 470.

BEGINNING at a point at the terminus of Hunter Street 40 feet wide; thence from said beginning point, crossing the terminus of said Hunter Street and along lands now or late of Parcel B of said Plan South 7 degrees 30 minutes East 155.73 feet to a point; thence continuing along said Parcel B South 82 degrees 30 minutes West 164.71 feet to a point in line of lands now or late of Granite Partners Limited; thence along the same North 17 degrees 11 minutes 00 seconds West 92.04 feet to a point a corner of lands now or late of Robert L. Weiss; thence along the same North 62 degrees 39 minutes 00 seconds East 191.41 feet to the first mentioned point and place of beginning.

Being Parcel "C" on the above mentioned Plan.

Being Lot 61.

27-00-00082-00; 27-00-00092-00; 27-00-00982-00; 27-00-00983-00

NOTE:
THIS PLAN WAS GENERATED FROM
DEED PLOTS AND DOES NOT
REPRESENT AN ACTUAL FIELD SURVEY.

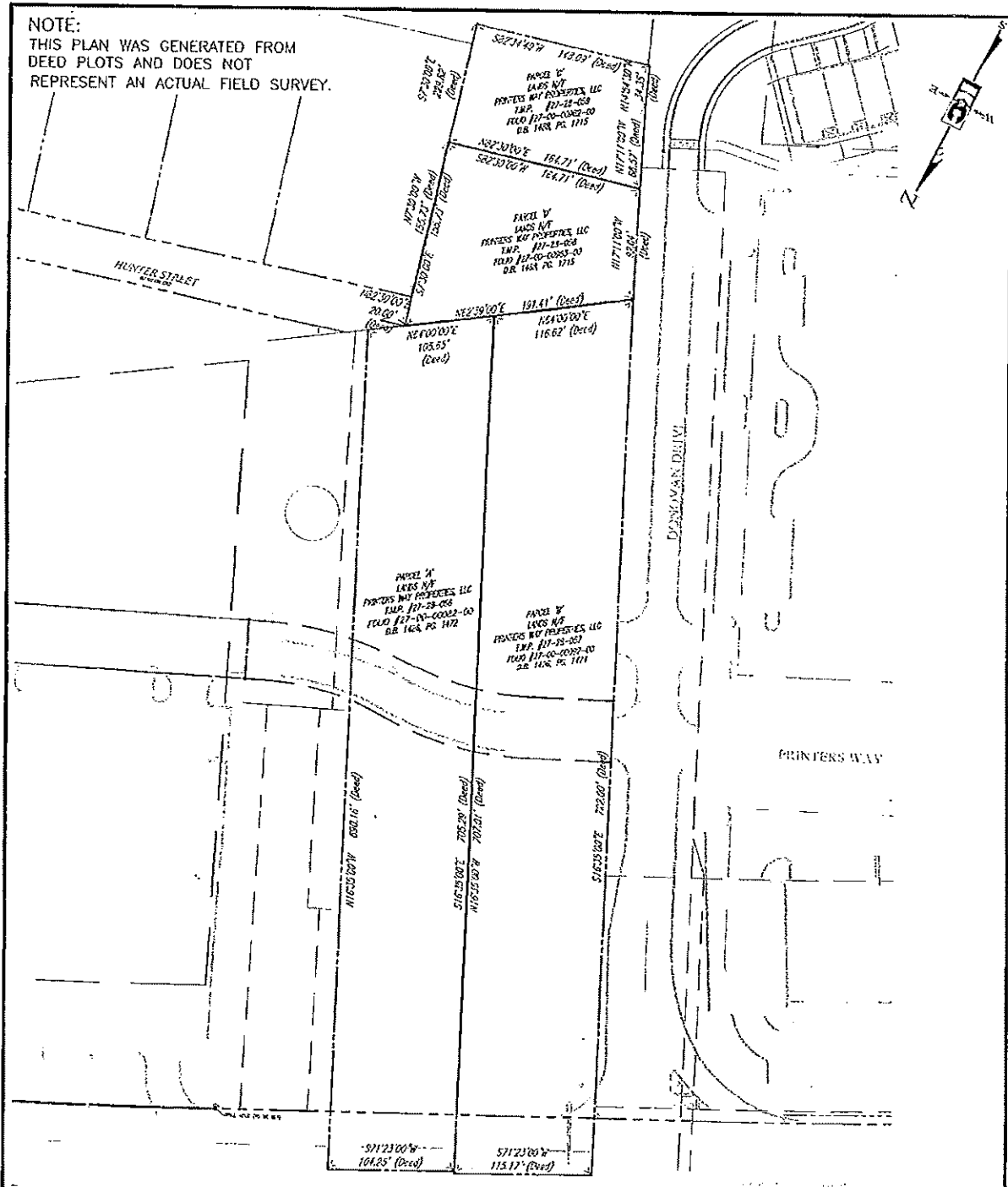



EXHIBIT		PRINTERS WAY PROPERTIES		DATE: July 2, 2020 DRAWN BY: M.T.S. CHECKED BY: B.C.A. PLOT NO.: B.P.A. PROJECT NO.: 2013-011K	
PRINTERS WAY PROPERTIES LLC MIDDLETOWN TOWNSHIP DELAWARE COUNTY, PENNSYLVANIA		 KELLY & CLOSE ENGINEERS CONSULTING ENGINEERS & SURVEYORS The Summit of Grandviewline 1785 Warrington Pike/Suite 300 Glen Mills, Pennsylvania 19342 610-358-9363 Fax 610-358-9374		SHEET 1 of 1	
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LAND USE TYPE - SU-1-A MIXED USE DISTRICT

A. OPEN SPACE / BUFFER

B. RESIDENTIAL AND RELATED (275-117.3 - B. C.)

- Single-family semidetached dwellings (B.1.)
- Single-family attached dwellings (B.2.)
- Single-family detached dwellings (B.3.)
- Multi-family dwellings (B.4.)
- Parking structures (C.19)

C. NON-RESIDENTIAL: GENERAL, RETAIL, AND OFFICE (275-117.3 - C.)

- Convenience store (C.1.)
- Convenience store with fuel pumps (C.2.)
- Bank or other financial institutions with or without drive up window and/or accessory ATM facilities (C.3.)
- Commercial greenhouse, nursery or garden center (C.4.)
- Cultural, religious or charitable uses (C.6)
- General or professional offices (C.7.)
- Governmental use (C.8.)
- Health and fitness centers including ancillary services such as wellness, physical, rehabilitation facilities and prevention health education activities (C.9.)

- Medical laboratories, outpatient or training facilities or offices for doctors and other medical personnel (C.11.)
- Municipal uses (C.12.)
- Pharmacy, with or without drive-up window (C.13.)
- Research and / or testing facility (C.14.)
- Restaurant and taverns, including those with musical entertainment, dancing (excluding adult entertainment or dancing) and / or outdoor service of food and / or alcohol (C.15.)
- Restaurants, fast food (C.16.)
- Retail stores, including discount department stores (C.17.)
- Supermarket, with or without drive-up windows (C.18.)
- Parking structures (C.19.)
- Wholesale membership club (C.21.)
- Stand alone assisted living, independent living, memory care facilities, skilled nursing and/ or rehabilitation centers (C.22.)
- Daycare (C.23.)
- Communication antennas mounted on an existing public utility transmission tower, building or other structure and communications equipment buildings subject to the regulations set forth in Section 275-216 of Article XXXIV. (C.24.)

- Indoor storage building or warehouse, to include warehousing known as "mini storage", consisting of multiple warehouses which are either leased or sold. (C.25.)

D. PUBLIC TRANSIT (275-117.3 - C.)

- Public transit facilities (C.20.)
- Parking structures (C.19.)








E. NON-RESIDENTIAL: HOTEL AND RELATED (275-117.3 - C.)

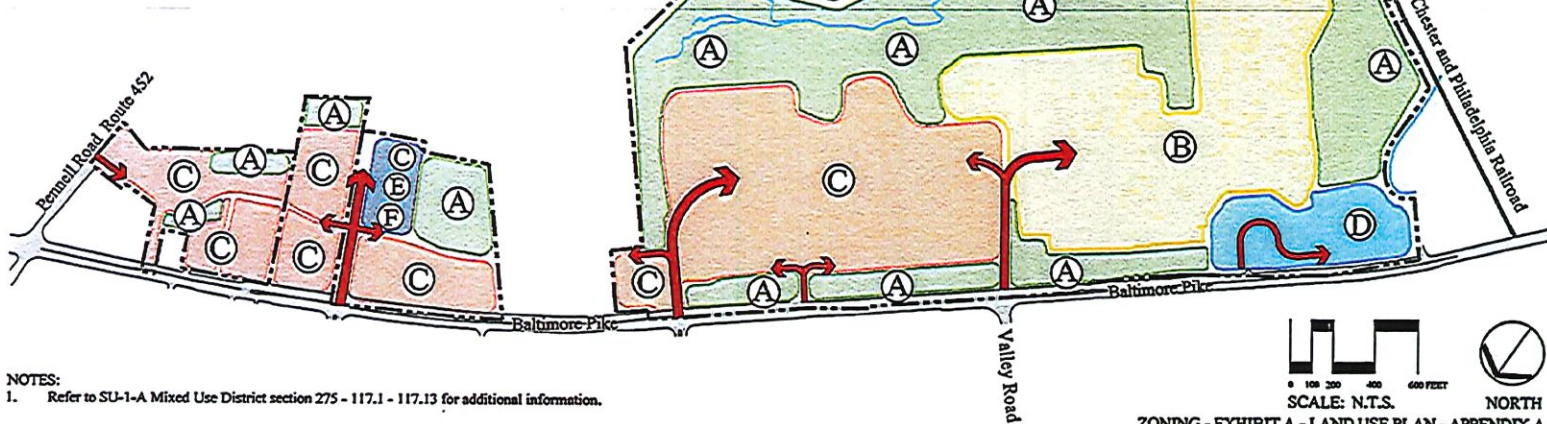
- Hotel (C.10.)
- Conference centers (C.5.)
- Parking structures (C.19.)

F. NON-RESIDENTIAL: CONFERENCE CENTER (275-117.3 - C.)

- Conference centers (C.5.) (without either overnight lodging or ancillary entertainment uses)

LAND USE LEGEND:

	A	OPEN SPACE
	B	RESIDENTIAL
	C	NON-RESIDENTIAL GENERAL, RETAIL AND OFFICE
	D	PUBLIC TRANSIT
	C, E, F	NON-RESIDENTIAL GENERAL, RETAIL AND OFFICE; HOTEL; CONFERENCE CENTER
		PRIMARY VEHICULAR ACCESS
		SECONDARY VEHICULAR ACCESS



NOTES:
 1. Refer to SU-1-A Mixed Use District section 275 - 117.1 - 117.13 for additional information.

SCALE: N.T.S. NORTH
 ZONING - EXHIBIT A - LAND USE PLAN - APPENDIX A
 275 Attachment 3:13

ZONING - EXHIBIT A - LAND USE PLAN - APPENDIX A
SU-1-A Mixed Use District
 MIDDLETOWN TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA

DATE: 07/07/16
 REV: 08/08/16
 03/02/21
 05/04/21
 01/26/22
 06/23/22