PETITION FOR Annexation Plan Amendment to Comprehensive Plan Update 2003
and
PETITION TO ANNEX AND ZONE PROPERTY

Before The Dover City Council
November 8, 2004

Owner:	Mr. Clifton Hutton and Mrs. Marie Hutton
Equitable Owner:	None
Location:	Kenton Road and Fox Hall Drive, northwest corner
Tax Map #:	ED-05-067.17-01-06.00
Size:	1.45 Acres +/-
County Zoning:	RS-1 – Single Family Residential
Proposed Zoning:	CPO – Commercial Professional Office
Present Use:	Vacant land
Proposed Use:	Office
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
File Number:	AX-04-04 MI-04-12

Findings and Recommendations of the Dover Planning Commission
And Annexation Report Information

The Planning Commission at its meeting of Monday, October 18, 2004 considered this petition. The following members were present: Chairman Friedman, Ms. Young, Mr. Tolbert, Mr. Holt, Mr. Winsley, Col. Welsh, and Mr. Von Reider.

The Planning Commission recommends approval of the Annexation Plan Amendment to the Comprehensive Plan Update 2003 to identify this parcel with the land use type of Office. The Planning Commission recommends that this request for annexation be approved and that the property known as Lands of Clifton and Marie Hutton be zoned C-PO (Commercial Professional Office Zone) upon annexation. The Planning Commission recommendation also

recognizes the comments compiled as part of the Development Advisory Committee (DAC) report. The motion for approval passed 7-0 of the members present. In taking this position, the Commission considered the following points:

This application requires a Growth and Annexation Plan Amendment to the Comprehensive Plan Update 2003 to change the land use type for a specific parcel of land. For the 1.4521 acre parcel of land known as Lands of Clifton and Marie Hutton, the land use type is designated as Residential on Map 12-1. The applicant has proposed to zone the property, upon annexation, to a zoning classification that is identified as inconsistent with Map 12-1. The appropriate land use type for the proposed zoning upon annexation would be Office. **The Planning Commission and City Council would be required to act on the Amendment to the Comprehensive Plan (MI-04-12) prior to acting on the specific annexation request (AX-04-04).**

Annexation Request:
The subject annexation area consists of multiple parcels of land totaling 1.45 acres +/-. The property is located on the northwest corner of Kenton Road and Fox Hall Drive. The Kent County zoning for the properties is RS-1 (Single Family Residential Zone). The proposed zoning classification upon annexation is CPO (Commercial Professional Office Zone).

The Planning Commission reviews the annexation/rezoning application and makes a recommendation to City Council regarding the rezoning. The survey of the property documents only the several former parcels that were previously combined into one parcel. There is no proposed development of the site and no equitable owner.

This ultimate development is subject to the requirements of the Land Subdivision Regulations and Zoning Ordinance which includes future application and review by the Planning Commission.

Surrounding Land Uses:
The properties to the immediate west and north are along Fox Hall Drive or Kenton Road and are under the jurisdiction of Kent County. Further to the north is the beginning of Fox Hall West (R-8 Single Family Residential zone). East of the subject annexation area is the Kent Pool Club (zoned R10 Single Family Residential) and northwest if Robbins Hose Company Station 2 (zoned IO Institutional Office). To the immediate south is the Hutton's home on Fox Hall Drive and further south are residential properties in the City of Dover zoned RG-2 and RG-3 General Residential zones).

Annexation Goals and Policies:
The Annexation Plan dating to September, 2003 identified the subject property as a Category 1 property, an Enclave surrounded by properties within the City. The City is interested in annexing such properties to eliminate the enclave and provide seamless services to the residents of the area. The City is aware that the residents of Fax Hall Drive have not been interested in annexing into the City. The applicant has discussed this with the property owners immediately adjacent to their

property and confirmed their disinterest.

Comprehensive Planning:
The *City of Dover 1996 Comprehensive Plan* did not reflect an anticipated land use for the subject property on the Land Use Plan Map. The Map focused only on the lands within the boundaries of the City of Dover at that time.

The Kent County 2002 Comprehensive Plan Update recommends that this property be utilized for Medium Density Residential development (3 to 5.8 dwelling units per acre). The property is located within the Kent County Growth Overlay Zone. The Land Subdivision Regulations adopted in June 2003 must be consulted for the subdivision development requirements for lands under the jurisdiction of Kent County.

The 1999 *Strategies for State Policies and Spending* includes this area in the Secondary Developing Area designation. The State recently implemented the *State Strategies for State Policies and Spending Map* identifies this subject annexation area predominately as Investment Level 1.

The *City of Dover Comprehensive Plan Update 2003* was adopted by the Planning Commission on September 16, 2003 and adopted by the City Council on September 22, 2003. The Plan Update was certified by the State in accordance with Delaware Code on October 2, 2003. The *City of Dover Comprehensive Plan Update 2003* includes a chapter (Chapter 12) and plan map addressing annexation. It identifies these properties as a Category 1 – Lands Identified for Annexation. The general land use of Residential is also indicated. It is noted that Category 1 areas are intended to be annexed by the City within the five year period of the Comprehensive Plan. The suggested use for the property is R-Residential. The proposed use as O- Office will require a Plan Amendment. The Plan Amendment should be considered with this application as item MI-04-12.

The *Comprehensive Plan Update 2003* notes that additional analysis is to be completed regarding a detailed study of the City service capacities, City utility capacities, and population growth projections. An Annexation Plan Study has been prepared by the consultant, Kise Straw & Kolodner.

The consultant for the purposes of the Annexation Plan Study divided the areas identified on the Annexation Plan Map (Map 12-1) as Category 1, 2, and 3 lands into study modules. A Cost/Revenue Analysis has been conducted for the each of the modules. The Cost/Revenue analysis for this are included all properties along Fox Hall Drive, and not the parcel alone. Staff has scaled the analysis to the area of the proposal. It should be viewed cautiously and considered as one piece of information in evaluating an annexation application. Information on the Cost/Revenue Analysis for this area will be made available.

Request for CPO Zoning:
The types of permitted uses for CPO are outlined in Article 3 §26 Commercial Professional Office

Zone (CPO). Within the CPO zoning, uses allowed are Business, professional or governmental offices; banks, savings and loan associations, investment companies, credit bureaus, brokers and similar financial institutions; service agencies, such as real estate agencies, insurance agencies, computer services, travel agencies; medical and dental offices including clinics and laboratories incidental to these uses; offices for philanthropic and eleemosynary institutions and organizations. Conditional Uses are not permitted due to the small scale of the potential project area.

Recommendation of the Planning Staff:

The Planning Staff recommends approval of the Annexation Plan Amendment to the Comprehensive Plan Update 2003 to identify this parcel with the land use type of Office. The Planning Staff recommends that the subject property be annexed into the City of Dover and that the subject property be zoned CPO (Commercial Professional Office zone) upon annexation.

In reviewing applicable sections of the City of Dover Comprehensive Plan 2003 as described above, Staff notes that the property is identified as an area for immediate annexation. City services (water, sewer, electric) are available on the property. The proposed zoning classification is compatible with the existing land uses immediately across Kenton Road. The applicant is the closest resident to the property.

As part of the municipal annexation process a Plan of Services for the property must be completed in accordance with Delaware Code Title 22 §101. This Plan of Services must be completed for review and acceptance prior to final legislative action on the annexation. A Plan of Services indicates the services that the City expects to provide to the annexed area and how the services will be provided. The Department of Planning and Inspections is currently working with other City Departments to complete this task for submittal to the Office of State Planning Coordination for review and approval.

Public Comments:

The application was represented by Cliff Hutton. No members of the public appeared and spoke in regards to the Annexation Plan Amendment application and annexation/rezoning application.

Agency Comments from DAC Report:

- Department of Public Works has no comment regarding the annexation Plan Amendment.
- Department of Public Works has no objection to the annexation. Their comments note that the developer is responsible for costs associated with the extension of utility services to the site. Information was also provided regarding public utilities in the vicinity of this site.
- DelDOT comments refer to the comments provided as part of the PLUS (Preliminary Land Use Service) review. See PLUS letter dated September 16, 2004.

Advisory Comments to the Applicant:

1. The Planning Commission recommendation pertaining to the annexation and concurrent rezoning of the property is the first step of the annexation process. The process also includes consideration by City Council, an annexation election, and formal resolution to annex the property in to the City of Dover. The annexation process is outlined in the City Charter.

2. At the City Council meeting of September 27, 2004 the City Council took action to refer this annexation application to the Planning Commission for review on October 18, 2004. The following dates were also established for the consideration of this annexation application: Utility Committee on October 25, 2004; annexation election on October 28, 2004; and City Council Public Hearing and action on November 8, 2004.

3. A Cost/Revenue analysis will be completed for this annexation area.

4. The City of Dover is completing the Plan of Services documentation for submittal to the Office of State Planning Coordination. Final legislative action to annex the property into the City of Dover will not occur until the Plan of Services is accepted.

5. The applicant shall be aware that approval of the Annexation (and Rezoning) does not represent Subdivision or Site Plan approval. A separate application process for Subdivision or Site Plan approval is required for the development of this property. During that process, a complete review of the development for code compliance will be completed.

Attachment to Report:

- Development Advisory Committee Comments
- Location Exhibit

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: September 30, 2004

CITY OF DOVER PUBLIC WORKS

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APPLICATION: Lands of Clifton and Marie Hutton

FILE#: AX-04-04 REVIEWING AGENCY: City of Dover Public Works

CONTACT PERSON: Scott Koenig or Andrew Riggi PHONE#: 736-7025

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Our office has no objection to the annexation of tax parcel ED-00-067.17-01-06.00-000.

ADVISORY COMMENTS TO THE APPLICANT:

1. All public utility mains which may encroach or traverse this property must be shown on the site as located within a public utility easement. The City of Dover has constructed water & sewer mains along Kenton Road and Fox Hall Drive. These mains will provide utility service to the property once developed.

2. Once this property connects to the city's water & sewer systems, the developer/owner will be responsible for reimbursing the City of Dover for all expenses incurred to extend utility services to the property. The owner of the property was previously notified of the costs.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER PUBLIC WORKS

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: September 30, 2004

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APPLICATION: Annexation Plan Amendment to Comprehensive Plan Update 2003: Lands of Clifton and Marie Hutton

FILE#: MI-04-12 REVIEWING AGENCY: City of Dover Public Works

CONTACT PERSON: Scott Koenig or Andrew Riggi PHONE#: 736-7025

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

2. Our office has no comment regarding the Annexation Plan Amendment to Comprehensive Plan Update 2003.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 30, 2004

DELDOT

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APPLICATION: Annexation Plan Amendment to Comprehensive Plan Update 2003: Lands of Clifton and Marie Hutton

FILE#: MI-04-12 & AX-04-12 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Richard A. Woodhall PHONE#: 760-2262

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

Same comments as Plus comments from September 16, 2004

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

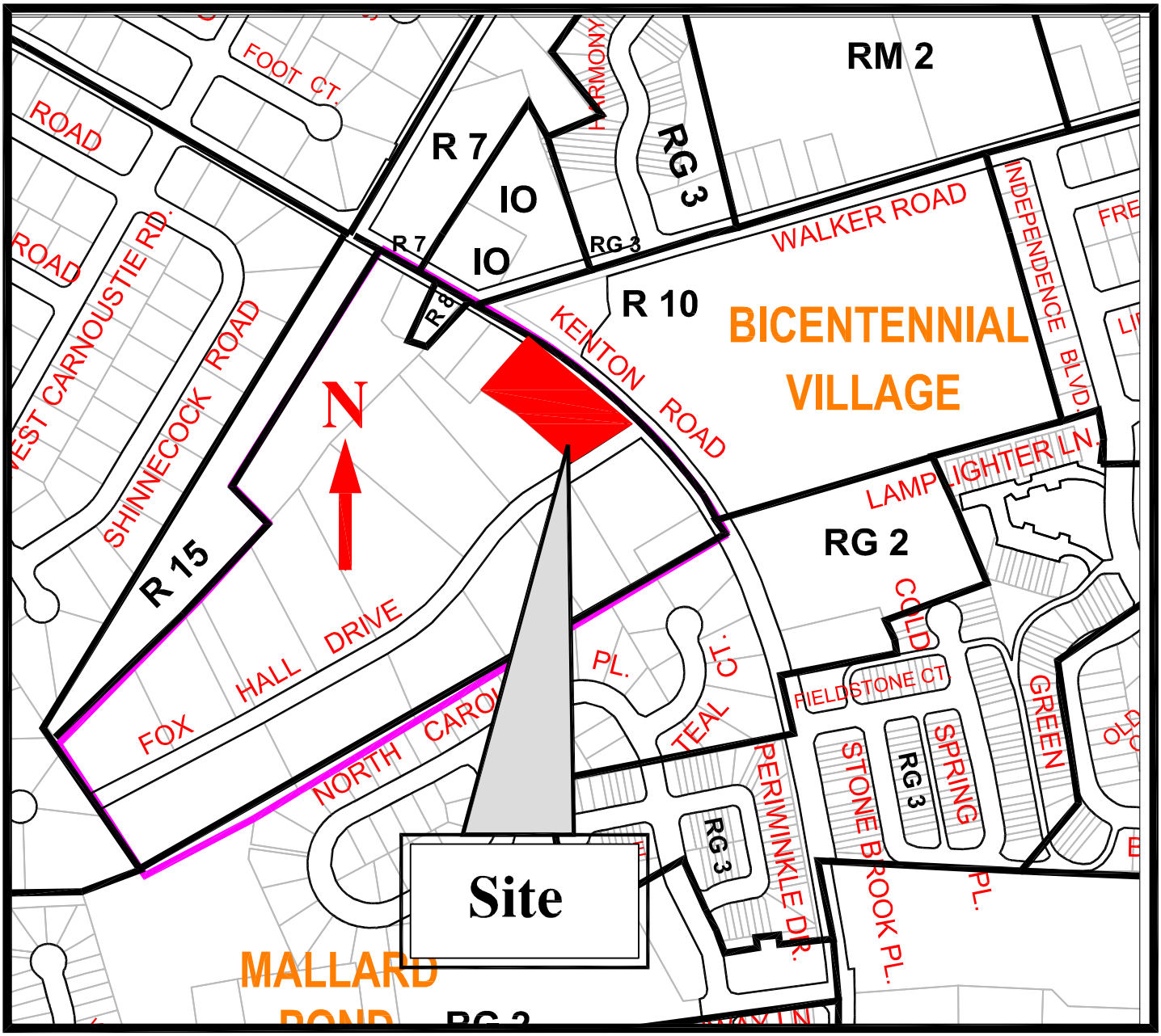
ADVISORY COMMENTS TO THE APPLICANT:

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

City of Dover

Application No. AX-04-04 & MI-04-12

Department of Planning & Inspections



Plan Title: Lands of Clifton and Marie Hutton

Plan Type: Annexation Plan

Tax Parcel No. ED-00-067.17-01-06.00

Site Area: 1.4521 Acres

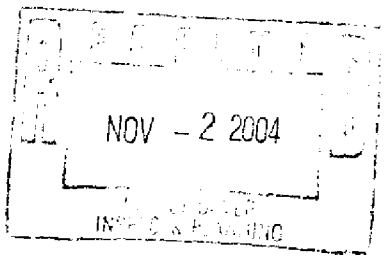
Owner: Clifton and Marie Hutton

Proposed Zoning: CPO

Date: 9-30-04



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION



October 21, 2004

Mr. Jim Galvin, AICP
Director of Planning and Inspections
City of Dover
P.O. Box 475
Dover, DE 19903-0475

RE: Plan of Services for Lands of Clifton and Marie Hutton
City of Dover File # AX-04-04
Tax Parcel ED-05-067.17-01-06.00

Dear ~~Mr. Galvin~~ Jim,

This letter is to confirm that we have received and accepted your completed Plan of Services for the above referenced annexation application. Our office has no objections to the annexation of this property and the City has completed all relevant annexation requirements per Title 22, Section 101, Delaware Code.

It is noted that the proposed zoning is subject to the approval of an Annexation Plan Amendment prior to Council's consideration of this application.

After this property has been annexed please notify our office in writing so that we may update our records and maps. A copy of the official annexation resolution should accompany this notification.

Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,

David L. Edgell, AICP
Principal Planner

cc: Connie Holland
Bruce Burcat, Executive Director, PSC
The Honorable Steven R. Speed, Mayor
Anthony DePrima, AICP, City Manager
Dawn E. Melson, AICP, Senior Planner

PETITION TO ANNEX AND ZONE PROPERTY

Before The Dover City Council
November 8, 2004

Owner:	Leonard and Catherine Moore 1076 Forrest Avenue Dover, DE 19904
Equitable Owner:	Robert Zipp 277 Wildflower Circle N. Magnolia, DE 19962
Location:	South side of Forrest Avenue between Bennington Street and Salisbury Road
Property Address:	1076 Forrest Avenue
Tax Map #:	ED-00-076.11-02-14.00-000 ED-00-076.11-02-19.00-000
Size:	2.00 Acres +/-
County Zoning:	RS-1 Single Family Residential
Proposed Zoning:	C-2A (Limited Central Commercial Zone) and COZ-1 (Corridor Overlay Zone -1)
Recommended Zoning:	CPO (Commercial Professional Office Zone) and COZ-1 (Corridor Overlay Zone -1)
Present Use:	Residential
Proposed Use:	Medical Offices
Sanitary Facilities: Water Supply:	proposed City of Dover proposed City of Dover
File Number:	AX-04-03

Findings and Recommendations of the Dover Planning Commission
And Annexation Report Information

The Planning Commission at its meeting of Monday, October 18, 2004 considered this petition. The following members were present: Chairman Friedman, Ms. Young, Mr. Tolbert, Mr. Holt, Mr. Winsley, Col. Welsh, and Mr. Von Reider.

The Planning Commission recommends that this request for annexation be approved and that the property known as Lands of Leonard and Catherine Moore at 1076 Forrest Avenue be zoned C-PO (Commercial Professional Office Zone) and subject to the COZ-1 (Corridor Overlay Zone) upon annexation. The Planning Commission recommendation also recognizes the comments compiled as part of the Development Advisory Committee (DAC) report. The motion for approval passed 7-0 of the members present. In taking this position, the Commission considered the following points:

The subject annexation area consists of two parcels of land totaling 2.00 acres +/-. The property is located on the south side of Forrest Avenue between Bennington Street and Salisbury Road. The property address is 1076 Forrest Avenue. The Kent County zoning for the properties is RS-1 (Single Family Residential Zone). The proposed zoning classification by the applicant upon annexation is C-2A (Limited Central Commercial Zone). Staff is recommending a zoning classification of CPO (Commercial Professional Office Zone). The property will also be subject to the COZ-1 (Corridor Overlay Zone – 1).

The Planning Commission reviews the annexation/rezoning application and makes a recommendation to City Council regarding the rezoning. An initial concept for the development of the property proposes the construction medical offices. This development and/or subdivision of the land is subject to the requirements of the Land Subdivision Regulations and Zoning Ordinance which includes future application and review by the Planning Commission.

Surrounding Land Uses:
The subject property is an older residential property that was settled at a time when Delaware Route 8 was a two (2) lane roadway, predominantly rural in character with scattered single family home sites and surrounded by lands in active agriculture. The surrounding landscape has changed considerably since this parcel was created.

To the east, the landscape is predominantly commercial in character with the presence of Gateway West Shopping Center at the southwesterly corner of the intersection of Delaware Route 8 and Saulsbury Road which is zoned SC-2 (Community Shopping Center) in the City limits. Between the subject property and Gateway West Shopping Center are lands under the jurisdiction of Kent County which are zoned B-N (Neighborhood Business). To the south is the Enterprise Business park Complex which is zoned IPM (Industrial Park Manufacturing) in the City limits.

The adjoining parcels to the west of the subject parcel were annexed into the City of Dover in 2002

and are zoned CPO (Commercial Professional Office). Recent site development on this adjacent parcel consists of a medical office building with plan approval for construction of a second office building on the site. To the north across Delaware Route 8 are lands zoned I-O (Institutional & Office) which is the location of the Modern Maturity Center, the current Dover Elks Lodge, and the proposed Fountainview Senior Apartments.

Annexation Goals and Policies:
The Interim Annexation Policy dating to February 28, 1994 identified the subject property as a Category 1 property, which indicates that this property would be highly desirable for annexation into the City of Dover. Category 1 properties are favored for annexation due to their proximity to existing municipal services and are typically properties that are partially or completely surrounded by lands in the City of Dover.

Comprehensive Planning:
The *City of Dover 1996 Comprehensive Plan* did not reflect an anticipated land use for the subject property on the Land Use Plan Map. The Map focused only on the lands within the boundaries of the City of Dover at that time.

The *Kent County 2002 Comprehensive Plan Update* appears to recommend that this property be utilized for Medium Density Residential development (3 to 5.8 dwelling units per acre). The property is located within the Kent County Growth Overlay Zone. The Land Subdivision Regulations adopted in June 2003 must be consulted for the subdivision development requirements for lands under the jurisdiction of Kent County.

The *State Strategies for State Policies and Spending Map* identifies this area as Investment Level 1. In Investment Level 1 areas, state investments and policies should support and encourage a wide range of uses and densities, promote other transportation options, foster efficient use of existing public and promote investments, and enhance community identify and integrity.

The *City of Dover Comprehensive Plan Update 2003* was adopted by the Planning Commission on September 16, 2003 and adopted by the City Council on September 22, 2003. The Plan Update was certified by the State in accordance with Delaware Code. The *City of Dover Comprehensive Plan Update 2003* includes a chapter (Chapter 12) and plan map addressing annexation. It identifies these properties as a Category 1 – Lands Identified for Annexation. The general land use of Office is also indicated. These areas are "mostly enclaves of unincorporated territory mostly surrounded by the City of Dover." It is noted that Category 1 areas are intended to be annexed by the City "within the five year planning period."

The *Comprehensive Plan Update 2003* notes that additional analysis is to be completed regarding a detailed study of the City service capacities, City utility capacities, and population growth projections. The consultant Kise, Straw & Kolodner for the purposes of the Annexation Plan Study divided the areas identified on the Annexation Plan Map (Map 12-1) as Category 1, 2, and 3 lands

into study modules. A Cost/Revenue Analysis was conducted for the modules. This Cost/Revenue Analysis information should be viewed cautiously and considered as one piece of information in evaluating an annexation application.

Request for C-2A Zoning:
The applicant has requested C-2A (Limited Central Commercial Zone) for the property. The types of permitted uses for C-2A are outlined in Article 3§14 and include a variety of commercial uses and some possibilities for residential uses. These include retail stores, service establishments, single family & two family residences, banks, theaters, restaurants, hotels, clubs, churches, and offices. The Planned Neighborhood Design: Senior Citizen Housing Option is a conditional use.

Recommendation of the Planning Staff:
The Planning Staff recommends that the subject property be annexed into the City of Dover and that the subject property be zoned C-PO (Commercial/Professional Office) upon annexation, and that the subject property be included in and subject to the Corridor Overlay Zone (COZ-1).

In reviewing applicable sections of the City of Dover Comprehensive Plan 2003 as described above, Staff notes that the property is identified as an area for future annexation. City services (water, sewer, electric) are available in the vicinity of this property.

The subject property is one of several adjoining parcels that were platted in the 1930's as part of the Country Club Estates subdivision. These parcels tend to be narrow in width and run over 1,000 Feet in depth from the right-of-way of DE Route 8. Due to the significant depth to width ratio of these parcels, and particularly the narrow lot widths, the design for redevelopment of the parcel must be carefully considered. The permitted uses of the C-PO Zone are very similar to the C-2A with the exception of the residential uses and retail uses. The C-PO may be more appropriate for development due to the size constraints of the subject property.

The permitted uses of the C-2A zone are outlined in Article 3 §14 and the permitted uses of the CPO are outlined in Article 3 §26. The provisions of the COZ-1 (Corridor Overlay Zone) are found in Article 3 §27 and include a number of site design requirements associated with parking, building placement and architecture, and landscaping.

The following provides a comparison of the bulk standards for C-2A, C-PO, and the COZ-l. The property would be subject to the requirements of COZ-1 (Corridor Overlay Zone) no matter what the base zoning of the property. As always the more restrictive requirement would govern.

	C-2A	**CPO**	**COZ-1**
Front Yard	25 feet	25 feet	For non-residential use: minimum of 40 feet and maximum of 60 ft.

Side Yard	None/ 10ft. if provided	15 feet	See base zoning
Rear yard	20 ft. above ground. None/ 10 ft. if provided for ground floor	15 feet	See base zoning
Side or rear yard adjacent to Residential	25 feet	30 feet	See base zoning
Off Street parking	1 space per 300 SF of floor area or 1 per employee	1 space per 200 SF of floor area (No parking between the street line and major use on the property.)	Rate of base zoning. No parking between the right-of-way line and the building. (Can considered waiver to allow 20% of the required parking between street and building.
Building Height	6 story (60 feet)	3 story (35 feet)	2 story (35 feet)
Floor Area Ratio	4.0	2.0	See base zoning
Lot Coverage	----	70% (30% must be landscaping)	75% (25% must be landscape/open space)

As part of the municipal annexation process a Plan of Services for the property must be completed in accordance with Delaware Code Title 22 §101. This Plan of Services must be completed for review and acceptance prior to final legislative action on the annexation. A Plan of Services indicates the services that the City expects to provide to the annexed area and how the services will be provided. On October 19, 2004, the Department of Planning and Inspections submitted the Plan of Services to the Office of State Planning Coordination for review and approval.

Public Comments:
The application was represented by John Pepper of George Miles & Buhr and Bob Zipp, equitable owner. No members of the public appeared and spoke in regards to the annexation/rezoning application.

Agency Comments from DAC Report:
- Department of Public Works has no objection to the annexation. Their comments note that the developer is responsible for costs associated with the extension of sewer and water to the site. The owner will also be required to provide a public access and utility easement at the rear of the property.
- DelDOT has no comments in regards to the annexation.

Advisory Comments to the Applicant:

1. The Planning Commission recommendation pertaining to the annexation and concurrent rezoning of the property is the first step of the annexation process. The process also includes consideration by City Council, an annexation election, and formal resolution to annex the property in to the City of Dover. The annexation process is outlined in the City Charter.

2. At the City Council meeting of September 27, 2004, the City Council took action to refer this

annexation application to the Planning Commission for review on October 18, 2004. Other dates for the consideration of this annexation application are as follows: review by the Utility Committee on October 25, 2004, the annexation referendum on October 28, 2004, and City Council Public Hearing and action on November 8, 2004.

3. A Cost/Revenue analysis will be completed for this annexation area. The subject property is one of several properties considered within Module 1O.

4. The City of Dover is completing the Plan of Services documentation for submittal to the Office of State Planning Coordination. Final legislative action to annex the property into the City of Dover will not occur until the Plan of Services is accepted.

5. The applicant shall be aware that approval of the Annexation (and Rezoning) does not represent Subdivision or Site Plan approval. A separate application process for Subdivision or Site Plan approval is required for the development of this property. During that process, a complete review of the development for code compliance will be completed.

6. The location of the subject annexation area along the Route 8 corridor will require consideration of the transportation infrastructure such as the location of the entrance access to this property during the design for site redevelopment. The applicant is encouraged to discussion these transportation aspects with the Delaware Department of Transportation.

Attachment to Report:

- Development Advisory Committee Comments
- Location Exhibit

CITY OF DOVER PUBLIC WORKS

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: September 30, 2004

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APPLICATION: Lands of Leonard and Catherine Moore: 1076 Forrest Avenue

FILE#: AX-04-03 REVIEWING AGENCY: City of Dover Public Works

CONTACT PERSON: Andrew Riggi PHONE#: 736-7025

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Our office has no objection to the proposed annexation of ED-00-076.11-02-14.00-000 and ED-00-076.11-02-19.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. The developer is responsible for all costs associated with extending sanitary sewer and water service and capacity to the proposed development.

2. When the site is developed, the owner will be required to provide a 50’ wide public access and utility easement along the re of the parcel.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 30, 2004

DELDOT

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APPLICATION: Lands of Leonard and Catherine Moore

FILE#: AX-04-03 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Richard A. Woodhall PHONE#: 760-2262

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

No Comment

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

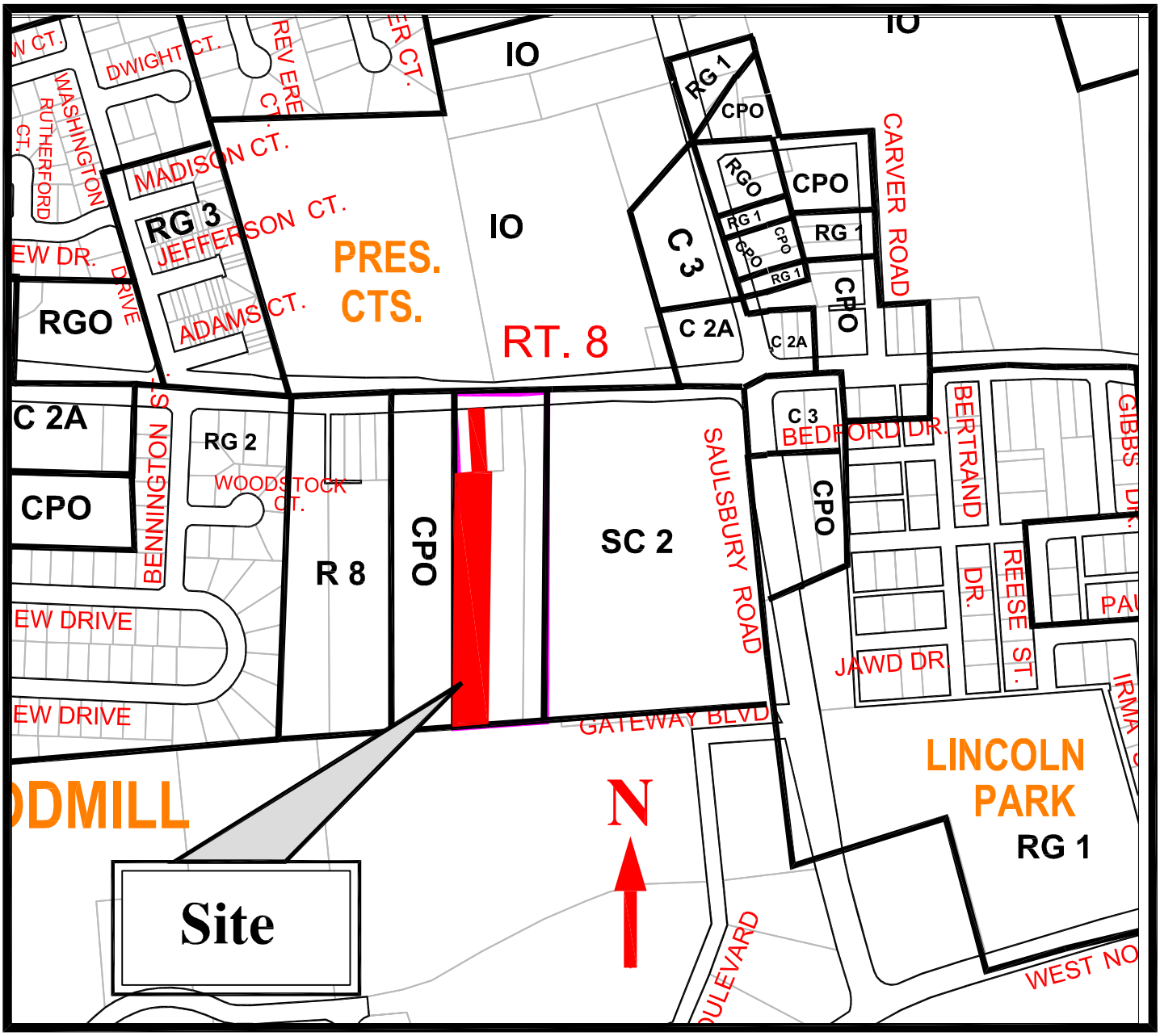
ADVISORY COMMENTS TO THE APPLICANT:

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

City of Dover

Application No. AX-04-03

Department of Planning & Inspections



Plan Title: Lands of Leonard and Catherine Moore

Plan Type: Annexation Plan

Tax Parcel No. ED-00-076.11-02-14.00 & 19.00

Site Area: 2.00 Acres

Owner: Leonard and Catherine Moore

Proposed Zoning: C-2A

Date: 9-30-04



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF

STATE PLANNING COORDINATION

October 21, 2004

Mr. Jim Galvin, AICP
Director of Planning and Inspections
City of Dover
P.O. Box 475
Dover, DE 19903-0475

RE: Plan of Services for Lands of Leonard and Catherine Moore
City of Dover File # AX-04-03
Tax Parcels ED-00-076.11-02-14.00-000
ED-00-076.11-02-19.00-000

Dear ~~Mr. Galvin~~, Jim

This letter is to confirm that we have received and accepted your completed Plan of Services for the above referenced annexation application. Our office has no objections to the annexation of this property and the City has completed all relevant annexation requirements per Title 22, Section 101, Delaware Code.

After this property has been annexed please notify our office in writing so that we may update our records and maps. A copy of the official annexation resolution should accompany this notification.

Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,

David L. Edgell, AICP
Principal Planner

cc: Connie Holland
Bruce Burcat, Executive Director, PSC
The Honorable Steven R. Speed, Mayor
Anthony DePrima, AICP, City Manager
Dawn E. Melson, AICP, Senior Planner