CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, September 19, 2016 – 7:00 P.M.
City Hall Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL
APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING and QUARTERLY WORKSHOP of August 15, 2016

COMMUNICATIONS & REPORTS

1) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, October 17, 2016 at 7:00pm in the City Council Chambers.

2) Update on City Council Actions

3) Update from Planning Office

4) Education and Training Opportunities
    a. APA Maryland/Delaware Regional Planning Conference: October 14-16, 2016 in Towson, Maryland

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

2) Revised Plan Information:
    A. S-16-07 The Arbors Senior Garden Apartments at 1051 College Road: Revised Plan – Information on Revisions to Site Plan application for construction of a 48-unit senior garden apartment complex consisting of a proposed three-story 55,350 S.F. residential building, active recreation area, and associated site improvements. The proposed Revisions consist of construction of a site entrance/drive aisle instead of the improved public street (Senior Way) connecting from College Road to Topaz Circle, and the reconfiguration of parking lot and walking trail system of the Active Recreation Area. The parcel is divided into two discontinuous areas on either side of existing street right-of-way and totals 3.77 acres. It is zoned RG-2 (General Residence Zone). The property is located on the north side of College Road and west of McKee Road. The owner of record is Shree Ganesh LLC. Address: 1051 College Road. Tax Parcel: ED-05-067.00-01-35.03-000. Council District 1. *The Planning Commission granted conditional approval of the Site Plan on March 21, 2016 including approval of waivers for the partial elimination of curbing and a reduction in the parking requirements.*

NEW DEVELOPMENT APPLICATIONS

1) S-16-17 Parking Lot at 623 Fulton Street – Public Hearing and Review of a Site Development Plan to replace an existing 11,600 S.F. +/- gravel parking lot with a thirty-four (34) space asphalt parking lot of the same area, with striping, parking bumpers, and lighting.

The purpose of the parking lot is to provide parking for adjacent properties. The property consists of 0.33 acres and is located on the north side of Fulton Street east of Ridgely Street. The property is zoned IPM (Industrial Park Manufacturing Zone). The owner of record is Harrington Commercial, LLC. Property Address: 623 Fulton Street. Tax Parcel: ED-05-076.08-01-13.00-000. Council District 4. *Waiver Requests: Elimination of Sidewalk Requirement, Partial Elimination of Curbing Requirement, Elimination of Bicycle Parking, and Elimination of Opaque Barrier (Fence Component). This application is associated with approved variance V-15-06 (granted March 18, 2015) to allow the property to use gravel surfacing for a specific time period.*

2) S-16-18 Loockerman Way Redevelopment Master Plan: Two Mixed Use Buildings at 126 West Loockerman Street – Public Hearing and Review of a Site Development Master Plan, Active Recreation Area Plan, and Architectural Review Certification to permit in two phases the construction of retail and restaurant space and a total of twenty (20) apartment units in two mixed use buildings on the existing site known as Loockerman Way. Phase 1 is to consist of the three story 24,960 S.F. west building (5,860 S.F. +/- retail and eight (8) apartment units) while Phase 2 is to consist of the four story 29,272 S.F. east building (6,913 S.F. +/- retail and twelve (12) apartment units). Reconfiguration of the existing plaza on site and construction of additional parking are also proposed. The property consists of 1.14 acres and is located on the south side of West Loockerman Street between South Governors Avenue and South State Street. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District zone). The owner of record is the Downtown Dover Partnership and the equitable owner is Loockerman Plaza, LLC. Property Address: 126 West Loockerman Street. Tax Parcel: ED-05-077.09-04-06.00-000. Council Districts 4. *Waiver Request: Reduction of Parking Requirement. This application is associated with application HI-16-05 to the Historic District Commission. On July 21, 2016 and August 18, 2016, the Historic District Commission recommended approval an Architectural Review Certificate subject to conditions for this project.*

3) S-16-19 Schutte Park Public Works Yard – Public Hearing and Review of a Site Development Plan to permit construction of a maintenance building, a greenhouse, a salt barn, two truck wash stations, material storage, and other improvements at the City Department of Public Works Yard in Schutte Park. The total area of proposed new buildings is 7,855 S.F. The property consists of 104.33 acres and the project area consists of approximately 15.61 acres. The project site is located at the end of Electric Avenue inside Schutte Park. The property is zoned ROS (Recreational and Open Space Zone) and is subject to the SWPOZ-3 (Source Water Protection Overlay Zone- Tier 3 Excellent Recharge Area). The owner of record is the City of Dover. Property Address: 10 Electric Avenue. Tax Parcel: ED-05-076.00-01-06.00-000. Council District 2. *Waiver Request: Reduction of Parking Requirement; Elimination of Sidewalk Requirement; Consideration of Area Subject to Tree Planting Requirement; and Consideration of a Tree Mitigation Plan*

NEW BUSINESS

ADJOURN

THE AGENDA ITEMS MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

Posted Agenda: posted September 9, 2016

CITY OF DOVER PLANNING COMMISSION
August 15, 2016

The Regular Meeting of the City of Dover Planning Commission was held on Monday, August 15, 2016 at 7:00 PM with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Roach, Mr. Holt, Mr. Baldwin, Ms. Maucher and Mr. Tolbert. Dr. Jones and Mrs. Welsh were absent.

Staff members present were Mrs. Ann Marie Townshend, Mrs. Dawn Melson-Williams, Mr. Bill Cook, Mr. Eddie Diaz and Mrs. Kristen Mullaney. Also present were Mr. Ed Ide, Mr. Nick Thomas, Mr. Sean Mace, Mr. Tom Barnett, Mr. Mark Prata and Ms. Monika Sloan. Speaking from the public was Mr. Phil McGinnis.

APPROVAL OF AGENDA

Ms. Maucher moved to approve the agenda as submitted, seconded by Mr. Holt and the motion was unanimously carried 6-0.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF JULY 18, 2016

Mr. Baldwin moved to approve the Planning Commission Meeting minutes of July 18, 2016, seconded by Mr. Holt and the motion was unanimously carried 6-0.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that they are not having a separate Quarterly Workshop this month; it's being combined with tonight's agenda since there was not a very heavy agenda.

Mrs. Townshend stated that the next Planning Commission meeting is scheduled for Monday, September 19, 2016 at 7:00pm in the City Council Chambers.

Mrs. Townshend provided an update on the regular City Council and various Committee meetings held on June 27 & 28, July 11 & 12, July 25 & 26 and August 8 & 9, 2016.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Townshend presented the audience information on policies and procedures for the meeting.

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS Regarding APPLICATIONS

1) S-16-16 Eden Hill Farm Traditional Neighborhood Design: Professional Office, Medical & Financial District – Phase 2, Eden Hill Skilled Nursing Facility (Building 4) – Review and Consideration of Minor Amendments related to building size & form, parking requirements and site improvements proposed with the Administrative Site Plan S-16-16 for Phase 2: Building 4 of the Professional Office, Medical and Financial District component of the Eden Hill Farm Traditional Neighborhood Design. The Implementation Plan S-06-26 for the

POMF District as approved consists of nine buildings, parking areas, open space areas and the street layout in multiple phases. The project is located on an overall parcel consisting of 25.47 acres ± of land and is zoned TND (Traditional Neighborhood Design). The project is located on the south side of West North Street and west of the railroad corridor flanking Banning Street. The owner of record is Eden Hill Medical Center, LLC. Tax Parcel: ED-05-076.00-01-13.02-000. *POMF Implementation Plan S-06-26 was granted final approval on October 2, 2007 and Phase 1 of the POMF District was constructed under Administrative Site Plan S-06-42.*

Representatives: Mr. Ed Ide III, I3a Consulting Engineers; Mr. Nick Tomasi, BBL Construction Services; Mr. Sean Mace, Eden Hill SNF; Mr. Tom Barnett, Eden Hill Medical Center

Mrs. Melson-Williams stated that this is an Administrative Site Plan. For the Commission members who are not familiar with the Traditional Neighborhood Design process for the City, this will enlighten them a little bit about a portion of that process.

This is application S-16-16 for the Eden Hill Farm Traditional Neighborhood Design project. It's actually the only TND we have in the City. It consists of three (3) different districts. Specifically, tonight they are looking at the Professional Office Medical and Financial District. Most people would probably recognize that district area if she mentioned the Eden Hill Medical Center which is a very large building on the south side of North Street just west of Banning Street where multiple offices are housed in that facility. This application tonight is focusing on Phase 2 of that district which is a proposal for a skilled nursing facility, it's labeled as Building 4. As part of the TND process, once an implementation plan is established for the district the development of each phase of that district is subject to an Administrative Site Plan review process. Meaning that it is a Staff level and agency level review. With the financial district, the implementation plan which was previously reviewed and approved by the Planning Commission consisted of a total of nine (9) buildings. This is a plan that focuses on what was constructed in Phase 1. The large Building 1 and 2 which is the Eden Hill Medical Center, the associated parking lot areas and the access including Banning Street and the access to the building.

Tonight we are dealing with what is now called Phase 2 which is the southern square just to the west of Banning Street. For the Administrative review process, they submitted a plan for what is a proposed three (3) story building in this Phase 2 area. As mentioned, it's been moving through and Administrative process and what Staff does during that Administrative process is compare the proposal for that phase with the Implementation Plan that has been established for the district as well as the Pattern Book which is kind of the rules and guidelines for development in the district. With this project there are a number of things that Staff has identified that are either minor or clarifying amendments to the Implementation Plan and to the Pattern Book and they've summarized them for the Commission. Staff is basically presenting them to the Commission to update them on the process that this project is going through. In the report summary beginning on Page 3 there is a chart that identifies these series of clarifying amendments which are slight changes to original proposal that we are focused on tonight.

The first one is a change of phase order. Phase 2 will now consist of Building 4. Originally, it was proposed for Phase 2 to consist of Building 3 which is the building area that is closer to North Street. The second revision is related to building size. The original plan for the district identified

Building 4 as a three (3) story building just over 35,000 square feet. With this proposal, Building 4 remains as a three (3) story building; however, the size has increased to 65,000 square feet. While the building size has increased, they believe that it is mainly related to the type of facility that is proposed for this building. The skilled nursing facility is one of the allowable uses in this zone. The specific uses for each of the buildings throughout the district were not fully identified at the time of Implementation Plan. We anticipate some types of changes to the building shape as a particular phase gets ready to come online. The maximum floor area in total for the district would not be exceeded; we are just at Phase 2 of this. There is a maximum building footprint limitation in this district; however, this proposal likewise does not exceed that. Staff is comfortable with while the building appears to be increasing in size, it's certainly within the intent of the overall district.

The next item is related to building height. It is a three (3) story building. They have the initial color rending for a concept for this building. You can see that it is three (3) stories. The Pattern Book establishes guidelines for height for construction the district with those limitations being three (3) story and forty (40) feet. Their proposal, and they've gotten some clarifying information from the applicant's representatives recently, is that the height to the roof level is actually forty-six (46) feet and then there is a taller parapet wall system of varying heights as you can see on the building. The top of the parapet is just over fifty-two (52) feet in height. The Pattern Book does account for this concept of roof top areas that are unoccupied space. They may be steeples or dealing with mechanical systems and it does allow for those types of areas to extend to a height of sixty-five (65) feet. Staff is comfortable with this proposal with a building roof height being forty-six (46) which does exceed the forty (40) feet; however, it's related to floor to ceiling heights within the building which accommodate increased mechanical system spaces between floors. It is not unlike Buildings 1 and 2 that exist on the property. While it looks like it is four (4) stories with a set of dormers and the mansard roof system that is not occupyable space on that existing building. There is certainly some precedent that's set for a slightly taller building that's focused on dealing with the systems that the building needs to have. Staff is comfortable with what they are proposing with this Phase 2 building.

The building footprint itself did change. It was previously kind of an "L"' shaped building that presented a main façade to Banning Street. The presentation to Banning Street as a front does continue. The building is more "T" shaped now and there is another main entrance on what is the parking lot side of the building. But the building still presents a streetscape to Banning Street which is the public street in this district and has this corner element as you enter the overall complex that is maintained.

The next amendment is related to parking. This plan proposes construction of about ninety-five (95) parking spaces. Staff notes that Phase 1 actually constructed more parking than it was required to so there's access parking available that can certainly accommodate any parking needs for both the existing facility that is there as well as other ones such as this that begin to come online. The applicant also presented information on what their typical parking needs are related to staffing and visitors that are expected. With a skilled nursing facility, much of the space is occupied by beds and not necessarily everyone in a bed needs a place to park. The Implementation Plan for the district actually established a parking space rate based on floor area. When the calculation is done for this building it result in what Staff believes is an over-parking requirement based on the function of this building. Staff is comfortable with the proposal of ninety-five (95) parking spaces, recognizing the fact that the TND Project is intended to be walkable, pedestrian friendly and multi-modal access

which this project overall has. There are opportunities for shared parking to be able to walk between buildings or arrive on-site via bicycle or bus as well. Staff is comfortable for their proposal for the ninety-five (95) parking spaces. Ultimately, there are other areas of the district to be constructed and if parking becomes an issue that can be addressed in other methods.

The project does include an entrance from Banning Street on the far south end of the building. It's intended to be sort of a service drive. It accesses what would be the loading areas of the building so that those types of vehicles providing service needs to the building don't have to make the entrance drive loop that comes in off of Banning Street.

The last item that is noted is the community walking trail. The overall district includes a walking trail system in the far eastern portion of the district near the train tracks. A portion of that trail near the stormwater management pond was constructed initially in Phase 1. The applicant has asked to delay construction of that walking trail

2) C-15-04 The Grande, Building 4: Planned Neighborhood Design – Senior Citizen Housing Option: Review of Cash-in-lieu of Active Recreation Area Payment – Review of the payment amount for Cash-in-lieu of Active Recreation Area construction as associated with the Conditional Use Site Plan to establish The Grande: Planned Neighborhood Design development of Senior Citizen Housing. The Active Recreation Area Plan for The Grande, an apartment complex to consist of a total of 192 apartment units of Senior Housing, is comprised of 22,569 SF of recreation area with amenities and a deficit of 6,231 SF of recreation area. This application detailed construction of Building 4 on The Grande property which consists of a total of 6.7326 acres ± and is zoned RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection. The owner of record is Doveview Investors, LLC. Property Addresses: 101-405 Doveview Drive. Tax Parcel: ED05-076.07-01-30.00-000. Council District 1. *Cash-in-lieu amount of $22,914 was accepted by the Parks, Recreation & Community Enhancement Committee on July 12, 2016 and by City Council on July 25, 2016.*

Representatives: Mr. Mark Prata, Doveview Investors, LLC

NEW DEVELOPMENT APPLICATIONS

1) C-16-04 90 Saulsbury Road Clubhouse and Pool, Associated with The Grande: Planned Neighborhood Design – Senior Citizen Housing Option – Public Hearing and Review of a Conditional Use Site Plan application to permit the construction of a 2,500 S.F. ± clubhouse building, pool, parking and access walkway connecting to The Grande apartment complex. The project may include a Parcel Consolidation Plan to join the clubhouse property to the main Grande property. The clubhouse property consists of 1.48 acres and is located on the west side of Saulsbury Road near Carver Road. The property is zoned C-2A (Limited Central Commercial Zone) subject to the COZ-1 (Corridor Overlay Zone), and will become part of The Grande PND-SCHO. The owner of record is 90 Saulsbury Road. Tax Parcel: ED-05-076.07-01-28.00-000. Council District 1. *Waiver Request: Partial Elimination of Upright Curbing. This application is associated with development applications for The Grande (previously known as Doveview Apartments) at 101-405 Doveview Drive, including*

C-15-04 (Building 4), S-11-12 (Building 1-3) and C-06-02 (for establishment of the Planned Neighborhood Design – Senior Citizen Housing Option).

Representatives: Ms. Monika Sloan, Northpoint Engineering

NEW BUSINESS

1) MI-16-12 Text Amendment: Height in COZ-1 (Corridor Overlay Zone) – Public Hearing and Review for Recommendation to City Council on a Text Amendment to the *Zoning Ordinance,* Article 3, Section 27.66 – Building Height. The proposed amendment would revise the building height limitation for a defined area on properties within the Corridor Overlay Zone (COZ-1). Specifically, areas within one hundred (100) feet of a right-of-way line of the roadways referenced in the *Zoning Ordinance,* Article 3, Section 27.3 – Zone Boundaries would remain subject to the current two-story, 35-foot height limitation, while areas outside this buffer would have no height restrictions other than those applying to underlying zoning. Ordinance #2016-18. *Final Reading/Public Hearing is scheduled before City Council for September 12, 2016.*
   A. A copy of the proposed Ordinance #2016-18 is available on the City's website http://www.cityofdover.com/ under the Government Heading: Ordinances, Resolutions & Tributes.

Representatives: None

Mrs. Townshend stated that this is an amendment to the Corridor Overlay Zone. The area highlighted in green on the display that goes from the railroad tracks along Route 8 to Artis Drive and then up and down Saulsbury Road and McKee Road is subject to the provisions of the Corridor Overlay Zone. The Corridor Overlay Zone is principally design guidelines for how properties are developed. There is quite a bit regarding buildings and what you see from the road, i.e. the location of parking and landscaping. It is just an improvement over what you would see along Route 13. One of the provisions of the Corridor Overlay Zone is that it limits the height of buildings to thirty-five (35) feet and two stories. This proposed amendment would take that restriction of height only to one hundred (100) feet of the lot depth. For a lot that is deeper than one hundred (100) feet from the road, the remainder of that parcel would be subject to the height restrictions of the zone. There are some zones where you might be able to do six (6) stories; some might be three (3) stories depending on the zone. At this point, regardless of what the zoning underneath says because of the way the Corridor Overlay Zone is written everything in the COZ-1 zone is limited to thirty-five (35) feet and two stories. This would simply allow beyond one hundred (100) feet from the road to be taller than that based on whatever the zoning of the parcel is.

Ms. Maucher stated that she was looking at the Kent County Association of Realtors letter and the Corridor Overlay Zone is a twenty-five (25) year old ordinance. Was there a specific request for this or is this just an effort to update the Ordinance all together? Responding to Ms. Maucher, Mrs. Townshend stated that in this case there was a specific request. The Corridor Overlay Zone came about after a study of the Route 8 Corridor and the Saulsbury/McKee Road Corridor back in the early 1990's and then the Corridor Overlay Zone was adopted. They did a pretty significant change in 2007 but there are probably other amendments that are due like this one in particular. As they have tried to urbanize things more, they are less intimidated than they might have been twenty-five

(25) years ago by a building that is over two stories. This was actually brought forward by the real estate community and has Council sponsors. This was not Staff's review of the Ordinance; it was something that was brought forward for practical reasons and had support from members of Council to take it forward. The Planning Office is also in support because it does make sense.

Mr. Tolbert opened a public hearing.

Mr. Phil McGinnis – McGinnis Realty, 555 E Loockerman Street Dover DE 19901

Mr. McGinnis stated that he supports the text amendment because he supports anything that improves the way we do things around town. The Corridor Overlay Zone is actually illegal. You don't have overlay zones; the Chancellery Court has told Levy Court that. They are trying to preserve the first one hundred (100) feet and then after that, let the zoning districts do what the zoning districts are supposed to do which is help develop the City properly.

Mr. Holt stated that this certainly gives a lot more flexibility to the builders and real estate people to develop a property. Responding to Mr. Holt, Mr. McGinnis stated yes, it absolutely does. It actually makes that area with all of the infrastructure that's already in place a little more appealing because you are not limited by an artificial restriction.

Mr. Tolbert stated that Mr. McGinnis cited a legal issue that has been resolved by Kent County. Responding to Mr. Tolbert, Mr. McGinnis stated that Levy Court did an overlay zone out by Route 9 where as you went further east your lot sizes had to be larger and larger. The farmers sued the County about that and the Chancellery Court overturned overlay zones.

Mrs. Townshend stated that the Chancellery Court overturned "that" overlay zone not all overlay zones. No other overlay zones were nullified and the others that were in place at that time are somewhat protected by virtue of the Statute of Repose. It prevents us from enacting additional overlay zones in the future.

Mr. Baldwin stated that looking at the wording where it says "roadways", will that create a problem for people on corner properties? Responding to Mr. Baldwin, Mrs. Townshend stated no more than it already does. When something is on a corner lot it is already treated as having two fronts: so, it doesn't make it any more challenging to lay those properties out than it is now. For instance, if you look at the CVS and the Walgreen's; they are both on corner lots. In Walgreen's case, she thinks they did get a variance but the CVS complies with the requirements of the Corridor Overlay Zone as a corner building.

Mr. McGinnis stated that there are only two intersections in that zone and all four (4) corners are fully developed and no change is expected during his lifetime.

Mrs. Melson-Williams stated that there was a letter dated July 12, 2016 addressed to Tim Slavin, the Council President. It was received from the Kent County Association of Realtors and signed by their current year President, Michael Harrington, Jr. It indicates in the text of the letter that the Kent County Association of Realtors supports to text amendment to the Corridor Overlay Zone which would modify the height limitations.

Mr. Tolbert closed the public hearing.

Mr. Holt recommended approval to City Council for MI-16-12 Text Amendment: Height in COZ-1 (Corridor Overlay Zone) as submitted, seconded by Mr. Holden and the motion was unanimously carried 6-0 by roll call vote. Mr. Holden voting yes; it's a wise update to an older regulation and it makes sense. Mr. Roach voting yes. Mr. Holt voting yes; it's a very much needed addition for the real estate market and to the whole area on the overlay zones. Mr. Baldwin voting yes; it allows some flexibility for new building heights. Ms. Maucher voting yes; it's a modernization of ordinances as well as increases possibility for new development. Mr. Tolbert voting yes; after hearing the comments and the overview the passage will facilitate development in the City for buildings that need this kind of amendment.

8:06:20

Meeting adjourned at 8:47 PM.

Sincerely,

Kristen Mullaney
Secretary

MEMORANDUM

Department of Planning & Inspections
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196

DATE: September 9, 2016

TO: Planning Commission

FROM: Planning Office

SUBJECT: Revised Plan Information
S-16-07 The Arbors Senior Garden Apartments at 1051 College Road: Revised Plan
ED-05-067.00-01-35.03-000

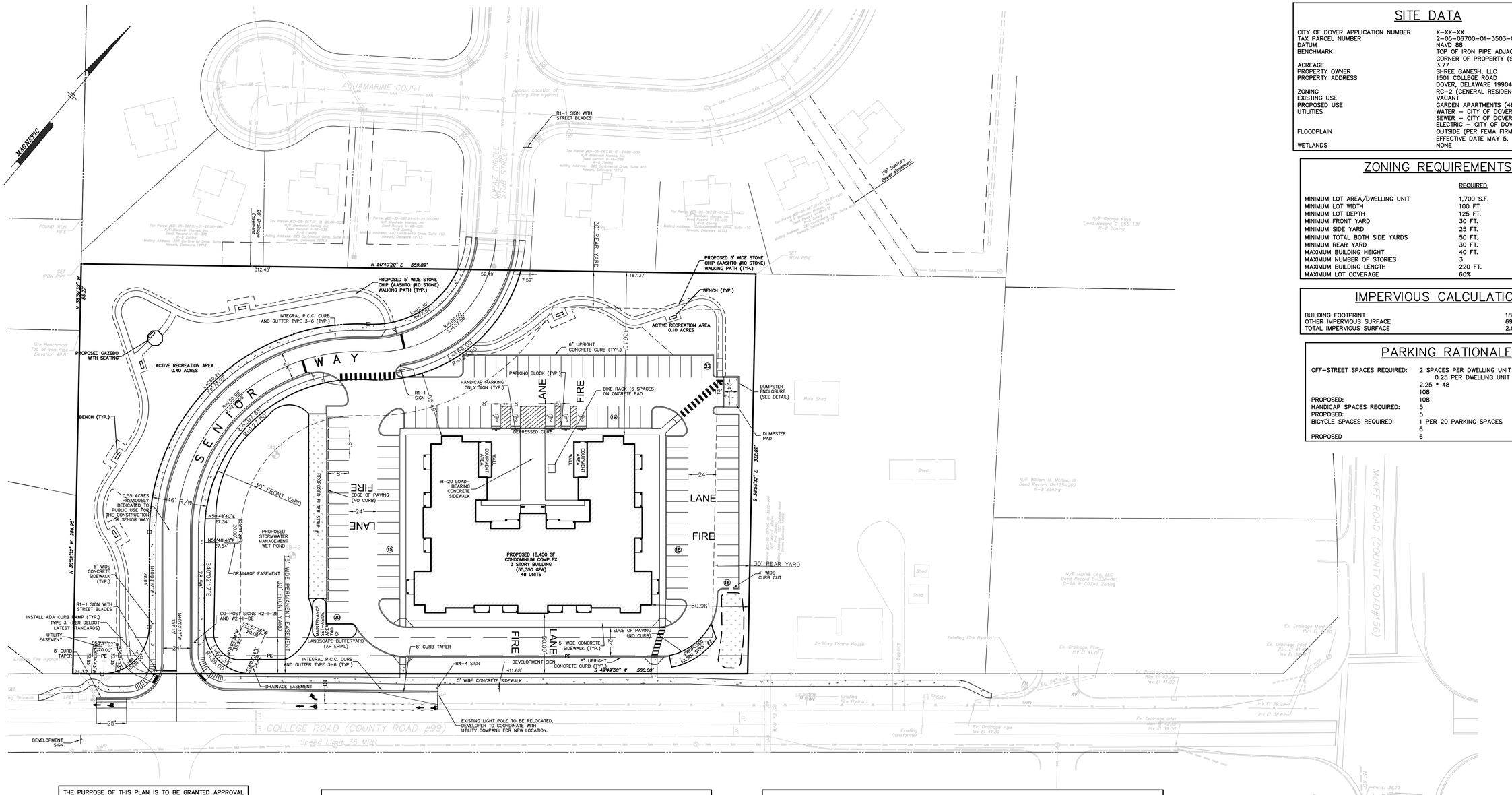
This Site Plan application S-16-07 The Arbors Senior Garden Apartments at 1051 College Road is presented to the Planning Commission as information regarding a series of proposed plan revisions. These Plan Revisions include the proposal for construction of a site entrance/drive aisle instead of the concept for site access from an improved public street (to be constructed as Senior Way) connecting from College Road to Topaz Circle; reconfiguration of the on-site parking lot; and reconfiguration of the walking trail system of the Active Recreation Area.

The Arbors property is located on the north side of College Road and west of McKee Road. Over the years, it has been the subject of multiple applications. The most recent application for development of this property was considered by the Planning Commission on March 21, 2016. At that meeting the City of Dover Planning Commission granted conditional approval of the Site Plan for construction of a three-story 55,350 S.F. building as senior garden apartment building of 48 residential units in accordance with the conditions of approval including the Staff Recommendations and agency comments outlined in the Development Advisory Committee (D.A.C.) Report dated March 9, 2016. The conditional approval also included an Active Recreation Area Plan and approval of waivers for the partial elimination of curbing and a reduction in the required parking for the site (reduction of ten spaces).

Currently, City Council is considering a request for the Abandonment of Topaz Circle Stub Street[1]; a public hearing on this Abandonment Request is scheduled for the City Council Meeting of September 12, 2016. Planning Staff will report to the Planning Commission on the outcome of the Abandonment Request and its implications for this project which is located on an adjacent property. In anticipation of action to abandon the Topaz Circle stub street, The Arbors project has submitted a Revised Plan. This Revised Plan is being presented to the Planning Commission.

It is noted that the applicant will need to continue to work with Planning Staff and the other review agencies in the Check Print Review process to achieve Final Plan approval of Site Plan S-16-07 in order to commence construction. Compliance of this Revised Plan with the *Zoning Ordinance* and other applicable regulations will be reviewed during the Check Print Review Process. Planning Staff will also determine the appropriate process for abandonment of the recorded right-of-way for the proposed public street known as Senior Way.

[1] The Planning Commission participated in the Review of the Request for the Abandonment of Topaz Circle Stub Street as application MI-16-06. Following a public hearing on July 18, 2016 where no members of the public spoke with regards to the abandonment proposal, the Planning Commission voted unanimously (8-0) to recommend that City Council deny the request to abandon the Topaz Circle stub street.



SITE DATA

CITY OF DOVER APPLICATION NUMBER	X-XX-XX
TAX PARCEL NUMBER	2-05-06700-01-3503-000
DATUM	NAVD 88
BENCHMARK	TOP OF IRON PIPE ADJACENT TO NORTHWEST CORNER OF PROPERTY (SEE PLAN)
ACREAGE	3.77
PROPERTY OWNER	SHREE GANESH, LLC
PROPERTY ADDRESS	1501 COLLEGE ROAD DOVER, DELAWARE 19904
ZONING	RG-2 (GENERAL RESIDENCE ZONE)
EXISTING USE	VACANT
PROPOSED USE	GARDEN APARTMENTS (48 UNITS)
UTILITIES	WATER - CITY OF DOVER SEWER - CITY OF DOVER ELECTRIC - CITY OF DOVER
FLOODPLAIN	OUTSIDE (PER FEMA FIRM PANEL #10001C0166H, EFFECTIVE DATE MAY 5, 2003)
WETLANDS	NONE

ZONING REQUIREMENTS

	REQUIRED	PROPOSED
MINIMUM LOT AREA/DWELLING UNIT	1,700 S.F.	3,421 S.F.
MINIMUM LOT WIDTH	100 FT.	560 FT.
MINIMUM LOT DEPTH	125 FT.	332.02 FT.
MINIMUM FRONT YARD	30 FT.	50 FT.
MINIMUM SIDE YARD	25 FT.	N/A
MINIMUM TOTAL BOTH SIDE YARDS	50 FT.	N/A
MINIMUM REAR YARD	30 FT.	136.15 FT.
MAXIMUM BUILDING HEIGHT	40 FT.	38 FT.
MAXIMUM NUMBER OF STORIES	3	3
MAXIMUM BUILDING LENGTH	220 FT.	147 FT.
MAXIMUM LOT COVERAGE	60%	54%

IMPERVIOUS CALCULATIONS

BUILDING FOOTPRINT	18,450 S.F.
OTHER IMPERVIOUS SURFACE	69,390 S.F.
TOTAL IMPERVIOUS SURFACE	2.02 AC. (54%)

PARKING RATIONALE

OFF-STREET SPACES REQUIRED:	2 SPACES PER DWELLING UNIT + 0.25 PER DWELLING UNIT FOR VISITOR SPACE
	2.25 * 48
	108
PROPOSED:	108
HANDICAP SPACES REQUIRED:	5
PROPOSED:	5
BICYCLE SPACES REQUIRED:	1 PER 20 PARKING SPACES
	6
PROPOSED	6

THE PURPOSE OF THIS PLAN IS TO BE GRANTED APPROVAL TO CONSTRUCT ONE (1) FOURTY-EIGHT (48) UNIT GARDEN APARTMENT COMPLEX ON THE SUBJECT PROPERTY.

OWNER CERTIFICATION

I, MANISH PATEL, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

MANISH PATEL
SHREE GANESH, LLC

DATE

ENGINEER CERTIFICATION

I, DOUGLAS D. BARRY, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DOUGLAS D. BARRY, P.E.
T&M ASSOCIATES

DATE

GENERAL NOTES

1. DATE OF FIELD SURVEY - BOUNDARY (7-1-04); TOPO (12-18-04). SURVEY WAS CONDUCTED BY SCOTT ENGINEERING INC.
2. GRAPHIC INFORMATION FOR EMERALD POINTE SUBDIVISION TAKEN FROM CONSTRUCTION PLANS FOR EMERALD POINTE PREPARED BY KARINS AND ASSOCIATES CONSULTING ENGINEERS, DATED DECEMBER 31, 2003.
3. PROPERTY MAY BE SUBJECT TO RESTRICTIONS AND EASEMENTS DESCRIBED IN DEED RESTRICTIONS OR AS FOUND IN SUBSEQUENT TITLE SEARCH.
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7. ANY PROPOSED GAS FIRED HVAC EQUIPMENT MUST BE EQUIPPED WITH REMOTELY LOCATED EMERGENCY CUT-OFF SWITCHES.
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11. A BUILDING SPRINKLER SYSTEM IS REQUIRED AND THE SYSTEM SHALL BE MONITORED. ALL PORTIONS OF THE FIRST FLOOR SHALL BE WITHIN 600 FEET OF A FIRE HYDRANT.
12. A BUILDING FIRE ALARM SYSTEM IS REQUIRED AND SHALL BE MONITORED.
13. A KNOX BOX IS REQUIRED FOR THIS PROJECT.

GENERAL NOTES (CONTINUED)

14. ELEVATOR CARS SHALL MEET THE INTERIOR DIMENSIONS SET FORTH IN THE DELAWARE STATE FIRE PREVENTION CODE.
15. PROJECT TO BE COMPLETED PER THE APPROVED SITE PLAN. CITY OF DOVER FIRE DEPARTMENT REQUESTS THAT AN 8½ X 11 COPY OF THE FLOOR PLAN AND SITE PLAN BE SUBMITTED TO STATION 1, ATTENTION FIRE CHIEF, PRIOR TO THE CERTIFICATE OF OCCUPANCY BEING ISSUED.
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17. ACTIVE OPEN SPACE WILL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION ESTABLISHED FOR THE PROPERTY.
18. IT IS REQUIRED AS PART OF THIS DEVELOPMENT AND IT SHALL BE STATED IN THE DEED RESTRICTIONS AND COVENANTS THAT THE HEAD OF EACH HOUSEHOLD IN THIS DEVELOPMENT SHALL BE FIFTY FIVE (55) YEARS OF AGE OR OLDER.
19. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY BY THE KENT CONSERVATION DISTRICT.
20. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
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22. HYDRANT CONNECTIONS BY THE CONTRACTOR ARE PROHIBITED. THIS METHOD MAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
23. ONLY PRUNE OR REMOVE EXISTING TREES WHERE REQUIRED TO CONSTRUCT IMPROVEMENTS IN THE COLLEGE ROAD RIGHT-OF-WAY.

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

ACTIVE RECREATION AREA CALCULATIONS

REQUIRED:	275 S.F. PER DWELLING UNIT OR 0.5 ACRE OF LAND, WHICHEVER IS GREATER
	0.50 ACRE
PROPOSED:	0.50 ACRE

NO.	DATE	REVISIONS	BY	CHECKED

SHREE GANESH, LLC

THE ARBORS SENIOR GARDEN APARTMENTS
CITY OF DOVER APPLICATION #X-XX-XX
CITY OF DOVER, DELAWARE

SITE PLAN

T&M ASSOCIATES
1000 N. WEST STREET, SUITE 1203
WILMINGTON, DE 19801
TEL 302-295-4925
www.tandmassociates.com

DOUGLAS D. BARRY, P.E.
02/05/16
PROFESSIONAL ENGINEER
DE LIC. No. 13160
DATE

DOUGLAS D. BARRY — No. 13061 — DELAWARE PROFESSIONAL ENGINEER

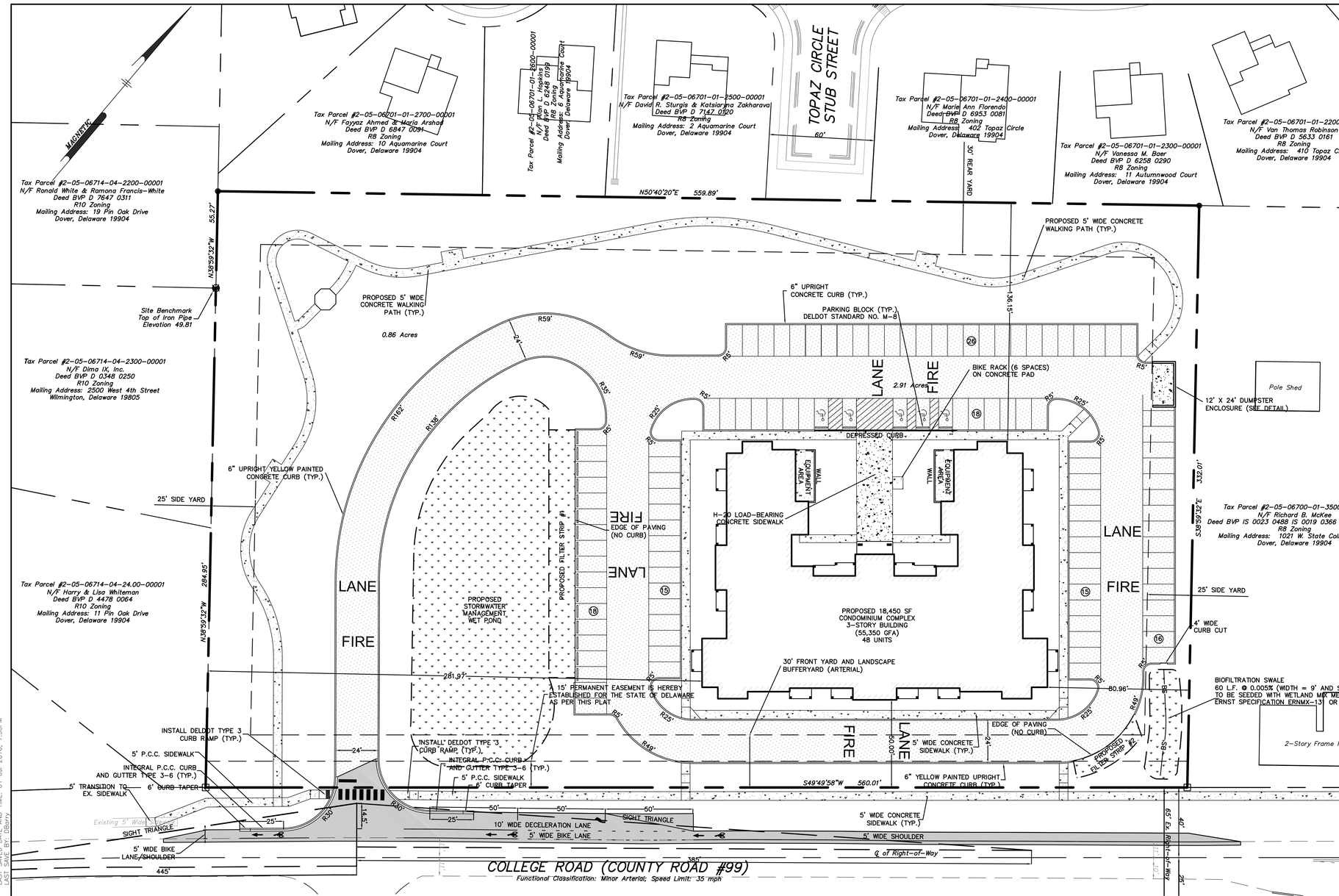
DATE: 02/05/16

SHEET 2 OF 9

SP-1

DESIGNED BY	DRAWN BY	CHECKED BY
DDB	DDB	DDB
PROJECT NO.	CADD FILE	SCALE
YGMB00010	Q:/YGMB/00010	1"=40'

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SITE DATA

CITY OF DOVER APP. #	S-16-07
TAX PARCEL NUMBER	2-05-06700-01-3503-000
DATUM	NAVD 88
BENCHMARK	TOP OF IRON PIPE ADJACENT TO NORTHWEST CORNER OF PROPERTY (SEE PLAN)
ACREAGE	4.32
PROPERTY OWNER	SHREE GANESH, LLC
PROPERTY ADDRESS	1051 COLLEGE ROAD DOVER, DELAWARE 19904
ZONING	RC-2 (GENERAL RESIDENCE ZONE)
EXISTING USE	VACANT
PROPOSED USE	GARDEN APARTMENTS (48 UNITS)
UTILITIES	WATER - CITY OF DOVER SEWER - CITY OF DOVER ELECTRIC - CITY OF DOVER
FLOODPLAIN	OUTSIDE (PER FEMA FIRM PANEL #10001C0166H, EFFECTIVE DATE MAY 5, 2003)
WETLANDS	NONE
POSTED SPEED LIMIT	35 MPH
INVESTMENT LEVEL AREA	1

IMPERVIOUS CALCULATIONS

BUILDING FOOTPRINT	18,450 S.F.
OTHER IMPERVIOUS SURFACE	66,113 S.F.
TOTAL IMPERVIOUS SURFACE	1.94 AC. (45%)

PARKING RATIONALE

OFF-STREET SPACES REQUIRED:	2.25 SPACES PER DWELLING UNIT 2.25 * 48 108
PROPOSED:	108
HANDICAP SPACES REQUIRED:	5
PROPOSED:	5
BICYCLE SPACES REQUIRED:	1 PER 20 PARKING SPACES 6
PROPOSED	6

ZONING REQUIREMENTS

	REQUIRED	PROPOSED
MINIMUM LOT AREA/DWELLING UNIT	1,700 S.F.	3,920 S.F.
MINIMUM LOT WIDTH	100 FT.	560.01 FT.
MINIMUM LOT DEPTH	125 FT.	332.01 FT.
MINIMUM FRONT YARD	30 FT.	50 FT.
MINIMUM SIDE YARD	25 FT.	80.96'
MINIMUM TOTAL BOTH SIDE YARDS	50 FT.	362.93 FT.
MINIMUM REAR YARD	30 FT.	136.15 FT.
MAXIMUM BUILDING HEIGHT	40 FT.	38 FT.
MAXIMUM NUMBER OF STORIES	3	3
MAXIMUM BUILDING LENGTH	220 FT.	147 FT.
MAXIMUM LOT COVERAGE	60%	45%

THE PURPOSE OF THIS PLAN IS TO BE GRANTED APPROVAL TO CONSTRUCT ONE (1) FOURTY-EIGHT (48) UNIT GARDEN APARTMENT COMPLEX ON THE SUBJECT PROPERTY.

OWNER CERTIFICATION

I, CONSTANTINE F. MALMBERG, III, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

CONSTANTINE F. MALMBERG, III — DATE
SHREE GANESH, LLC

ENGINEER CERTIFICATION

I, DOUGLAS D. BARRY, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DOUGLAS D. BARRY, P.E. — DATE
T&M ASSOCIATES

GENERAL NOTES

1. DATE OF FIELD SURVEY – BOUNDARY (7-1-04); TOPO (12-18-04). SURVEY WAS CONDUCTED BY SCOTT ENGINEERING INC.
2. GRAPHIC INFORMATION FOR EMERALD POINTE SUBDIVISION TAKEN FROM CONSTRUCTION PLANS FOR EMERALD POINTE PREPARED BY KARINS AND ASSOCIATES CONSULTING ENGINEERS, DATED DECEMBER 31, 2003.
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13. A KNOX BOX IS REQUIRED FOR THIS PROJECT.

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22. ONLY PRUNE OR REMOVE EXISTING TREES WHERE REQUIRED TO CONSTRUCT IMPROVEMENTS IN THE COLLEGE ROAD RIGHT-OF-WAY.
23. A WAIVER FOR PARTIAL ELIMINATION OF PARKING LOT CURBING WAS GRANTED BY THE CITY OF DOVER PLANNING COMMISSION AT ITS MARCH 21, 2016 MEETING.

DELDOT GENERAL NOTES (LAST REVISED JUNE 30, 2016)

1. ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
2. SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
3. UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHARED-USE PATH ACROSS THIS PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OR BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES, AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S "SHARED-USE PATH AND/OR SIDEWALK TERMINATION POLICY".
4. THE SIDEWALK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS OR BOTH WITHIN THIS SUBDIVISION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE FOR THE SIDEWALK.
5. THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

NO.	BY	REVISIONS	DATE

DOUGLAS D. BARRY, P.E.
GROUP MANAGER
LICENSED PROFESSIONAL ENGINEER
STATE OF DELAWARE LICENSE NO. 13061
07-01-16

NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
CERTIFICATE OF AUTHORIZATION 24GA27987500

SHREE GANESH, LLC

THE ARBORS SENIOR GARDEN APARTMENTS
CITY OF DOVER APPLICATION #S-16-07
CITY OF DOVER, KENT COUNTY, DELAWARE

SITE PLAN

T&M AND ASSOCIATES
YOUR GOALS. OUR MISSION.
1000 N. WEST STREET, SUITE 1203
WILMINGTON, DE 19801
TEL 302-295-4925
OFFICES LOCATED IN:
DELAWARE, INDIANA, KENTUCKY, MASSACHUSETTS, MICHIGAN, NEW JERSEY, OHIO AND PENNSYLVANIA

DESIGNED BY	DDB
CHECKED BY	DDB
DRAWN BY	DDB
DATE	07/01/16
SCALE	1"=30'
PROJ. NO.	YGMB-00010
DRAWING	SITE PLAN.DWG
SHEET	SP-1 3 OF 24

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PROJECT INFORMATION:
FILE PATH: G:\YGMB\00010\Plans\
FILE NAME: SITE PLAN.DWG
LAST SAVED DATE AND TIME: 01 Jul 2016, 7:50PM
LAST SAVE BY: DBarry

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 7, 2016

PLANNING COMMISSION MEETING OF September 19, 2016

Plan Title:	Parking Lot at 623 Fulton Street (S-16-17)
Address:	623 Fulton Street
Plan Type:	Site Development Plan
Owners of Record:	Harrington Commercial, LLC
Location:	North side of Fulton Street east of Ridgely Street
Tax Parcel:	ED-05-076.08-01-13.00-000
Site Area:	0.33 acres (14,477 S.F.)
Zoning:	IPM (Industrial Park Manufacturing Zone)
Existing Use:	Accessory Parking, crushed stone surface
Proposed Use:	Accessory Parking, asphalt surface with other improvements
Building Area:	No buildings on site
Impervious Areas:	Existing – 80.58% Proposed – 80.16%
Off Street Parking:	34 parking spaces as an accessory use to nearby businesses
Waivers Requested:	Elimination of Bicycle Parking, Elimination of Opaque Barrier (Fence Component), Partial Elimination of Curbing, Elimination of Sidewalk

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 7, 2016

APPLICATION: Parking Lot at 623 Fulton Street, Dover, DE

FILE #: S-16-17 REVIEWING AGENCY: City of Dover Planning Office

CONTACT: Bill Cook, Planner I PHONE #: (302) 736-7196

PLAN SUMMARY

Review of a Site Development Plan to replace an existing 11,600 S.F. +/- gravel parking lot with a thirty-four (34) space asphalt parking lot of the same area, with striping, parking bumpers, and lighting. The purpose of the parking lot is to provide parking for adjacent properties. The property consists of 0.33 acres and is located on the north side of Fulton Street east of Ridgely Street. The property is zoned IPM (Industrial Park Manufacturing Zone). The owner of record is Harrington Commercial, LLC. Property Address: 623 Fulton Street. Tax Parcel: ED-05-076.08-01-13.00-000. Council District 4.

RELATED APPLICATIONS

This application is associated with approved variance V-15-06 granted by the Board of Adjustment at its meeting of March 18, 2015 to allow the property to use crushed stone surfacing for a period of five (5) years from the date of the granting of the variance. The *Zoning Ordinance* requires "hard, dust-free" surface. Loose stone or gravel is not a permitted parking surface in the City, excepting existing legal non-conformities. The variance was applied for following the Code Enforcement action (#14-4464) issued after the site was surfaced in crushed stone without permitting or Site Plan approval processes from the City.

Before the end of the five-year period the property, if not otherwise developed with a building, it would be required to be in compliance with the *Zoning Ordinance* parking regulations related to surfacing, dimensions, and layout.

PROJECT DESCRIPTION

This Site Development Plan application is subject to Planning Commission review because there is an impervious area greater than 5,000 SF being established.

The property is surrounded by parcels with businesses of a commercial nature zoned C-3 (Service Commercial Zone), IPM (Industrial Park Manufacturing Zone) and M (Manufacturing Zone). The property to the west, addressed as 641 Fulton Street, is zoned IPM and is occupied by a residential structure. 601 Fulton Street to the east was the subject of a Conditional Use Site Plan (C-09-08) approved by the Planning Commission at its meeting of November 16, 2009 to allow a

medical transport company to occupy a portion of the existing building. That property was also subsequently rezoned from M to C-3.

The parking lot is intended to serve surrounding businesses that have a common ownership interest with the subject site. Many surrounding uses have been in existence for many years and may be legal non-conforming with regard to parking requirements on those individual parcels.

IPM Zoning District

The *Zoning Ordinance* is silent regarding parking as a principal use in the IPM zone. Other zoning districts such as C-2 (Central Commercial) and C-2A (Limited Central Commercial) permit parking as a principal use, subject to Conditional Use review processes. In accordance with past interpretation, unless otherwise specified for particular zoning districts, parking as a principal use on a lot is permitted when that parking serves uses that are otherwise permitted in the zone where the parking lot is located. Uses near the subject property, while not all in the IPM zone, are uses that are compatible with IPM.

SITE CONSIDERATIONS

There is no planned structure; therefore, site provisions for trash and loading spaces do not apply.

Entrance

The parking lot is accessed from Fulton Street at the southeast corner of the lot as shown in the submitted Site Plan. Fulton Street is a City street, and comments have been provided by the Department of Public Works.

Parking Layout

As shown in the submitted plan, the parking lot consists of 4 rows of parking totaling 34 spaces. Code-compliant drive aisles allow two-way traffic throughout the lot. Concrete parking bumpers are provided for all spaces. Spaces are striped and drive aisles are marked with directional arrows.

ADA Accessibility

The provision of ADA-accessible (handicapped) parking is typically guided by building codes which state that required ADA spaces should be nearest the entrance of the use that parking serves. The submitted plan notes that existing ADA spaces are located at the nearby establishments that are anticipated to use this shared parking facility.

Bicycle Parking

Zoning Ordinance Article 6 §3.10 requires bicycle parking at a rate of one (1) bicycle parking space for every 20 parking spaces or a fraction thereof. Bicycle parking is not shown on the plan. Two (2) bicycle parking spaces are required.

The Planning Commission may waive the requirement for the bicycle parking if it is demonstrated that bicycle parking would not be appropriate for safety reasons or due to the nature of the use of the site.

Waiver Request: Elimination of Bicycle Parking

The applicant has requested a waiver from the Planning Commission from the bicycle parking requirement in accordance with *Zoning Ordinance*, Article 6 §10, citing low potential demand given the nature of surrounding uses. A Staff recommendation for Planning Commission action is made at the end of this report.

Screening

Zoning Ordinance Article 5 §7.2 requires visual and sound screening when a non-residential use abuts a residential use. The property to the west at 641 Fulton Street, while zoned IPM, has an active residential Rental Dwelling license.

Screening shall consist of an opaque barrier at least six feet in height, accompanied by landscaping. The Planning Commission may waive the requirement for the opaque barrier (wood fence, masonry wall, or earthen berm) and require only a durable and continuous evergreen screen in cases where noise is not a concern and the vegetation alone is considered a desirable aesthetic alternative.

Screening is not shown on the submitted plan.

Waiver Request: Elimination of Opaque Barrier

The applicant has requested a waiver from the Planning Commission from the opaque barrier requirement in accordance *Zoning Ordinance* Article 5 §7.2, citing the industrial nature of the area and the inability of an opaque barrier to substantially attenuate noise in such a context. A Staff recommendation for Planning Commission action is made at the end of this report.

Parking Surface

As stated in the Project Description the existing site consists of a crushed stone surface that is permitted by variance for a limited time period. The submitted plan shows asphalt which is an approved parking surface.

Curbing

Zoning Ordinance Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. Curbing is not shown on the submitted Site Plan.

Waiver Request: Partial Elimination of Curbing Requirement

Per *Zoning Ordinance* Article 6 § 3.6.b, the Planning Commission may relax the requirement for a portion of the parking area when there is a demonstrated need as it relates to stormwater management. A Waiver Request has been submitted requesting that the requirement for curbing be waived, citing the intent to provide curbing along the Fulton Street frontage, and that the elimination of curbing elsewhere on the property benefits stormwater runoff. A Staff recommendation for Planning Commission action is made at the end of this report.

Lighting

Zoning Ordinance Article 5 §7.1 requires lighting for commercial uses. A Lighting Plan has been submitted showing four (4) 16-foot tall light standards with LED luminaires that appear to be shielded to not create a nuisance to adjacent properties.

Sidewalks

Article 5 §18 requires sidewalk to be installed along the public street frontages of a property when the property involves a development proposal subject to Planning Commission review. Sidewalk is not shown along the property frontage of Fulton Street per the submitted Site Plan.

An approximate 15' segment of sidewalk exists fronting the adjacent property at 601 Fulton Street, located west of the entrance to the parking lot on that property and abutting the subject property. As part of Conditional Use Site Plan (C-09-08), the Planning Commission approved the waiver to allow for the elimination the portion of sidewalk along the east side of the entrance at 601 Fulton Street towards the east property line, which abuts the railroad right-of-way.

Another 15' segment exists in front of 641 Fulton Street near the corner of Ridgely Street, in front of the house but not the entire width of the property. There is no sidewalk on the south side of Fulton Street.

Waiver Request: Elimination of Sidewalk

The applicant has requested a waiver from the Planning Commission from the sidewalk requirement in accordance with *Zoning Ordinance*, Article 5 §18.4. A Staff recommendation for Planning Commission action is made at the end of this report.

Sediment and Stormwater

A detailed Sediment and Stormwater Management Plan was not submitted with the application. Comments from Kent Conservation District (attached) indicate that such a plan is a requirement for Site Development Plans with a disturbance greater than 5,000 SF.

TREE PLANTING AND LANDSCAPE PLAN

One (1) tree is required for every 3,000 SF of land area. Based on the 14,477 SF of lot area, five (5) trees are required. The submitted plan shows five (5) trees including crepe myrtles along the Fulton Street frontage and oak varieties located at the sides and rear of the lot as shown on the plan.

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

CITY AND STATE CODE REQUIREMENTS:

Please note the following items for correction or revision.

1) The Site Plan must comply with the requirements for bicycle parking, the opaque barrier (fence component), upright curbing, and sidewalks unless the Planning Commission grants waivers related to these items.

2) Corrections to ALL Sheets:
   a) Review ownership of record and zoning for all adjacent properties:
   b) Correct zoning of adjacent property to the east from M to C-3 (plans provided by site engineer) and IPM to C-3 (landscape architect)

c) Ownership information is not believed to be current and is inconsistent between plan sheets.

3) Corrections to Cover Sheet:
   a) The site data column will need to be updated prior to Final Approval to document actions taken by the Planning Commission regarding any waivers.

4) Corrections to Site Plan:
   a) See Item #2 above.
   b) Proposed curbing along the Fulton Street frontage as referenced in the Waiver Request must be shown on the plan.
   c) Pending Planning Commission action on Waiver Request, any other areas required to be curbed should be shown on the plan.

5) Corrections to Woodland Preservation and Tree Density Plan:
   a) See Item #2 above.
   b) Landscape screening on the west side of the property is required. This must be shown on the plan and may impact the overall site design.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver Request: Elimination of Bicycle Parking: Staff recommends approval of the waiver request to eliminate bicycle parking, specific to this lot. As with provisions of ADA parking, bicycle parking optimally should be located adjacent to and on site with the primary uses. This lot is intended to serve multiple surrounding properties and uses. Staff recommends that provision for bicycle parking be provided on the individual surrounding properties if there is future demand. Bicycle parking requirements will be appropriately analyzed for surrounding properties in the event of future development activities that initiate Site Development Plan review processes.

2) Waiver Request: Elimination of Opaque Barrier: Staff recommends approval of the waiver request to eliminate the opaque barrier (fence component) and accept a continuous vegetative screen as satisfying this buffering requirement. The vegetative screen is reasonable and appropriate given the surrounding context. While the adjacent use is residential at this time, the property is zoned IPM (Industrial Park Manufacturing) and the existing use is legal non-conforming.

3) Waiver Request: Partial Elimination of Curbing Requirement: Staff recommends conditional approval of the waiver request for partial elimination of curbing. The submitted plans do not show the curbing described in the waiver request. Plans should be updated to show curbing following any additional comment or action by the Planning Commission. Staff believes that a defined curb along the Fulton Street frontage would improve the appearance of the street, direct runoff way from the right-of-way onto grass areas on the site, and improve safety by limiting vehicle movements.

4) Waiver Request: Elimination of Sidewalk: Staff does not recommend approval of this waiver. While the sidewalk network in the surrounding area is indeed discontinuous, the expectation throughout the City is that as properties develop and redevelop, infrastructure is put in place and upgraded so that improvements are progressively phased in over time. There is existing sidewalk immediately abutting the property to the east, and another segment to the west. Space in the right-of-way exists to permit implementation of a sidewalk. Staff additionally has safety concerns regarding a high density of parked vehicles in the area and street traffic generated by access to and from the adjacent ambulance service which is located at the end of a cul-de-sac.

ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission should act upon any waiver requests for the project as part of any motion to approve this project, or as a separate motion if necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

2) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

3) Following Planning Commission approval of the Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff and directly to other agencies. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement.

4) In the event, that major changes and revisions to the Site Development Plan occur in the finalization of the Site Plan contact the Planning Office. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

5) Construction may have an effect on the adjacent property owners and nearby travel lanes. Any work requiring the closing or rerouting of potential customers or visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.

6) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

7) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A Building Permit will be required to track implementation of this site development activity.

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

STAFF D.A.C. MEETING DATE: AUGUST 31, 2016

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Parking Lot at 623 Fulton Street**

FILE #: **S-16-17**

REVIEWING AGENCY: **City of Dover Electric and Public Works Departments**

CONTACT PERSON: **Paul Waddell - Electric**
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: **ELECTRIC - 302-736-7070 PUBLIC WORKS – 302-736-7025**

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

ELECTRIC

1. Owner is responsible for locating all water, sewer, and storm sewer lines.
2. Owner is responsible for site and/or street lighting.
3. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
4. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
5. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
6. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER / WASTEWATER

1. None.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District submitted to our office. If the Kent Conservation District does not require a plan, an erosion and sediment control plan shall be submitted to our office for review and approval. This is required for the City of Dover to maintain compliance with our MS4 permit.
2. Provide stormwater management calculations that prove that the runoff created by this parking lot can be adequately handled by the existing storm sewer system.

STREETS

1. Following plan approval, and prior to construction, a right-of-way permit must be obtained through the City of Dover Department of Public Works.

SANITATION/GROUNDS

1. None

GENERAL

1. The final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: http://www.cityofdover.com/departments/electric/documents/.

STREETS

1. Install a stop bar and a stop sign exiting the parking lot to the Alley. Stop sign and stop bar shall be installed per the Delaware Manual of Uniform Traffic Control Devices (MUTCD).
2. Provide a turning radius diagram that proves adequate area for vehicles to access all parking spots from the street.
3. Please provide a pavement tie-in detail for the driveway connection to Fulton Street

WATER / WASTEWATER / STORMWATER / SANITATION / GROUNDS / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. National Electric Safety Code, Table 232-1, page 77 dictates 15.5 feet of clearance of electric wiring above parking lots.

WATER / WASTEWATER / STORMWATER / GROUNDS / STREETS / SANITATION

1. None.

GENERAL

1. None

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.

S-16-17

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 09/07/16

CITY OF DOVER FIRE MARSHAL

APPLICATION: Parking Lot at 623 Fulton St

FILE #: S-16-17 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Deputy Fire Marshal PHONE #: (302) 736-4457

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 ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Project to be completed per approved Site Plan.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
2013 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
2013 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2015 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 31, 2016

DELDOT

==========

APPLICATION: Parking Lot at 623 Fulton Street

FILE#: S-16-17 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Jonathan T. Moore PHONE#: 760-2145

==========

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:

DelDOT has no requirements at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DelDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

DelDOT has no advisory comments to the Applicant at this time.

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.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
September 2016

APPLICATION: *Fulton Street Parking Lot*

FILE #: S-16-17

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

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:

Source:
2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction.
2. The following notes must appear on the record plan:
    - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
    - The Kent Conservation District reserves the right to add, modify, of delete any erosion or sediment control measure, as it deems necessary.
    - A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.
3. A soils investigation in the proposed Stormwater facility area(s) is required to determine impacts of the seasonal high groundwater level and soils for any Best Management Practice (BMP) design.

ADVISORY COMMENTS TO THE APPLICANT:

1. The District has met with the engineer for the project. If soils allow, the engineer is going to infiltrate the run off from the parking to a storm tech underground system.
2. Green Technologies (infiltration, bio retention, bio swales, filter strips etc.) must be implemented to comply with the 2014 Delaware Sediment and Stormwater Regulations.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.
4. It is recommended that the stormwater management areas be incorporated into the overall landscape plan to enhance water quality and to make the stormwater facility an attractive community amenity.
5. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.

Office Location
103 South Bradford Street
Dover, DE 19904

Mailing Address
P.O. Box 558
Dover, DE 19903

Phone: 302-744-9875
Fax: 866-672-6428
www.mountainconsultinginc.net

mountain consulting

Kim I. Adams
President

Troy L. Adams, P.E.
Vice President

August 4, 2016

William T. Cook
City of Dover Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Request for Elimination of Sidewalk
623 Fulton Street - Parking Lot
ED-05-07608-01-1300-00001

Dear Mr. Cook:

Article 5, Section 18.1 states that sidewalks shall be required to be installed along the public street frontage of a property by the property owner or developer whenever such property involves a development proposal which is subject to planning commission review and approval. The purpose of this project is to provide satellite parking area for existing adjacent uses. The only other sidewalk on the north side of Fulton Street is approximately 17 feet of sidewalk located at PrimeCare Medical Transport. Construction of a sidewalk along the frontage of the subject property would not generate nor attract additional pedestrian activity along Fulton Street. Therefore, we are requesting a waiver from the sidewalk requirement.

We appreciate your consideration of this request. Please feel free to call with any questions. I can be reached directly at 302-744-9875 or by email at tadams@mountainconsultinginc.com. Thank you for your cooperation.

Sincerely,
MOUNTAIN CONSULTING, INC.

Troy L. Adams, P.E.
Vice President

Office Location
103 South Bradford Street
Dover, DE 19904

Mailing Address
P.O. Box 558
Dover, DE 19903

Phone: 302-744-9875
Fax: 866-672-6428
www.mountainconsultinginc.net

Kim I. Adams
President

Troy L. Adams, P.E.
Vice President

September 8, 2016

William T. Cook
City of Dover Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Bicycle Parking Waiver Request
623 Fulton Street - Parking Lot
ED-05-07608-01-1300-00001

Dear Mr. Cook:

Zoning Ordinance Article 6 §3.10 requires bicycle parking at a rate of one (1) bicycle parking space for every 20 parking spaces or a fraction thereof. Two (2) bicycle parking spaces are required per the ordinance.

The parking lot is intended to provide parking for employees of surrounding businesses that have a common ownership interest with the subject site and to increase traffic safety. Gede Insulation and Prime Care Medical Transport combined have a significant number of employees and the demand for off-street parking is high. The creation of the parking facility reduces the number of cars forced to park along Fulton and Ridgely Streets and allows safer access to Division Street. The provision of bicycle parking does not help meet the safety goals of this project and the demand for bicycle parking is low given the nature of the area. Therefore, bicycle accommodations are not warranted. For these reasons, please grant this request.

Please feel free to call with any questions. I can be reached directly at 302-744-9875 or by email at tadams@mountainconsultinginc.com. Thank you for your cooperation.

Sincerely,
MOUNTAIN CONSULTING, INC.

DocuSigned by:
Troy L Adams
46F8DAF642674CE...

Troy L. Adams, P.E.
Vice President

Office Location
103 South Bradford Street
Dover, DE 19904

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mountain consulting

Kim I. Adams
President

Troy L. Adams, P.E.
Vice President

September 8, 2016

William T. Cook
City of Dover Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Request for Partial Elimination of Curb
623 Fulton Street - Parking Lot
ED-05-07608-01-1300-00001

Dear Mr. Cook:

It is requested that a partial elimination of curb be granted for the project. We propose to only install curbing along the frontage of Fulton Street. Parking bumpers will be installed for all parking spaces. The parking bumpers will be sufficient enough to prevent damage to vehicles and surrounding infrastructure while parking. The addition of curb elsewhere will serve no benefit to directing stormwater runoff. For these reasons, please grant this request.

Please feel free to call with any questions. I can be reached directly at 302-744-9875 or by email at tadams@mountainconsultinginc.com. Thank you for your cooperation.

Sincerely,
MOUNTAIN CONSULTING, INC.

DocuSigned by:
Troy L. Adams
46F8DAF642674CE...

Troy L. Adams, P.E.
Vice President

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Kim I. Adams
President

Troy L. Adams, P.E.
Vice President

September 8, 2016

William T. Cook
City of Dover Planning & Inspections
P.O. Box 475
Dover, DE 19903

RE: Request to Eliminate Opaque Barrier
623 Fulton Street - Parking Lot
ED-05-07608-01-1300-00001

Dear Mr. Cook:

Zoning Ordinance Article 5 §7.2 requires visual and sound screening when a non-residential use abuts a residential use. The property to the west at 641 Fulton Street has an active residential Rental Dwelling license. Screening typically consists of an opaque barrier at least six feet in height, accompanied by landscaping. We are requesting the requirement for the opaque barrier (wood fence, masonry wall, or earthen berm) be waived. The purpose of the opaque barrier is to attenuate noise. This portion of Fulton Street is industrial in nature and noise is produced by trucks and vehicles associated with the surrounding businesses. In this case, an opaque barrier will not attenuate sound nor does it fit the character of the area. For these reasons, we request the elimination of the opaque barrier. We propose to provide a vegetative screen of continuous evergreens as an alternative.

Please feel free to call with any questions. I can be reached directly at 302-744-9875 or by email at tadams@mountainconsultinginc.com. Thank you for your cooperation.

Sincerely,
MOUNTAIN CONSULTING, INC.

DocuSigned by:
Troy L Adams
46F8DAF642674CE...

Troy L. Adams, P.E.
Vice President

NORTH

NOW/FORMERLY
FOUNTAINVIEW, LLC
100 RIDGELY STREET
ED-05-076.08-01-01.01-00001
D/R 7233-0071
ZONING: IPM

PROP. CONC. BUMPER BLOCK TO BE INSTALLED AT EACH PARKING STALL

N 72°56'03" E 114.02'

CMF — POST IN CONC.

LOD — LOD — LOD

PROPOSED GRASS AREA

EDGE OF PROP. PAVEMENT

EDGE EX. GRAVEL

125.98'

128.00'

PROP. UNDERGROUND SWM INFILTRATION FACILTIY
94'x30' STONE AREA
13 CHAMBERS PER ROW
6 ROWS (78 TOTAL CHAMBERS)

HA-02 — INFILTRATION TEST (11) — HA-03

18' (TYP.)

34 TOTAL PARKING SPACES

20' DRIVE AISLE

EX. GRAVEL

EX. FENCE (TYP.)

NOW/FORMERLY
AVA COMMERCIAL, LLC
641 FULTON STREET
ED-05-076.08-01-12.00-00001
D/R 2516-0031
ZONING: IPM

5' — 21' DRIVE AISLE — 20' DRIVE AISLE — 5'

(7) — CRS — HA-05 — (7)

18' (TYP.)

UP

NOW/FORMERLY
HARRINGTON COMMERCIAL, LLC
601 FULTON STREET
ED-05-076.08-01-14.00-00001
D/R 2849-0068
ZONING: M

EDGE EX. GRAVEL — EDGE OF PROP. PAVEMENT

PROPOSED ASPHALT PAVEMENT AREA

EX. GRAVEL

20' DRIVE AISLE

EDGE OF PROP. PAVEMENT

EX. GRAVE AREA TO BE REMOVED

HA-01 — HA-04

(9)

18' (TYP.)

N 16°02'57" W — S 16°02'57" E

SITE BENCHMARK
EX. CONC. MONUMENT
ELEV. 32.64

EDGE OF PROP. PAVEMENT — 5' — UP — UB — X

CMF — S 73°57'03" W — 114.00' — IRF

STATE PLANE COORDINATE
EX. CONC. MONUMENT
N: 422862.2819
E: 622505.2865

EX. GRASS STRIP

EX. CURB & GUTTER

LOD

FULTON STREET
(60' WIDE R.O.W.)

EX. SAN. MH
TOP 31.53

EX. SANITARY SEWER

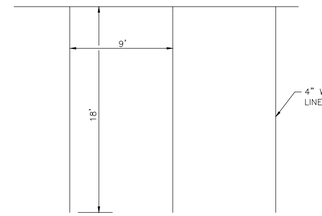
℄ ℄ ℄

EX. CURB & GUTTER

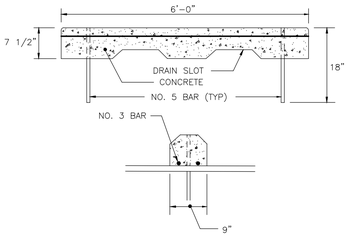
EXISTING RIGHT-OF-WAY

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY.

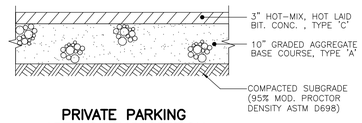
ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND THE RULES AND REGULATIONS THERETO APPURTENANT



TYPICAL PARKING STALL LAYOUT
N.T.S.



CONCRETE BUMPER BLOCK
N.T.S.



PRIVATE PARKING AREA PAVING SECTION
N.T.S.

LEGEND

- PROPERTY LINES
- ADJOINING PROPERTY LINES
- CENTERLINE OF R.O.W./CNST BASELINE
- *EXISTING SANITARY SEWER & MANHOLE*
- LOD — LIMIT OF DISTURBANCE
- *EXISTING FENCE*
- *EXISTING CURB*
- *EXISTING UTILITY POLE*
- *EXISTING UTILITY BOX*
- *TEST PIT LOCATION*
- *CONCRETE MONUMENT FOUND*
- *IRON REBAR FOUND*
- *CAPPED REBAR SET*
- PROPOSED ASPHALT AREA
- *EX. GRAVEL AREA TO BE REMOVED*
- PROP. STORMWATER MANAGEMENT AREA

SITE PLAN
FOR
SITE DEVELOPMENT PLANS
623 FULTON STREET
CITY OF DOVER – EAST DOVER HUNDRED
KENT COUNTY – STATE OF DELAWARE

REVISIONS	CHECKED BY

mountain consulting
103 S. BRADFORD ST.
DOVER, DE 19904
P.O. BOX 558
DOVER, DE 19903
T-302-744-9875
F-866-672-6428

0 5 10 20
GRAPHIC SCALE

SCALE: 1" = 10'		DRAWN BY: FJS	
DESIGNED BY: JKH/TLA	CHECKED BY: TLA	DRAWING NAME	SITE.DWG
DATE: 7-29-16	COMM. NO.	FILE NO.	SHEET NO. 2 OF 4

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City of Dover

DATA SHEET FOR SITE DEVELOPMENT MASTER PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 7, 2016

PLANNING COMMISSION MEETING OF September 19, 2016

Plan Title:	Loockerman Way Redevelopment Master Plan: Two Mixed Use Buildings at 126 West Loockerman Street
Plan Type:	Site Development Master Plan (S-16-18) Architectural Review Certification (HI-16-05) Active Recreation Area Plan
Property Location:	South side of West Loockerman Street extending to North Street; Within block between South Governors Avenue and South State Street
Property Address:	126 West Loockerman Street
Tax Parcel Number:	ED-05-077.09-04-06.00-000
Owner: Equitable Owner:	Downtown Dover Partnership Loockerman Plaza, LLC
Site Area:	1.14 Acres +/-
Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)
Existing Use: Proposed Use:	Park/Plaza Area and Parking Lot Two Mixed-Use Buildings: First Floor Retail/Restaurant/Commercial Space, Upper Floors – Apartments (Total of 20 units) with Plaza Area and Parking Lots
Waiver Requested:	Reduction of Parking Requirement

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 7, 2016

APPLICATION: Loockerman Way Redevelopment Master Plan: Two Mixed Use Buildings at 126 West Loockerman Street

FILE #: S-16-18 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Dawn Melson-Williams, AICP PHONE #: (302) 736-*7196*

PLAN SUMMARY:

This application is for Review of a Site Development Master Plan and Architectural Review Certification to permit in two phases the construction of retail and restaurant space and a total of twenty (20) apartment units in two mixed use buildings on the existing site known as Loockerman Way. Phase 1 is to consist of the three story 24,960 S.F. west building (5,860 S.F. +/- retail and eight (8) apartment units) while Phase 2 is to consist of the four story 29,272 S.F. east building (6,913 S.F. +/- retail and twelve (12) apartment units). Reconfiguration of the existing plaza on site and construction of additional parking are also proposed. The property consists of 1.14 acres and is located on the south side of West Loockerman Street between South Governors Avenue and South State Street. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District zone). The owner of record is the Downtown Dover Partnership and the equitable owner is Loockerman Plaza, LLC. Property Address: 126 West Loockerman Street. Tax Parcel: ED-05-077.09-04-06.00-000.

This application is associated with application HI-16-05 as submitted to the Historic District Commission. On July 21, 2016 and August 18, 2016, the Historic District Commission recommended approval an Architectural Review Certificate subject to conditions for this project.

Previous Applications and Studies:

The subject property area has been the subject of multiple applications involving demolitions of previously existing buildings on the parcel(s) and proposals for the redevelopment of the vacant land. The most recent was the Application C-11-07 North Street Area Improvement Project which consisted of a Site Development Master Plan for three (3) project areas including the development of the Loockerman Way Parking Lot & Plaza. The area consisting of the series of vacant lots extending between West North Street and West Loockerman Street was redeveloped to create a parking lot of thirty-five (35) parking spaces with the balance of the area becoming a pedestrian way of various hardscape paving treatments (brick, concrete) and landscaping. A series of streetscape improvements including sidewalk upgrades/installation of a brick sidewalk, street lighting, and undergrounding of utilities also occurred along North Street with the project.

Area Studies

The overall project should strive to follow the design and planning strategies outlined in the *Dover Transit Center Neighborhood Plan and Design Book (January 14, 2011)* Basic design principles from the Plan include creating buildings that engage the street, parking at center of blocks and centralized parking options, recognize history and character of existing architecture, creating streetscapes, and creating pocket parks and other public open spaces. This subject project area is an infill site and was referred to as Loockerman Plaza in the *Neighborhood Plan* with a concept for buildings flanking a pedestrian plaza area. The following is a link to the *Neighborhood Plan:* http://doverkentmpo.delaware.gov/dover-transit-center-neighborhood-plan-and-design-guidelines/

CURRENT PROJECT DESCRIPTION

The current project Site Plan S-16-18 proposes the development to consist of two mixed use buildings on the existing park/plaza site known as Loockerman Way. One four-story building and one three-story building is proposed with ground floor commercial uses and residential uses (apartments) on upper floors in the current lawn areas adjacent to West Loockerman Street. A reconfiguration of and the addition of parking lots is proposed on the southern portion of the land closest to West North Street. A centralized plaza and walkway area continues at the center of the development maintaining the connection between the two streets and retaining a smaller public plaza area.

HISTORIC DISTRICT COMMISSION - REVIEW

The project site is located within the H (Historic District Zone). For the Loockerman Way Redevelopment Master Plan project, the Historic District Commission considered the application HI-16-05 at their meetings on July 21st and August 18th, 2016 regarding an Architectural Review Certificate for the proposed buildings and the other associated site improvements. The Historic District Commission has forwarded a recommendation on the Architectural Review Certificate to the Planning Commission. **See Architectural Review Certification Report from Historic District Commission.**

The Planning Commission must act upon the Architectural Review Certification as part of any motion regarding this project, or as a separate motion if necessary. In taking this action, the Planning Commission is to consider the *Design Standards and Guidelines for the City of Dover Historic District Zone*.

C-2 Zoning District

This property is zoned C-2 (Central Commercial Zone) and is subject to the provisions of *Zoning Ordinance*, Article 3 §13. Upon determination of the tenants for the first floor commercial area, compliance will need to be confirmed with the permitted uses of the C-2 zone. The proposal for apartment units on the upper floors are allowable uses; however, no dwelling units may be located on the first floor of the building when it fronts on Loockerman Street.

SITE DEVELOPMENT MASTER PLAN

The plan for this project is submitted for review under the Site Development Master Plan process (See *Zoning Ordinance,* Article 10 §2.44 listed below). This process allows for a series of construction phases to be outlined in a Master Plan for Planning Commission review and approval. Prior to each Phase of construction, a Site Plan specific to that phase is submitted for

Administrative Site Plan review.

Article 10 §2.44 Site development master plans. Conceptual site development master plans shall be reviewed by the planning commission in accordance with the provisions of subsection 2.43. Conceptual site development master plans shall depict a site development proposal that reflects general compliance with the provisions of the zoning ordinance and shall also reflect the following information on the plan:

- *(A) Conceptual Master Plan. Conceptual Master Plan shall include the proposed general layout of building, streets, parking, open space, landscape concepts, and stormwater management areas.*
  - *(1) Detailed site construction plans, details, and specifications are not required as part of a site development master plan submission.*
  - *(2) The plan shall illustrate distinct phase boundaries for each proposed construction phase and shall depict proposed construction and site improvements planned for each phase. Bulk quantities and area totals for each construction phase, and for the total site, shall be tabulated in a data column on the plan.*
  - *(3) Each construction phase shall be enumerated in sequential order on the site development master plan according to the order of construction contemplated by the plan. Phases shall be implemented in accordance with the approved site development master plan unless the city planner approves an alternate phasing.*
  - *(4) Each construction phase represented on the master plan shall be planned and designed to function independent of construction and site improvements contemplated in future construction phases in all respects, including but not limited to bulk area provisions of the zoning district in which the site is located, off-street parking requirements, site entrances, emergency access requirements, site utilities, and stormwater management improvements except where the requirements and needs of a later phase are met and remain met by a previous phase of completed construction.*
  - *(5) Any special agreements or conditions of approval relative to the overall development that have been specified by regulatory agencies shall be documented on the site development master plan.*
- *(B) Phased site plan approval. Individual phased components of the Conceptual Master Plan are to be reviewed and approved as an Administrative Site Plan. Final site construction plans, including detailed site grading, paving, utilities, stormwater management, and tree planting and preservation plans shall be submitted for final approval by the city planner and/or authorized designee, and to other agencies having jurisdiction, on a phase by phase basis in accordance with the approved site development master plan, and all regulations of the City of Dover governing the approval of site plans as set forth in subsection 2.4 and 2.5.*

BUILDING ARCHITECTURE

The architectural elevations for the buildings were submitted; see color rendering (dated 8/12/2016) and Architecture Concept Design sheet of elevations and floorplans. The buildings are basically rectangular in footprint and the building massing/form presents some angled wall surfaces with projecting boxed windows and flat roof system. The West Building (Phase 1) is three story and the East Building (Phase 2) is four story. For both buildings, the predominant exterior finish is a type of masonry/brick (as depicted in the color renderings). The front façade on Loockerman Street and the elevations facing the interior plaza area consist of the commercial retail/restaurant areas on the first floor with large display windows in a glass storefront window system. The upper floors, where the apartments are to be located, have a spaced series tall two-part vertical windows and several balcony areas. On the plaza elevations, the windows are placed in box-like elements that protrude at differing depths from the wall surface with some locations having balcony areas.

SITE CONSIDERATIONS:

Site Circulation and Public Street Network

There are two access points for the parking lots to West North Street which is a City maintained street segment. The access point to the western parking lot is existing and will remain in place for this project. A second access point is to be established for the proposed eastern parking lot. The two parking lots are not interconnected as they flank a central walkway leading north into the site which connects to the plaza area between the two buildings and ultimately to Loockerman Street. There is no vehicular access point along the Loockerman Street frontage and the existing on-street parking remains in that area along the street.

PARKING SUMMARY

Within the C-2 (Central Commercial Zone), there is not an off-street parking requirement for the zoning district. However, *Zoning Ordinance,* Article 6 §3.1 gives the parking requirements based on use. The apartment use requires 2.25 parking spaces per dwelling unit. Restaurant uses also have a parking requirement based on seat count; however, the exact tenants of the first floor commercial spaces in each building have not been determined. The twenty (20) apartment units would require forty-five (45) parking spaces; this is a minimum of 18 spaces for the Phase 1 Building and 27 spaces for the Phase 2 Building based on the unit count in each building. The project plan shows 33 parking spaces in the west parking lot and 25 parking spaces in the east parking lot for a total of fifty-eight (58) spaces. Currently, the Loockerman Way parking lot parking spaces under its ownership by the Downtown Dover Partnership are managed as public parking (as permit, fee-based, or free).

Waiver Request: Reduction of Parking Requirement

Under the provisions of *Zoning Ordinance,* Article 6 §3.9 the Planning Commission may reduce the parking for a site up to 50% of the required parking when "the use is adequately served by transportation and parking alternatives." The project qualifies for a 20% reduction in the parking requirement due to its location in the Downtown Redevelopment Target Area. The applicant is seeking a parking reduction as associated with parking for the apartments to allow more spaces to be available as general public parking; see Waiver Request.

Bicycle Parking

The project is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the total of 58 parking spaces, three (3) bicycle parking spaces are required). Currently, the plan does not show the location of existing or proposed bicycle parking spaces.

Approved Waiver Request: Partial Elimination of Curbing

Zoning Ordinance, Article 6 §3.6(b) requires upright curbing for all parking areas. The western edge of the west parking lot does not include upright curbing as an existing condition. This was previously approved with Site Development Plan C-11-07. The new east parking lot includes the required curbing.

Dumpsters

The location of Dumpsters to serve these two new buildings are not shown. The apartments require one Dumpster based on the rate of one unit per twenty-four (24) apartment units. The

commercial spaces as retail would require at least one per building with more Dumpsters required if tenants are restaurant uses.

Sidewalks

The project site has existing sidewalks along the street frontage of Loockerman Street and North Street. The applicant will be required to reconstruct the sidewalk and curb where site improvements/entrance changes are proposed.

Lighting

Lighting is provided on the plan. A detail identifying the type of lighting that will be used needs to be shown on the plan. Lighting located along the street shall be consistent with the existing fixtures used in the Downtown area.

Emergency Rear Access Requirement for Apartment Buildings

The *Zoning Ordinance* requires an eighteen (18) foot secondary fire lane to provide emergency access to the rear of the three story apartment buildings and a twenty-four (24) foot primary fire lane to the rear of the four story apartment buildings (Article 5§17.5(a)). This project provides a twenty-four (24) foot fire lane leading to the North Street elevation of each buildings as part of the parking lot circulation.

RECREATION/OPEN SPACE:

As part of the Plan review process, the applicant prepared a Narrative description and a site layout on the Landscape Plan to illustrate how development will provide recreation amenities. The Active Recreation Plan illustrates the recreation amenities to comply with the design specifications described in Article 5 §10 of the *Zoning Ordinance*. **See Active Recreation Area Plan Report.**

Due to the property location, size and unit density, this project qualifies for active recreation area exemption for small developments under *Zoning Ordinance,* Article 5 §10.515. The Active Recreation Area for this project is required at a rate of 75 square feet per dwelling unit or 2,500 SF whichever is greater. Based on a total of 20 dwelling units, 2,500 SF of active recreation area is required.

The project proposes an eight (8) foot wide walking path through the site from West Loockerman Street to North Street. This walkway would travel through the central plaza area between the two proposed building. It is also noted that a series of benches would be located in the plaza area. The specific area of the designated walkway and associated amenities must be shown to confirm compliance with the area requirement. A rough estimate of a walkway at an eight (8) foot width based on the lot depth would result in an area of approximately 2,400 S.F.; this less than the area required.

At their meeting of September 13, 2016 the Parks, Recreation and Community Enhancement Committee will consider the Active Recreation Plan for this project (S-16-18). The Planning Commission must act upon the Active Recreation Plan as part of any motion regarding this project, or as a separate motion if necessary.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan presents a concept for tree planting locations for the area in and around the parking lots and within the plaza area. Based on the total property area of 49,716 S.F., a total of seventeen (17) trees are required. The plan proposes 15 trees to meet the requirement; two additional trees are required. If the site cannot accommodate the required tree plantings, the applicant may submit a Tree Mitigation Plan for off-site plantings of trees.

The *Zoning Ordinance* requires parking lots to be screened when located across the street from residential uses. This screening requirement occurs for the parking lots as they are across from several residential dwellings on the south side of West North Street.

> *Article 5 Section 7.23 Parking lots. Whenever a parking lot is located across the street from a residential use, it shall be screened from view of such land by a thick hedge located along a line drawn parallel to the street and a distance of 20 feet therefrom, such hedge to be interrupted only at points of ingress and egress. The open area between such hedge and the street shall be landscaped in harmony with the landscaping prevailing on neighboring properties fronting on the same street. A fence five feet high may be required while such hedge is growing to a suitable thickness.*

While there are proposals for shrub plantings along certain perimeters of the parking lot, no plantings are shown along the West North Street frontage were required.

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

CITY AND STATE CODE REQUIREMENTS:

1) The parking as required must be constructed unless a waiver is granted by the Planning Commission. A waiver request for a reduction in the parking requirement was submitted for consideration by the Planning Commission.

2) The Active Recreation Area Plan is required to be reviewed and a recommendation by the Parks, Recreation, and Community Enhancement Committee provided prior to review of this Site Plan by the Planning Commission. The Recreation Plan will be reviewed at their September 13, 2016 meeting and the recommendations will be forwarded to the Planning Commission at that time.

3) The Historic District Commission has provided recommendations in regards to the Architectural Review Certificate for this project. The Planning Commission shall action upon the Architectural Review Certification for the project.

4) Sheet C-001, Index Sheet:
   a) General Notes:
      i) Add date to Note #3 regarding flood plain information.
      ii) Update Notes 22-24 to pertain to this project (as shown they are for C-11-07). Indicate the west edge of the west parking lot previously received curbing waiver.
   b) Site Data Column:

i) Update name of equitable owner.
ii) Correct spelling of apartments.
iii) Check number of parking spaces available in Phase 1. Other application materials list it as Loockerman Plaza, LLC. Add calculation for Active Recreation Area required and provided.
iv) Complete monumentation information in Item #18.

c) Add a note to the Plan to provide information on any waivers granted by the Planning Commission and update any notations in the data column.
d) Identify location of existing bicycle parking in Phase 1.
e) Check location of ownership labels for adjacent properties versus the actual parcel held in ownership. The extents of the parcels are not fully depicted.

5) Sheet C-101, Existing Conditions:
   a) Add legend.
   b) Add location and status of existing trees on site.
   c) Add notes regarding removal of existing site furnishing such as parking/information kiosks, lighting, benches, The Santa House, etc.

6) Sheet C-201, Site Plan:
   a) Clearly show the limits of Phase 1 and its construction elements i.e. what portions of existing site parking, plaza, pedestrian circulation, etc. remain.
   b) Identify width of walkway.
   c) Show location of bicycle parking.
   d) Label parking row counts.

7) Sheet L-101, Landscape Plan:
   a) Identify any existing trees or landscaping to remain. Reconsider relocation of any existing trees.
   b) Add two trees to meet the tree planting requirements or submit a Tree Mitigation Plan for off-site plantings.
   c) The plan requirements as listed in *Zoning Ordinance*, Article 5 §16.8. Add certification notes, planting identification, details, etc.
   d) Ensure that tree planting locations do not conflict with existing or proposed utilities.
   e) The selection of trees should incorporate trees well suited to urban areas.
   f) Several areas of the parking lots are located across the street from residential uses and as such a thick hedge screening is required (*Zoning Ordinance*, Article 5 §7.23).

8) Bicycle parking spaces must be provided for the project for each construction phase.

9) West North Street is a City maintained road; therefore, work within the right-of-way is subject to City of Dover Department of Public Works requirements. This includes construction of the parking lot entrance.

10) Ensure handicapped access is met at all sidewalk intersections at the entrances/exits and sidewalks internal to the site.

11) Provide construction details for the following but not limited to: sidewalks ensuring accessibility, curbing, dumpster enclosure ensuring architecture matches the building materials, paving, lighting, bicycle racks, traffic control signage and striping, etc.

12) Active Recreation Area: Complete updates to the plan set as identified in the Summary Report of the Active Recreation Area Plan component (Report for 9/13/2016 PRCE Meeting) and as per recommendations of the Planning Commission.

13) The Site Plan set will need to be updated to reflect any changes recommended or approvals for waivers granted by the Planning Commission and as related to Architectural Review Certification.

14) A Record Plan sheet will be required to record any changes to add/remove easements or for this project. This includes the cross access easement associated with the walkway proposed as the Active Recreation Area component.

15) Any Sediment & Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

16) Staff notes that architecture for the building will be evaluated at time of Building Permit application for compliance with architecture as approved by the Planning Commission and as per the project's Architectural Review Certification. The building architecture may be required to come before the Planning Commission and Historic District Commission for additional review if significant design changes to the buildings' exterior finishes in form and materials.

17) Any proposed signage is subject to the Sign Regulations of the *Zoning Ordinance*.

<u>RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:</u>

1) <u>Waiver Request</u>: The following is the Staff recommendation regarding the waiver request.
    a. <u>Request for Parking Reduction:</u> Planning Staff recommends approval of the parking reduction to reduce the number of parking space required per apartment unit from 2.25 spaces to one parking space. This will allow for the balance parking spaces to be utilized for general public parking to serve the proposed commercial spaces on site and other Downtown visitors. Staff does recommend continued discussions on the management and identification of designated spaces within the parking lots.

2) The Historic District Commission at their meetings of July 21 and August 18, 2016 took action to provide a Recommendation regarding the Architectural Review Certification (ARC) for the project including a series of comments. These comments/recommendations may be adopted by reference to the Architectural Review

Certification Recommendation Report when taking action on the Architectural Review Certification.

a. Planning Staff as part of the ARC application review process prepared a series of recommendations and review comments in regards to the Architectural Review Certification and compliance with the *Design Standards and Guidelines*.

3) Staff recommends approval of the proposed Active Recreation Area plan concept for a walking path system with the placement of benches in the adjacent plaza area subject to the comments provided in the Recreation Review Report. In this urban setting, the walking path through the site adds linkages to the adjacent street network sidewalks. The path can be utilized by pedestrians (walk, run) and bicyclists and allows for connections to other multi-modal systems (streets, sidewalks, and trails).

4) Staff recommends that the acorn style light fixtures continue to be utilized for the site lighting.

ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission must act upon the Architectural Review Certification and the Active Recreation Area Plan as part of any motion to approve this project, or as a separate motion if necessary.

2) The Planning Commission will act upon waiver requests as part of any motion to approve this project, or as a separate motion if necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

3) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

4) In the event, that major changes and revisions to the Site Development Master Plan occur in the finalization of the Administrative Site Plan contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Development Advisory Committee, Historic District Commission, Planning Commission, or other commissions making recommendations in regards to the plan.

5) Following Planning Commission approval of the Site Development Master Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. These revisions are to be depicted as part of the Administrative Site Plan submissions which are required to progress to construction. The Site Plan of each construction phase/project area must be submitted for Administrative Site Plan Review by the Planning Office and other agencies. Article 10 §2.44 (D) sets forth the construction timing in relation to approvals.

Article 10 §2.44

(D) Expiration of planning commission approval. For projects which are reviewed and approved by the planning commission as conceptual master plans, approval of the conceptual master plan shall remain valid for a period not to exceed five years from the date of planning commission approval, provided that the authorized construction or use has commenced within two years of approval and is proceeding toward completion. In

addition, the time between the completion of one phase and the initiation of the next phase shall not exceed a period of two years.

6) Construction and demolition will have an effect on the adjacent property owners, parking availability and nearby streets. Any work requiring the closing or rerouting of employees, customers, owners or visitors to the adjacent properties and streets shall be coordinated as to offer the least amount of inconvenience. This shall include a street and sidewalk closure/construction activity plan addressing site protection, fencing, parking options, etc.

7) A copy of any Agreements associated with the Parking Lot and its management for public parking must be submitted to the Planning Office to be made part of this application file.

8) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required.

9) For new construction, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc. The applicant should also plan for any infrastructure or mechanical system needs from future commercial tenants.

10) The project developer will need to coordinate with the appropriate City Departments or the private owners regarding the removal and/or protection of existing site furnishings i.e. light fixtures, benches, The Santa House, etc. within the existing Loockerman Way plaza area.

11) The applicant should be aware of the potential for historic archaeological resources which may include previous building locations, wells, privies, etc. on these properties. The State Division of Historical & Cultural Affairs can provide technical assistance when dealing with archaeological resources including previous studies at the subject properties.

12) The applicant shall be aware that Site Development Master Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover. The Building Permit submission must comply with the conditions of approval of the Architectural Review Certification.

13) The applicant shall be aware that Site Development Master Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Certain types of signage require a Sign Permit from the City of Dover prior to placement of any such sign; please consult with Planning Staff in regards to signage.

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

STAFF D.A.C. MEETING DATE: AUGUST 31, 2016

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Loockerman Way Redevelopment Master Plan**

FILE #: **S-16-18**

REVIEWING AGENCY: **City of Dover Electric and Public Works Departments**

CONTACT PERSON: **Paul Waddell - Electric**
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: **Electric - 302-736-7070 Public Works – 302-736-7025**

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

ELECTRIC

1. The roadway and curbing must be in.
2. The right-of-way must be within 6" of final grade.
3. The property corners must be staked.
4. Owner is responsible for locating all water, sewer, and storm sewer lines.
5. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
6. All cable and electrical equipment will be installed along the right-of-way in front of the lots.
7. Owner is responsible for site and/or street lighting.
8. Meter locations will be determined by City of Dover Engineering Department.
9. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
10. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
11. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
12. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
13. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
14. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
15. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
   c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed buildings. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each buildings. A valve must be installed at the tee to isolate combined fire and domestic water service to the buildings from the water loop. Typically this valve is installed at the tee or an acceptable distance from the buildings. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the buildings. The domestic water tap and valve should be as close to the buildings as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the buildings. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. All water mains not located in the right-of-way shall be located within five feet (5') of the center of a twenty feet (20') wide public utility easement.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
   b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff,

subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.

3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District submitted to our office.
2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.

SANITATION / GROUNDS

1. None.

GENERAL

1. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).
2. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
3. Where applicable, please replace DelDOT details with City of Dover Department of Public Works specific details. Please contact the office for access to said details.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. Owner must give the City of Dover Electric Department three (3) months notice prior to construction. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: http://www.cityofdover.com/media/documents/2010%20Electric%20Service%20Handbook.pdf

WATER / WASTEWATER / STORMWATER / GROUNDS / STREETS / SANITATION / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Provide information on the location of the current transformer; does it require relocation or is it acceptable where it is.

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans must be submitted to the Division of Public Health, Office of Drinking Water for review and approval. The owner/developer will be responsible for providing all completed forms and plan sets to the City of Dover as required for submission to the Office of Drinking Water. Plans will not be submitted to the Office of Drinking Water until review has been completed by our office.
3. Hydrant flow testing is currently only performed two (2) times per year during system wide flushing operations. The applicant must call the Department of Public Works directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.
4. Water impact fees may be required for each building.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, the sanitary sewer system plans may be required to be submitted to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Wastewater impact fees may be required for each residential lot.

STORMWATER / STREETS

1. None.

SANITATION

1. These buildings shall be served by a private sanitation service. Additionally, staff encourages the developer to work with adjacent property owners to create a shared sanitation solution.

GROUNDS

1. None.

GENERAL

1. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

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.

S-16-18

CITY OF FIRE MARSHAL

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 09/07/16

APPLICATION: Loockerman Was Redevelopment Master Plan 126 W Loockerman St

FILE #: S-16-18 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Deputy Fire Marshal PHONE #: (302) 736-4457

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 ADDRESS BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. Proposed building is mixed use to possibly include mercantile/business/restaurant and residential apartments. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Fire lanes can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover _____ of the proposed building. More information is needed prior to deciding on the percentage of Fire Lane coverage (especially the height of the building). The minimum percentage will be 35%.

2. Emergency access to rear building areas compliant with City of Dover Code (Article 5-Supplementary Regulations, Section 17); all four stories and greater buildings require 24ft fire lane at the rear. All two to three story apartment structures require an 18ft Secondary Fire Lane at the rear.

3. The closest edge of fire lanes shall not be located further than 40ft if three or four stories in height.

4. Building Access shall be no further than 50 feet from a primary entrance. Where buildings are provided with an automatic sprinkler system installed in accordance with NFPA 13, access shall be no further than 100 feet from the primary entrance.

5. Fire Lanes shall have an unobstructed vertical clearance of not less than 13ft 6in.

6. All Fire Lanes shall be marked in accordance with the adopted Delaware State Fire Prevention Regulations. All fire lane markings shall be in the color of "yellow".

7. Perimeter access will be ____ and clearly shown on the plans. Perimeter Access minimum width shall be 15ft measured from the face of the building at grade with a maximum slope of 10%. Plantings and utility services shall be permitted within the perimeter access and shall interfere with emergency services fire ground operations. More information is needed prior to deciding on the percentage of Fire Lane coverage (especially the height of the building). The minimum percentage will be 75%.

8. Please see City of Dover Ordinance 98-10 in reference to Speed Reduction Devices.

9. Address numbers of at least 12 inches in height must be placed on the street side of the building visible from the street. Label all suites if applicable.

10. Any natural or LP gas bottles, meters, values, regulators, etc., must have impact protection per City of Dover Code of Ordinances.

11. Full building and fire plan review is required.

12. Building cannot be occupied or construction or renovations started until completion of building and fire plan review.

13. All required means of egress shall have an exit discharge consisting of a non slip surface, and leading to and terminating at a public way.

14. Sprinkler system required. System is to be monitored by an approved Fire Alarm System.

15. Sprinklers required in basements over 2500 sq. ft.

16. Fire Department Connection is to be located within 50 feet of main entrance. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

17. Fire Department Connection to be located within 300 feet of fire hydrant, measured as hose would come off the fire equipment.

18. Fire Alarm System required per occupancy code requirements.

19. Knox Box required at all tenant spaces.

20. Standpipes required.

21. Elevator cars to meet the interior dimensions set forth in the Delaware State Fire Prevention Code.

22. Buildings over 25,000 Sq. Ft are to have radio performance testing done by Delaware State Communications prior to Final CO.

23. Project to be completed per approved Site Plan.

24. Multiple Access Roads shall be provided when a fire department access road (fire lane) is determined by the Fire Marshal to be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access such as placement of fire hose from fire equipment.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. More information is needed prior to deciding on the percentage of Fire Lane coverage (especially the height of the building). The minimum percentage will be 35%.
2. More information is needed prior to deciding on the percentage of Fire Lane coverage (especially the height of the building). The minimum percentage will be 75%.
3. Buildings will need separate addresses
4. The Golden Fleece patio emergency exit must be maintained
5. If a restaurant is going to be utilized on the first floor, preplanning of a hood system should be taken into consideration to avoid possible issues before the building is in place.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
2013 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
2013 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2015 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 31, 2016

DELDOT

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APPLICATION: Loockerman Way Redevelopment Master Plan: Two Mixed Use Buildings at 126 West Lookerman Street

FILE#: S-16-18 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Jonathan T. Moore PHONE#: 760-2145

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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:

DelDOT has no code requirements at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DelDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

- If the applicant needs to do any work within State right-of-way (Loockerman Street, i.e. accessing utilities) they will need to obtain proper permits from DelDOT. If necessary, your point of contact would DelDOT Maintenance and Operations Central District. The phone number is (302) 760-2424.

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.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
September 2016

APPLICATION: *Loockerman Way Redevelopment Master Plan*

FILE #: S-16-18

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

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:

Source:
2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction.
2. The following notes must appear on the record plan:
    - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
    - The Kent Conservation District reserves the right to add, modify, of delete any erosion or sediment control measure, as it deems necessary.
    - A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.
3. A soils investigation in the proposed Stormwater facility area(s) is required to determine impacts of the seasonal high groundwater level and soils for any Best Management Practice (BMP) design.
4. A SAS (Stormwater Assessment Study) submittal is required for review and approval. An SAS meeting will be scheduled after the submittal has been approved.

ADVISORY COMMENTS TO THE APPLICANT:

1. The project is located within the Tar Ditch system; volume reduction will be a consideration.
2. Green Technologies (infiltration, bio retention, bio swales, filter strips etc.) must be implemented to comply with the 2014 Delaware Sediment and Stormwater Regulations.
3. The preferred methods of Stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.
4. It is recommended that the stormwater management areas be incorporated into the overall landscape plan to enhance water quality and to make the stormwater facility an attractive community amenity.
5. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.

WAIVER REQUEST

LOOCKERMAN PLAZA REDEVELOPMENT
DOWNTOWN DOVER

PARKING REQUIREMENTS

REQUEST: We are proposing a parking reduction of 50% (22 spaces) for the 20 apartment units proposed for the entire Loockerman Plaza Project.

EXTENT OF THE REQUEST: By code, the project is required to have 2.25 parking spaces per unit for projects in the C-2 zone. We are proposing to provide 23 parking spaces for the units (a reduction of 22 spaces).

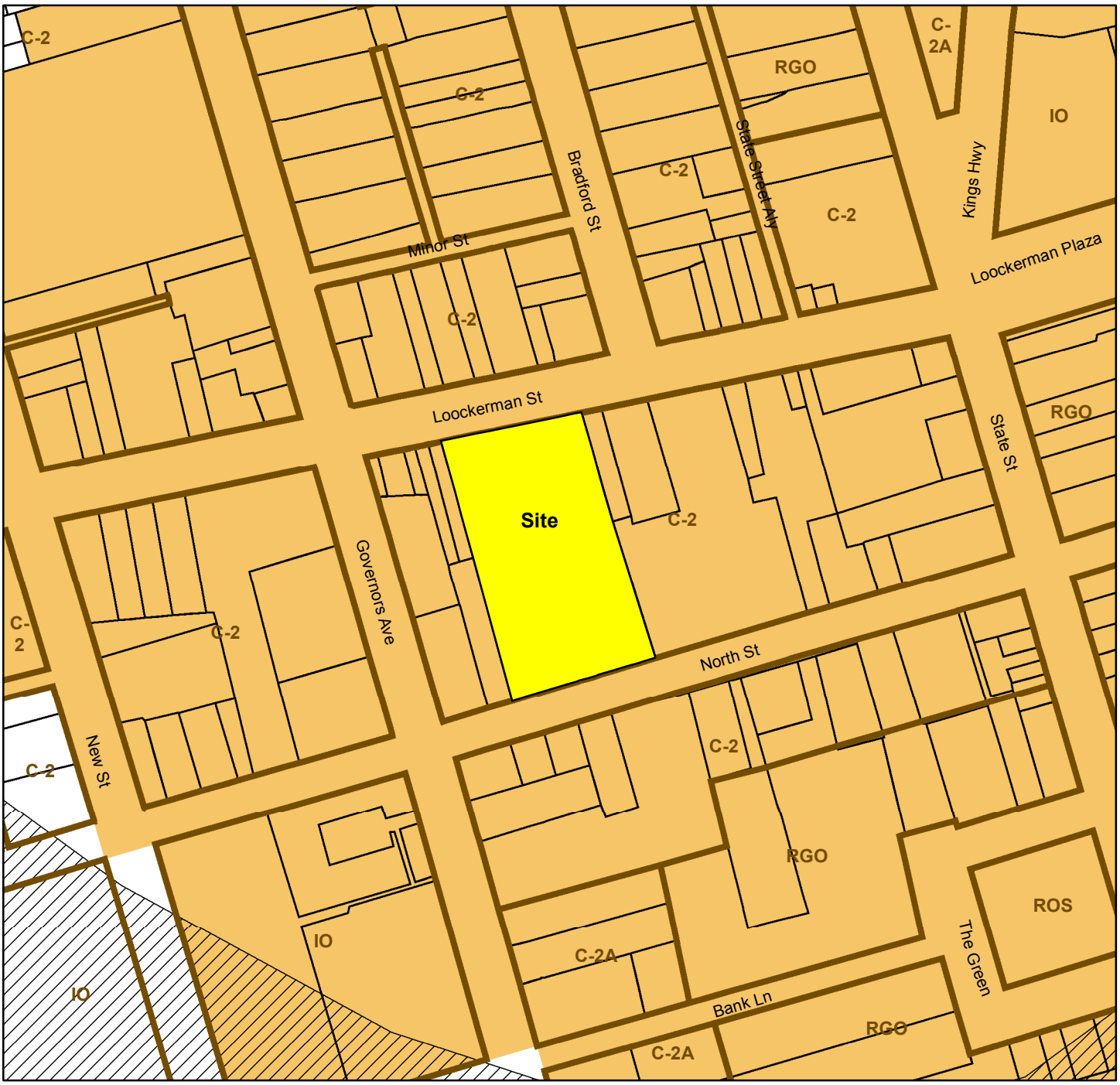
BASIS FOR REQUEST: Article 6, section 3.9 of the City of Dover zoning code states that the planning commission may reduce, in an amount not to exceed 50 percent, the number of parking spaces required… Site plan proposals within the C-2 Zone require 2.25 parking spaces per apartment unit. As the site is located in the downtown area the project is looking for an additional 30% reduction, on top of the 20% reduction allowed by code in the downtown area.

Due to the location of the project, the owner would like to allow for as much public parking as possible to assist in alleviating the lack of parking in the downtown area. As our plan proposes a total of 58 spaces, the project will increase the number of parking spaces on the property by 20 spaces. A reduction of 22 required spaces would allow 36 spaces to remain open for the general public use. We are requesting a total of 50% reduction of the total parking required for the project.

City of Dover

Department of Planning & Inspections

Application No.: S-16-18



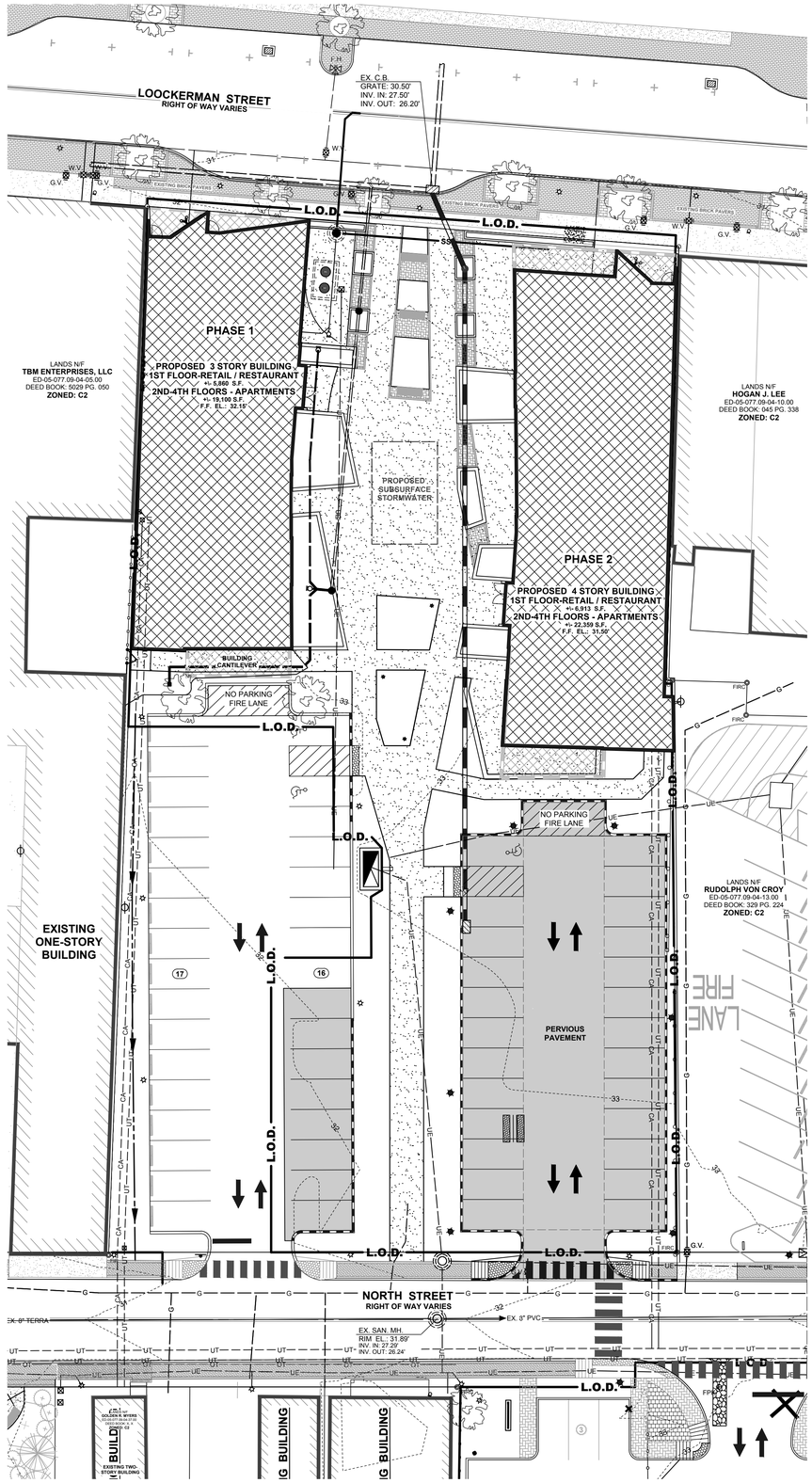
Title: Loockerman Way Redevelopment Master Plan:
Two Mixed Use Buildings at 126 West Loockerman Steet
Address: 126 West Loockerman Steet
Parcel ID: ED-05-077.09-04-06.00-000
Zoning: C-2
Owner: Downtown Dover Partnership
Date: 8/22/2016

Legend

- Zoning
- Dover Parcels
- Subject Property
- Historic District

N W E S

0 100 200 400 Feet



PLAN VIEW: PHASE ONE AND TWO

SCALE : 1" = 20'

BECKER MORGAN GROUP

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PROJECT TITLE

LIGHTHOUSE CONSTRUCTION LOOCKERMAN PLAZA REDEVELOPMENT

LOOCKERMAN STREET
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

SITE PLAN PHASE 1 AND PHASE 2 LOOCKERMAN PLAZA

0 10 20 40

SCALE : 1" = 20'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	-	-

LAYER STATE - C-201

PROJECT NO.:	2016125.00
DATE:	08-05-16
SCALE:	1" = 20'
DRAWN BY: J.N.S.	PROJ. MGR.: J.N.S.

SHEET
C-201

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F:\AutoCAD\Projects\2016\2016152\DWG\Temp\201615200-LOOCKERMAN-SITE.DWG, Aug 05, 2016 - 12:40pm

126 LOOCKERMAN STREET

REVISED ELEVATION

AUGUST 12, 2016



3
A100

EAST AND WEST BUILDINGS - NORTH ELEV

1/16" = 1'-0"

City of Dover

ARCHITECTURAL REVIEW CERTIFICATION REPORT
Recommendation of the Historic District Commission
Meetings of July 21, 2016 and August 18, 2016

Application:	Mixed Use Buildings at 126 West Loockerman Street, HI-16-05
Project Location:	Loockerman Way located on the south side of West Loockerman Street between South Governors Avenue and South State Street
Property Address:	126 West Loockerman Street, Dover
Tax Parcel:	ED-05-077.09-04-06.00-000
Owner:	Downtown Dover Partnership Corporation
Equitable Owner:	Loockerman Plaza, LLC
Present Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)
Existing Use:	Park/Plaza Area and Parking Lot
Proposed Uses:	Two Mixed Use (Commercial & Apartments) Buildings

Project Description:
The Historic District Commission conducted a Public Hearing on July 21, 2016 and acted on a Recommendation to the City of Dover Planning Commission for an Architectural Review Certificate for the Mixed Use Buildings project at 126 West Loockerman Street. The Commission was provided an update on the continuation of design refinements for the project at their meeting of August 18, 2016. This Application is now a Site Plan (S-16-18) project filed for review by the Planning Commission.

This application consists of a project involving the construction of two mixed use buildings on the existing park/plaza site known as Loockerman Way. One four-story building and one three-story building is proposed, with ground floor commercial uses and residential uses (apartments) on upper floors, and associated site improvements, subject to future Site Development Plan approval processes. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Overlay Zone). The property is located on the south side of West Loockerman Street between South Governors Avenue and South State Street and includes frontage on West North Street.

RECOMMENDATION OF THE HISTORIC DISTRICT COMMISSION:
The application was considered at the July 21, 2016 and August 18, 2016 meetings of the Historic District Commission. The following members were present at the July Meeting: Chairman Mr. Chazz Salkin, Mrs. Ann Horsey, Mr. Joe McDaniel, and Mr. Dick Scrafford. Mr. Terry Jackson was absent. The application was represented by Mr. Bob MacLeish of Lighthouse Construction Inc.; Mr. Jules Dingle with DIGSAU and Mr. Jonathan Street of Becker Morgan

Group. Public testimony was received during the Public Hearing (ten individuals speaking and one item of correspondence). The following members were present at the August Meeting: Chairman Mr. Joe McDaniel, Mrs. Ann Horsey, Mr. Terry Jackson, Mr. Dick Scrafford, and Mr. Eric Czerwinski (newly appointed member).

Action Taken by Historic District Commission:

The motion to recommend approval passed 4-0 of the members present at the July meeting. **The Historic District Commission recommends approval of the Architectural Review Certificate for application HI-16-05 Mixed Use Buildings at 126 West Loockerman Street involving the construction of two buildings (West & East Buildings) and associated improvements on the site subject to the following conditions:**

1) **The Historic District Commission recommended the following specific conditions as related Staff Comments 2A-E (Items 4A-E as renumbered):**
    a. **Windows – To improve the proportions of wall vs. window/solid vs. void on the Loockerman Street elevations, it was recommended to increase the amount of wall space at each floor. This would increase the solid wall area between the top of one window (the window header) and the bottom of the next window (the window sill) above it. It would slightly decrease the overall height of each window unit and make them less vertical in appearance.**
    b. **Cornice – Recommended exploring options to create a more defined or complex cornice element on each building. Suggestions made include creating projecting cornice line, the addition of other detail or material elements at this transition to the roof, brick design in color or texture, etc.**

2) **The Historic District Commission recommended that the applicant continue to work with Staff on the design items and to bring project revisions to the Historic District Commission for consultation. (Project revisions were presented at the August 18, 2016 Meeting of the Commission; see report on action below.)**

3) **The Historic District Commission recommendation of approval was derived from discussion of a series of Staff Recommendations (originally #1-13) as listed in the Architectural Review Staff Report – Staff Comments & Recommendations. The Recommendations have been renumbered below as Items #4-15 with annotations from the project discussion and any exceptions noted.**

4) **The following conditions are recommended to improve the compliance of the proposed buildings with the recommended guidelines of the *Design Standards & Guidelines*.**
    a. **Exception: The Historic District Commission accepted the proposed absolute scale and building size (number of stories and building heights) as acceptable finding them to fit the scale of buildings and the dominant cornice line (building heights) within this area of the Historic District.** *(Staff had recommended that the absolute size and size of the building be evaluated further and offered design options to address Options to address these guidelines.)*
    b. **The current window format on the upper floors gives the appearance of vertical bands on the Loockerman Street frontage of both buildings. A**

balance of massing proportions between wall vs. window/solid vs. void would be improved by a larger wall surface at the transition between floors. *(See conditions from Historic District Commission in Item #1.)*

c. **The front facades facing Loockerman Street appear 'flat' and 'plain.' The addition of other fenestration elements in the masonry/brickwork size and coursing format, change in wall surface plane, additional detailing or trimwork as distinctions between floors and at the rooftop cornice line would add dimension to the elevation.** *(See conditions from Historic District Commission in Item #1. The applicant also noted future design refinement will be addressing these items.)*
d. **Window glass must be clear glass; no tinted or reflective glass.**
e. **Any revisions or changes in the identified materials or refinement of the building design may be subject to further review by the Historic District Commission.**

5) **Some of the building elements were not specifically described with the application information.** *(Additional information provided at the HDC Meeting is noted.)*
   a. **Specific identification of all materials: type of masonry/brick, window surrounds and box-like window elements, cornice, glass wall system, balcony railings, etc.** *(The applicant noted that specific materials will be identified as the building design progresses.)*
   b. **Identify material on sloped portions of wall/roof facing the interior plaza.** *(The applicant is looking to design these areas as brick.)*
   c. **Identify roof drainage system (internal, gutters & downspouts, etc.** *(The applicant noted for the flat roof areas it will be an internal system with no downspout systems.)*
   d. **Location of mechanical equipment.** *(The applicant indicated that roof mounted systems will be used.)*

6) **The following conditions are recommended to improve the compliance of the site improvements with the recommended guidelines of the Design Standards and Guidelines.** *(Additional information provided at the HDC Meeting is noted.)*
   a. **The details and size of the proposed site elements/improvements are difficult to be determined from some of the drawings submitted.** *The formal Site Plan (received 7/15/2016) begins to clarify these items.*
   b. **Exception: The Historic District Commission accepted the use of exposed concrete masonry as the construction material for any low walls and planters within the plaza areas.** *(Staff had recommended the use of brick rather than the exposed concrete masonry which is discouraged in the Historic District.)*
   c. **Continue to maintain street trees along the West Loockerman Street frontage of the property.** *(The Landscape Plan shows these trees to remain.)*
   d. **Maintain and/or implement a series of street trees along the North Street frontage of the property (where separation distances can be met from utilities).** *(The Landscape Plan shows proposed trees along North Street.)*
   e. **Implement a landscaped screening of the parking lots from North Street through the planting of low growing shrubs. The *Zoning Ordinance* requires this screening specifically in areas where parking lots are located across from residential uses. This will also direct pedestrians to use of designated**

sidewalks and existing crosswalks in the area. *(Acknowledged; compliance with the requirement to be noted in Site Plan Review Report.)*

f. **Light fixtures/poles utilized along the streetscape should continue style of the lighting used in the Downtown Loockerman Street area. The acorn-style lighting is proposed by the applicant which is found in the Downtown.**
g. **The acorn style light fixtures shall also continue to be utilized for the site lighting internal to the site in the public plaza area and the parking lot areas. This could include single fixture poles or poles with two light fixtures.** *(Lighting not selected yet by applicant.)*
h. **Install several benches or other types of seating options within the plaza areas and install several trash cans on plaza site.** *(The applicant indicated there will be seating options within the plaza area.)*
i. **Utilize black posts for signage elements including traffic control signs.**

7) **Some of the site improvements/amenities were not specifically described with the application information.** *(Additional information provided at the HDC Meeting is noted.)*
   a. **Identify the location of the Code required bicycle parking spaces including the design/format of the parking rack system.**
   b. **Further clarify the materials for the landscaped and hardscaped areas of the plaza including surface pavements, planters, tree and shrub plantings, benches or other seating, bicycle parking racks, etc.**
   c. **Clarify the surface treatment of lawn areas, plantings, type of mulch, etc. on the site.**
   d. **Identify the location and format of Dumpsters.** *(Applicant is considering options for trash collection methods.)*
   e. **Identify the location of any outdoor based active recreation amenities.**
   f. **The plan provides limited information on the projects' strategy for stormwater management. This may impact the parking lot and landscaping designs.** *(Applicant notes stormwater management intends to make use of existing swale on site and to use an underground system.)*
   g. **All mechanical equipment should be located so as to not be visible from the streets. Appropriate screening by plantings, screening materials, etc. must be implemented.** *(The applicant indicated roof-mounted systems are intended.)*

The following are general advisory comments related to the site development process and construction activities.

8) **The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area. The City's standards for sidewalk format must be met including the installation of accessible ramps and removal of any unused curb cuts along the street frontages.**

9) **The proposed landscaping including tree plantings and landscape plantings should be completed with species appropriate to the site conditions of an urban area.**

10) **The applicant should be aware of the potential for historic archaeological resources which may include previous building locations, wells, privies, etc. on the property.**

The State Division of Historical & Cultural Affairs can provide technical assistance when dealing with found archaeological resources or previous studies at the subject location.

11) **In the event, that major changes and revisions to the design, materials, or site layout occur with the project contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.**

12) **The plan for this project is also subject to the application and review process for Site Development Plan (Article 10 §2 of the Zoning Ordinance) before the Planning Commission. Note: Additional technical items for compliance with the Zoning Ordinance and other regulations may be identified during the Plan Review Process.**

13) **For building construction, the requirements of the building code and fire code must be complied with. Consult with the Chief Building Inspector and Office of the Fire Marshal for these requirements. The resolution of these items can impact the site design or the building exterior finishes or design in some instances.**

14) **The applicant shall be aware that Building Permits are required to proceed with any construction activities on the property. The permit applications must comply with the approvals and conditions granted through the Architectural Review Certification and Site Plan Review process.**

15) **The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property. Compliance with the sign regulations will be reviewed with the Sign Permit application. Any depiction of signage on these plans is considered conceptual and approval of the plans does not constitute approval of the signage.**

<u>Update on Project Design: August 18, 2016 Meeting</u>
The applicant presented some updated architectural renderings at August 189th meeting of the Historic District Commission. The motion to recommend approval passed 5-0 of the members present at the August meeting. **The Historic District Commission recommends to continue approval (as recommended in July 2016) of the Architectural Review Certificate for application HI-16-05 Mixed Use Buildings at 126 West Loockerman Street. And in reference to the updated architectural submission, the Historic District Commission recommend the following: to accept the wall/window spacing presented for the West Building which increased the wall area at the transition between floors and that the same concept be implemented on the East Building; to utilize the same window format (a two-part window pane system) on the East Building as shown on the West Building; and to continue to revise the design of the cornice areas on both building to address the previous comments made regarding the cornice.**

These Recommendations are forwarded to the Planning Commission for the final action on the Architectural Review Certification.

The following information was considered by the Historic District Commission in marking their recommendation including the initial recommendations made by Planning Staff in regards to the

application. Discussion at the Historic District Commission meetings also included questions and discussion of the following: the impact to adjacent property; plaza design elements of seating and planters; scale and number of stories in each building; window format and proportions; options for brick details; cornice design; and sidewalk materials. A presentation on the project including development of project vision and architectural concepts, area history, and project details was heard.

Previous Applications:
The subject areas of this proposed project site were involved in previous application appearing before the Historic District Commission. A summary list of these applications is provided below.

- HI-02-01 Demolition of 116 West Loockerman Street (Capitol Office Supply). Building demolished and area adjacent to Loockerman Street was landscaped with ornamental trees and shrubs with a fence. Application S-02-18 Collegian Hotel for construction of a six story mixed-use building (retail, offices, and hotel). Project expired.
- HI-06-05 Demolition of the buildings at 114, 126 and 128 West Loockerman Street (including old Dover Newsstand and Dover Hardware). Buildings were demolished in March –May 2007.
- HI-06-09 Collegian Complex for construction of a multi-story mixed –use (commercial and apartments) building fronting West Loockerman Street. Project expired.
- HI-11-05 North Street Area Improvement Project included the redevelopment this vacant area in the block between West North Street and West Loockerman Street as a plaza with parking lot. The space is known as Loockerman Way.

Property Information:
The project site is located with the local Historic District Zone (H) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections.

This area is located within the boundaries of a National Register Historic District, specifically the Victorian Dover Historic District. A series of late nineteenth and twentieth century commercial buildings which previously stood in this area are described in the building inventory listing found within the National Register nomination completed for the Victorian Dover Historic District (nomination completed 1977-78).

A series of historic maps was reviewed by Planning Staff for preliminary information on this block located between West Loockerman Street and North Street. The *1868 Beers Map* published by Pomeroy & Beers shows a limited number of buildings fronting on Loockerman Street; a more significant number of buildings are shown fronting directly on North Street. By 1885, the *1885 Bird's Eye View of Dover* shows multiple commercial buildings fronting the south side of Loockerman Street and the series of buildings fronting on North Street appear to be residential dwellings. Review of the series of *Sanborn Fire Insurance Maps* would show the changes overtime for these areas including the disappearance on the residential dwellings as the area redeveloped. For Dover, this series of maps dated from 1897-1944.

Area Studies
The overall project should strive to follow the design and planning strategies outlined in the *Dover Transit Center Neighborhood Plan and Design Book (January 14, 2011)* Basic design principles from the Plan include creating buildings that engage the street, parking at center of

blocks, recognize history and character of existing architecture, creating streetscapes, and creating pocket parks and other public open spaces. In the discussion of Building Types, it states "Size, bulk and scale of new buildings should be generally compatible with adjacent structures and the architectural character of the surrounding neighborhood. However, some variety is encouraged as long as it does not overwhelm existing buildings." This subject project area is an infill site and was referred to as Loockerman Plaza in the *Neighborhood Plan* with a concept for buildings flanking a pedestrian plaza area.

PROJECT PROPOSAL (Drawings dated June 15, 2016 and Site Plan dated July 13, 2016):
The application proposes construction of two mixed-use buildings and site improvements. See descriptions below and submitted plans and drawings. The project is presented in a Site Plan, elevation drawings, floor plans, and color renderings. The elements of the project are as follows:

1) Existing Conditions: Loockerman Way Plaza & Parking Lot: The existing conditions of the property include a public plaza area with paving treatments (brick and concrete), lawn areas, tree plantings, and benches extending from West Loockerman Street to West North Street providing a mid-block pedestrian way. There is an existing parking lot with access from North Street. From the submission, it is unclear what portions of this existing plaza and parking lot will remain.

2) Mixed Use Buildings (West Building and East Building): The buildings are basically rectangular in footprint and the building massing/form presents some angled wall surfaces with projecting boxed windows and flat roof system. The west building is three story and the east building is four story. For both buildings, the predominant exterior finish is a type of masonry/brick (as depicted in the color renderings). The front façade on Loockerman Street and the elevations facing the interior plaza area consist of the commercial retail/restaurant areas on the first floor with large display windows in a glass storefront window system. The upper floors, where the apartments are to be located, have a spaced series tall two-part vertical windows. On the plaza elevations, the windows are placed in box-like elements that protrude at differing depths from the wall surface. There is a plain cornice detail at the roofline of the Loockerman Street facades.

3) Access/Parking: Two parking lot areas with separate direct accesses to West North Street are shown. The western parking lot appears to be making use of a portion of the existing parking lot. The parking lot show thirty-three (33) and twenty-five (25) parking spaces.

4) Landscaping: The Site Plan shows a series of trees on the site: a grouping of trees in planters in the public plaza area near Loockerman Street and other trees within small lawns areas and along the eastern edge of the west parking lot. A line of screening plantings is along the east property line.

5) Site Features: The proposed mixed-use buildings flank an area labeled as a public plaza of concrete with select areas of brick paver accents. Adjacent to the buildings table seating areas are shown on some drawings. A series of low masonry walls and raised planter boxes are in the plaza area.

Review of DESIGN STANDARDS AND GUIDELINES

In the Historic District Zone, the uses and bulk requirements are governed by the provisions of the *Zoning Ordinance* related to the zoning of the property. In this case, these are the provisions of the C-2 zone (Article 3 §13 and Article 4 §4.14) and other supplementary regulations. The Historic District Commission can consider alternatives to the bulk requirements relating to building height, bulk, and setbacks as related to the Architectural Review Certification process. The proposal appears to comply with the bulk standards of the C-2 Zoning District including setbacks, number of stories/height, and Floor Area Ratio; an engineered Site Plan would confirm this.

The subject project site is located in the Dover Historic District Zone within the Loockerman Historic Context. The Loockerman Historic Context is described on pages 2-7 through 2-8. Location within the Dover Historic District Zone requires proposals for demolition, new construction, additions, and certain renovation or rehabilitation activities to existing buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." In accordance with *Zoning Ordinance*, Article 10 §3.2, the Historic District Commission will take action to make a recommendation regarding the project's compliance with the architectural review standards.

This proposal should be reviewed for conformity with the design criteria and development guidelines found in the *Design Standards and Guidelines* of Chapter 4: New Construction, Additions, Demolition and Relocation. For the new mixed-use commercial/apartment buildings, the applicable review considerations are those associated with "New Construction" Information on the review considerations is given below.

New Construction

The *Design Standards and Guidelines* for New Construction (Chapter 4: pages 4-1 through 4-8) provide the design criteria and development guidelines. The guidelines specify the following individual considerations for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification:

- Style
- Scale *(building to reflect dominant cornice and roof height of adjacent buildings)*
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows and doors *(size, relationship, spacing of)*
- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials
- Forms *(shape of building and roof to be complementary)*

- Siting *(location of building on lot and in relation to street)*
- High density/ large-scale construction

Also the sections of the *Design Guidelines* for Landscaping and Site Amenities, Paving and Bordering, and Parking Lots found on pages 3-24 through 3-25 and 3-27 must be considered. These guidelines highlight the consideration that should be given to the areas surrounding buildings including the choice of materials. It notes that parking lots are elements that are located within the historic district; however, the choice of materials and the introduction of landscaping can assist in mitigation of their impact. The *Design Guidelines* state that parking lots should be screened from the street and "their layout should include islands planted with trees to break-up expanses of paved areas." It also recommends that 20% of the parking lot should be unpaved and planted. (See DS&G page 3-27.)

STAFF COMMENTS AND RECOMMENDATIONS

The following are Staff comments and recommendations for this application regarding project activities and Architectural Review Certification.

1) Staff recommends approval of the Architectural Review Certificate for the two Mixed-Use Buildings (West & East Buildings) and associated site improvements based on the proposal presented in the application submission subject to the conditions and recommendations below. It is contemporary design of new buildings while maintaining a mid-block pedestrian/public space between the buildings. The buildings are sited to continue the established streetscape with the buildings at the edge of the wide sidewalk. The use of brick as the primary exterior finish material does fit the character of the Historic District. This recommendation is made subject to the following comments and suggested revisions.

2) Staff recommendations as conditions regarding the Architectural Review Certification of the proposed buildings. The following conditions are recommended by Staff to improve the project's compliance with the recommended guidelines of the *Design Standards & Guidelines*.
    a. While the East Building complies with the maximum number of stories and building height within the C-2 Zone, it is recommended that the absolute size and size of the building be evaluated further. Options to address these guidelines include: a vertical articulation (wall plane, material choice, etc.) to create an appearance of two buildings side-by-side; a setback or stepping back of the fourth floor, or other design options. These revisions may be necessary to respect the scale of buildings and the dominant cornice line (building heights) within this area of the Historic District.
    b. The current window format on the upper floors gives the appearance of vertical bands on the Loockerman Street frontage of both buildings. A balance of massing proportions between wall vs. window/solid vs. void would be improved by a larger wall surface at the transition between floors.
    c. The front facades facing Loockerman Street appear 'flat' and 'plain.' The addition of other fenestration elements in the masonry/brickwork size and coursing format, change in wall surface plane, additional detailing or trimwork as distinctions between floors and at the rooftop cornice line would add dimension to the

elevation. Part of the character of the existing buildings in the Historic District is the uniqueness and specialized details found on the upper floor areas and at the roof cornice of buildings.

d. Window glass must be clear glass; no tinted or reflective glass.
e. Any revisions or changes in the identified materials or refinement of the building design may be subject to further review by the Historic District Commission.

3) Some of the building elements were not specifically described with the application information. Please provide information for consideration and discussion.
    a. Specific identification of all materials: type of masonry/brick, window surrounds and box-like window elements, cornice, glass wall system, balcony railings, etc.
    b. Identify material on sloped portions of wall/roof facing the interior plaza.
    c. Identify roof drainage system (internal, gutters & downspouts, etc.
    d. Location of mechanical equipment.

4) Staff recommendations as conditions regarding the Architectural Review Certification of the site improvements. The following conditions are recommended by Staff to improve project's compliance with the recommended guidelines of the *Design Standards and Guidelines*.
    a. The details and size of the proposed site elements/improvements are difficult to be determined from some of the drawings submitted. The formal Site Plan (received 7/15/2016) begins to clarify these items.
    b. Utilize brick as the construction material for any low walls and planters within the plaza areas as the use of exposed concrete masonry is discouraged in the Historic District.
    c. Continue to maintain street trees along the West Loockerman Street frontage of the property.
    d. Maintain and/or implement a series of street trees along the North Street frontage of the property (where separation distances can be met from utilities).
    e. Implement a landscaped screening of the parking lots from North Street through the planting of low growing shrubs. The *Zoning Ordinance* requires this screening specifically in areas where parking lots are located across from residential uses. This will also direct pedestrians to use of designated sidewalks and existing crosswalks in the area.
    f. Light fixtures/poles utilized along the streetscape should continue style of the lighting used in the Downtown Loockerman Street area. The acorn-style lighting is proposed by the applicant which is found in the Downtown.
    g. The acorn style light fixtures shall also continue to be utilized for the site lighting internal to the site in the public plaza area and the parking lot areas. This could include single fixture poles or poles with two light fixtures.
    h. Install several benches or other types of seating options within the plaza areas and install several trash cans on plaza site.
    i. Utilize black posts for signage elements including traffic control signs.

5) Some of the site improvements/amenities were not specifically described with the application information. Please provide information for consideration and discussion.

a. Identify the location of the Code required bicycle parking spaces including the design/format of the parking rack system.
b. Further clarify the materials for the landscaped and hardscaped areas of the plaza including surface pavements, planters, tree and shrub plantings, benches or other seating, bicycle parking racks, etc.
c. Clarify the surface treatment of lawn areas, plantings, type of mulch, etc. on the site.
d. Identify the location and format of Dumpsters.
e. Identify the location of any outdoor based active recreation amenities.
f. The plan provides limited information on the projects' strategy for stormwater management. This may impact the parking lot and landscaping designs.
g. All mechanical equipment should be located so as to not be visible from the streets. Appropriate screening by plantings, screening materials, etc. must be implemented.

6) The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area. The City's standards for sidewalk format must be met including the installation of accessible ramps and removal of any unused curb cuts along the street frontages.

7) The proposed landscaping including tree plantings and landscape plantings should be completed with species appropriate to the site conditions of an urban area.

8) The applicant should be aware of the potential for historic archaeological resources which may include previous building locations, wells, privies, etc. on the property. The State Division of Historical & Cultural Affairs can provide technical assistance when dealing with found archaeological resources or previous studies at the subject location.

9) In the event, that major changes and revisions to the design, materials, or site layout occur with the project contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.

10) The plan for this project is also subject to the application and review process for Site Development Plan (Article 10 §2 of the *Zoning Ordinance*) before the Planning Commission. Note: Additional technical items for compliance with the *Zoning Ordinance* and other regulations may be identified during the Plan Review Process.

11) For building construction, the requirements of the building code and fire code must be complied with. Consult with the Chief Building Inspector and Office of the Fire Marshal for these requirements. The resolution of these items can impact the site design or the building exterior finishes or design in some instances.

12) The applicant shall be aware that Building Permits are required to proceed with any construction activities on the property. The permit applications must comply with the approvals and conditions granted through the Architectural Review Certification and Site Plan Review process.

13) The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property. Compliance with the sign regulations will be reviewed with the Sign Permit application. Any depiction of signage on these plans is considered conceptual and approval of the plans does not constitute approval of the signage.

Historic District Commission Action on July 21, 2016 and August 18, 2016

The Historic District Commission considered the proposal and provided a recommendation to the Planning Commission in regards to the Architectural Review Certification for the project building design and site development plan. The recommendations reflect consideration of the *Design Standards and Guidelines.* The specific conditions of the recommendation are noted in the Report under the heading "Recommendation of the Historic District Commission."

DATA SHEET FOR RECREATION PLAN REVIEW
PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF September 13, 2016
Planning Commission Meeting of September 19, 2016

Plan Title:	Loockerman Way Redevelopment Master Plan: Two Mixed Use Buildings at 126 West Loockerman Street (S-16-18 and HI-16-05)
Plan Type:	Site Development Master Plan Active Recreation Area Plan
Property Location:	South side of West Loockerman Street extending to North Street; Within block between South Governors Avenue and South State Street
Property Address:	126 West Loockerman Street
Tax Parcel Number:	ED-05-077.09-04-06.00-000
Owner: Equitable Owner:	Downtown Dover Partnership Loockerman Plaza, LLC
Site Area:	1.14 Acres +/-
Existing Use: Proposed Use:	Park/Plaza Area and Parking Lot Two Mixed-Use Buildings: First Floor Retail/Restaurant/Commercial Space, Upper Floors – Apartments (Total of 20 units) with Plaza Area and Parking Lots
Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)

Project Summary and Background:
The project is for the redevelopment of the property at 126 West Loockerman Street (known as Loockerman Way) to include two Mixed Use Buildings. The project is proposed as a Master Plan consisting of two phases for the construction of two mixed use buildings with commercial (retail and/or restaurant) space and a total of twenty (20) apartment units. Phase 1 is to consist of the three story 24,960 S.F. west building (5,860 S.F. +/- retail and eight (8) apartment units) while Phase 2 is to consist of the four story 29,272 S.F. east building (6,913 S.F. +/- retail and twelve (12) apartment units). Reconfiguration of the existing plaza on site and construction of additional parking are also proposed with the project.

Area Studies
The overall project should strive to follow the design and planning strategies outlined in the *Dover Transit Center Neighborhood Plan and Design Book (January 14, 2011)* Basic design

principles from the *Neighborhood Plan* include creating buildings that engage the street, parking at center of blocks, recognize history and character of existing architecture, creating streetscapes, and creating pocket parks and other public open spaces. This subject project area is an infill site and was referred to as Loockerman Plaza in the *Neighborhood Plan* with a concept for buildings flanking a pedestrian plaza area.

Active Recreation Area Requirements:

As part of the Site Development Master Plan review process for this project, the applicant prepared a Narrative and a referenced Plan which illustrates how the residential component of this development (apartments) will be provided with recreational amenities. The Active Recreation Areas are to be provided in accordance with the design specifications/requirements described in Article 5, Section 10 of the *Zoning Ordinance*. Due to the property location, size and unit density, this project qualifies for the active recreation area exemption for small developments under *Zoning Ordinance,* Article 5 §10.515.

> Article 5 §10.515 *Residential developments located within the Downtown Redevelopment Target Area as defined in Appendix C.* These developments shall be exempt from the area requirements set forth in section 10.16, but shall be required to provide 75 square feet of active recreation area per dwelling unit with a minimum of 2,500 square feet provided on site. If the commission determines that the construction of the entirety of the required active recreation area is not practical or desirable, the commission shall require a cash in lieu donation for the active recreation area determined as not practical or desirable. Cash in lieu shall be calculated in accordance with subsection 10.173 of this article.

The Active Recreation Area Plan concept must be reviewed by the Parks, Recreation, and Community Enhancement Committee for a recommendation prior to consideration of the Site Development Master Plan for the project by Planning Commission.

Active Recreation Area Plan Summary:

The Active Recreation Area proposal for this project is depicted in the Narrative description and the site layout is depicted on the Landscape Plan sheet. The Active Recreation Area for this project is required at a rate of 75 square feet per dwelling unit or 2,500 SF whichever is greater. Based on a total of 20 dwelling units, the rate calculation would only tally to 1,500 SF thus the active recreation area requirement is 2,500 S.F.

The project proposes an eight (8) foot wide walking path through the site from West Loockerman Street to North Street. This walkway would travel through the central plaza area between the two proposed building. It is also noted that a series of benches would be located in the plaza area. The specific area of the designated walkway must be shown to confirm compliance with the area requirement. A rough estimate of a walkway at an eight (8) foot width based on the lot depth would result in an area of approximately 2,400 S.F.; this less than the area required.

The following table provides information from the submitted Narrative (dated August 25, 2016) and the Landscape Plan (dated August 5, 2016) for the Active Recreation Area as proposed for the proposed mixed-use buildings at 126 West Loockerman Street:

	Required	**Provided on Plan**
Active Recreation Area (Article 5 §10.515)	75 S.F. per dwelling unit or 2,500 SF whichever is greater to be provided on site. 20 DU = 1,500 SF therefore 2,500 SF is required	Proposed 8 ft. walkway approximately 300 feet in length = 2,400 SF The specific area was not delineated on plan. Benches located throughout the plaza area.
Design Guidelines (Article 5 §10.151, §10.152)	Accessible and Pedestrian Oriented	Walkway shown constructed of concrete is accessible. It connects to other concrete plaza areas, parking lots, and the street frontage sidewalks.
Design Guidelines (Article 5 §10.153)	Age Oriented to development	Walkway would serve all ages.
Design Guidelines (Article 5 §10.154)	Parking	There are on-site parking areas proposed for the buildings. Bicycle racks are required for bicycle parking but are not identified on the plan.
Design Guidelines (Article 5 §10.156)	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	The walkway is not a game court that is required to meet these setbacks.
Design Guidelines (Article 5 §10.157)	Landscaping	The project shows tree plantings and landscaping along walking path and sidewalks and within the plaza area.

Staff Recommendations:
The following are comments and recommendations from Staff of the Planning Office following review of the concept for Active Recreation Area for the proposed Mixed Use Buildings at 126 West Loockerman Street.

1. The proposed walkway almost meets the area requirements for the Active Recreation Area. The plan is required to provide 2,500 S.F. of Active Recreation Area and the walkway is estimated at approximately 2,400 S.F. of Active Recreation Area. Clarification of the specific walkway location and area may yield full compliance.

2. Staff recommends approval of the proposed Active Recreation plan concept for a walking path system with the placement of benches in the adjacent plaza area subject to the comments below. In this urban setting, the walking path through the site adds linkages to the adjacent street network sidewalks. The path can be utilized by pedestrians (walk, run) and bicyclists and allows for connections to other multi-modal systems (streets, sidewalks, and trails).

3. Staff recommends the following conditions of approval regarding the Active Recreation Area plan:
    a. The walkway area intended to count toward Active Recreation Area requirements is to be expressly delineated on the plan and the cross access easement for public use be established.
    b. The walking path shall be constructed of concrete and/or brick as a paved hard surface.
    c. Bike racks are to be provided in vicinity of the walkway to meet and/or exceed the bicycle parking requirements for project. A minimum of three (3) bicycle parking spaces required for the project by Code.
    d. The series of benches should be established along the walkway.

4. The following items should be included on the Plan to clarify the Recreation Area improvements:
    a. Provide the Active Recreation Area calculations based on the small development exception.
    b. Indicate the location of the walkway that is eight (8) feet in width and the Phase of construction.
    c. Provide a summary list of the proposed features on the Plan (i.e. the number of benches, bike racks, etc.).
    d. Identify location of bicycle parking racks and benches avoiding conflicts with proposed landscaping and the path of the walkway.

5. To improve the 'active' component of this recreational amenity, it is suggested that the developer explore ideas like enhanced bicycle parking opportunities (i.e. covered, lockers, or indoor storage), fitness stations along the walkway in the form of a fitness furniture or signage with activities, pavement markings for games, wayfinding information to other nearby facilities and trails, etc.

6. Per *Zoning Ordinance*, Article 5 §10.514 if construction of portion of the required active recreation area is not practical, the commission shall require a cash-in-lieu donation for the active recreation area determined as not practical. The amount of the cash-in-lieu is based on information from an appraisal prepared for construction financing.

7. The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units. With this mixed-use apartment building project, the permit can be issued for construction of the first building but all recreations areas will need to be completed to satisfy the requirements for those residential units prior to issuance of any Certificate of Occupancy.

> *Article 5 §10.6 Construction Phasing. The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that one hundred (100) percent of the recreation and open space areas shall be completed prior to issuing building permits for the final twenty (20) percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.*

8. There shall be provisions which ensure that this walkway continues as Active Recreation Area specifically associated with project and is properly managed and maintained. The developer shall either retain ownership and responsibility or established a management organization so designated for maintenance, insurance and taxes on the common open space.

9. In the event, that major changes and revisions to the Plan occur in the finalization of the Plan contact the Planning Office. Examples include reorientation of buildings, relocation of site components, changes in floor area or unit count, or design revisions. These changes may require resubmission for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

The Parks, Recreation, and Community Enhancement Committee shall submit to the Planning Commission a report detailing the recommendations as to the Recreation Area Plan.

Attachments:

- Narrative Letter dated August 25, 2016
- Plan Sheet L-101 Landscape Plan dated August 5, 2016

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AUG 26 2016

CITY OF DOVER
PLANNING & INSPECTIONS

August 25, 2016

Ms. Dawn Melson – Williams, AICP
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19901

RE: Active Recreation Area
LOOCKERMAN PLAZA REDEVELOPEMENT
Dover, Delaware
2016152.00

Dear Dawn:

On behalf of our client, Lighthouse Construction, we are hereby submitting this letter as explanation of the Active Recreation Area provided for the Loockerman Plaza Development Master Plan. In accordance with Appendix B, Article 5, Section 10 of the City of Dover Code of Ordinances, Open Space, Recreation, and other Public Facilities, the City shall require the reservation of open space in accordance with the provisions set forth in this section. Active recreation as defined in Section 10.13 can be defined as tennis, handball, racquet ball, basketball, volley ball courts, pools, saunas, exercise, meeting or activity rooms, swings, slides and play apparatus and developed walking, jogging, or biking trails.

As defined in section 10.515 the project is exempt from providing the active recreation area at a rate defined in 10.16 but are required to provide 75 sq. ft. per dwelling unit with a minimum of 2,500 sq. ft. The development Loockerman Plaza qualifies for the minimum of 2,500 sq. ft.

The project location, the center of Downtown Dover, is an urban environment, site area and open space is constrained and limited by sidewalks and added parking for the Downtown area. Providing a pool, basketball or volley ball courts, is realistically not practical and constructing and installing a small random piece of equipment to qualify a particular space as "active recreation" would seem out of place and an afterthought. However, the project application does propose to provide a cross access easement from Loockerman Street to North Street for the public use. Within this easement, at a minimum, an 8' wide walking path would be constructed from one end of the property to the other. By definition, this hardscaped sidewalk area can be used for walking, running and or biking from the area of Loockerman Street to the North Street corridor. Additionally, the plaza area between the two (2) proposed buildings, will contain a series of benches not only for residents, but the general public to use.

By definition, the walking path between Loockerman and the North Street corridor provides the area necessary for what is defined as active recreation in Section 10.13. Although this is not a trail through a natural environment per say, in an urban

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environment this is not a possibility. As this development is taking place in the downtown area, the walking path and other site amenities should be considered as satisfying the requirements of active recreation in the downtown area.

Please feel free to contact us if you should have any further questions or comments

Sincerely,

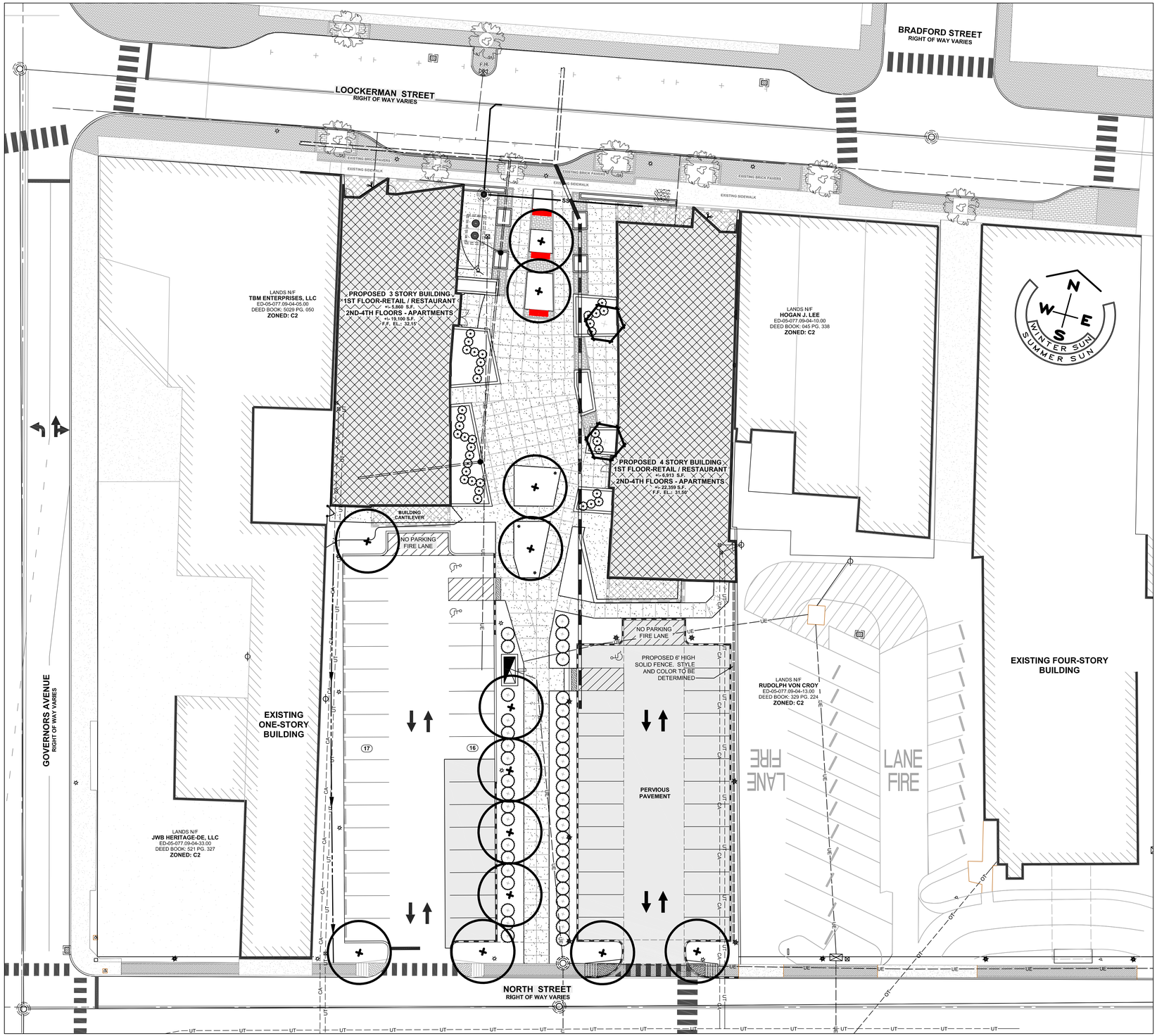
BECKER MORGAN GROUP, INC.

Jonathan N. H. Street
Civil Designer

JNS/rlh

Enclosures

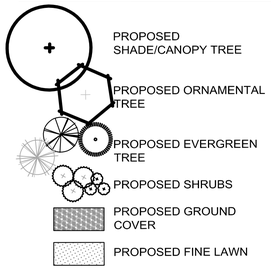
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BULK TABLE

ITEM	REQUIRED/ALLOWED	PROVIDED
TREE DENSITY	1 TREE PER 3000 SQUARE FEET	
	49,716 SF / 3000 = 16.6 (17)TREES REQUIRED	15 PROPOSED TREES

LANDSCAPE LEGEND



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Daydream Believers Inc.

ALISON M. WILKINSON A.S.L.A.
State of Delaware Licensed Landscape Architect
State of Delaware License No. 51-0002664

PROJECT TITLE

LIGHTHOUSE CONSTRUCTION LOOCKERMAN PLAZA REDEVELOPMENT

LOOCKERMAN STREET
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

LANDSCAPE PLAN PHASE 1 AND PHASE 2 LOOCKERMAN PLAZA

0 10 20 40

SCALE : 1" = 20'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
1	-	-

LAYER STATE - C-001

PROJECT NO.:	2016125.00
DATE:	08-05-16
SCALE:	1" = 20'
DRAWN BY: A.M.D.	PROJ. MGR.: J.N.S.

SHEET

L-101

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City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF September 7, 2016

PLANNING COMMISSION MEETING OF September 19, 2016

Plan Title:	Schutte Park Public Works Yard S-16-19	
Plan Type:	Site Development Plan	
Owner of Record:	City of Dover	
Location:	At the end of Electric Avenue inside Schutte Park	
Address:	10 Electric Avenue	
Tax Parcel:	ED-05-076.00-01-06.00-000	
Site Area:	104.33 acres (Parcel) 14.9 acres	
Zoning:	ROS (Recreational and Open Space Zone) SWPOZ (Source Water Protection Overlay Zone: Tier 3 Excellent Recharge Area)	
Existing Use:	Work Yard	
Proposed Use:	Work Yard	
Building Areas:	Existing Buildings: Proposed Storage Building: Proposed Greenhouse: Proposed Truck Wash Station: TOTAL:	20,675 S.F. 3,375 S.F. 2,800 S.F. 1,680 S.F. 28,530 S.F.
Impervious Areas:	Existing – unknown Proposed – 15.34 acres (Parcel- to be confirmed)	
Off Street Parking:	Required – 91 parking spaces (Maximum 114 parking spaces per Code) Proposed – 50 parking spaces (unmarked)	
Sanitary Facilities:	City of Dover	
Water Supply:	City of Dover	

Waivers Requested:	Reduction of Parking Requirement
	Elimination of Sidewalk Requirement
	Consideration of Area Subject to Tree Planting Requirement
	Consideration of Tree Mitigation Plan

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: September 7, 2016

APPLICATION: Schutte Park Public Works Yard at 10 Electric Avenue

FILE #: S-16-19 REVIEWING AGENCY: City of Dover Planning Office

CONTACTS: Eddie Diaz, Planner I PHONE #: (302) 736-7196

PLAN SUMMARY

This review is of a Site Development Plan to permit construction of a storage building, a greenhouse, two truck wash stations, outdoor material storage bins, and other improvements at the City Department of Public Works Yard in Schutte Park. The total area of proposed new buildings is 7,855 S.F. The property consists of 104.33 acres and the project site consists of 14.9 acres. The project site is located at the end of Electric Avenue inside Schutte Park. The property is zoned ROS (Recreational and Open Space Zone) and is subject to the SWPOZ (Source Water Protection Overlay Zone: Tier 3 Excellent Recharge Area). The owner of record is the City of Dover. Property Address: 10 Electric Avenue. Tax Parcel: ED-05-076.00-01-06.00-000. Council District 2.

PROJECT DESCRIPTION

Schutte Park is Dover's largest municipal park, containing the John W. Pitts Recreation Center, the Dover Little League, and other sporting facilities. The easternmost portion of the park is used for public purposes but closed to public access. This approximately twenty-acre area to the east of the Dover Little League facilities contains an electrical generating station; offices, storage, and parking used by the City Department of Public Works; and stockpiles of soil, mulch, and other materials also used by Public Works. The Work Yard under consideration consists of the stockpile areas, the parking areas, and the four existing buildings within the parking areas.

The project proposes to construct a new storage building and a new greenhouse on the east side of the parking area. The project also proposes to remove most of the stockpiles and dispose of them off site. In place of the stockpiles, two truck wash stations in their own new paved area, a jet truck dump site, and a reconfigured material storage area will be constructed. Access to the dump site and the material storage bins will be on new gravel driveways, as opposed to the dirt driveways currently on site. The whole Work Yard area will be enclosed by a new fence.

Previous Applications

The Site Plan reserves space for a salt barn next to the new greenhouse. The proposed barn was originally reviewed by the Planning Office as Administrative Site Plan S-13-13, and granted approval in January 2014. Construction did not commence, and the project exceeded the two-year period during which approval is valid. An update to the project dated March 16, 2016

requesting an extension could not be approved because the two-year period had already been exceeded. Public Works intends to submit a new plan for Administrative Review that will cover the construction of the salt barn. The barn is intended to be constructed before work begins on the other improvements at the Work Yard proposed by this plan.

ROS Zoning District

The property is zoned ROS (Recreational and Open Space Zone) and subject to the regulations of the *Zoning Ordinance,* Article 3 §30. The Work Yard is considered an accessory use to the primary recreational uses on the Schutte Park property. Accessory uses are permitted as follows in Article 3, §30.3:

> Accessory uses customarily incidental to the permitted use and necessary to the operation of the permitted use located on the same premises therewith shall also be a permitted use.

Source Water Protection Overlay Zone: Tier 3 Excellent Recharge Area

The SWPOZ establishes standards and requirements for properties within the overlay zone, including the prohibition of certain uses and limitations on impervious surfaces, ground cover, and floor area ratios, that are intended to protect, maintain, and minimize contamination of drinking water supplies held in groundwater and aquifers. About 1.5 acres of the project site at the north end are located within the SWPOZ: Tier 3 Excellent Recharge Area.

The project locates the proposed new storage building within the SWPOZ. Under the *Zoning Ordinance,* Article 3 §29.75, all reasonable efforts must be undertaken to position permanent structures on the portions of a property which are not subject to the Tier 3: Excellent Recharge Area. However, this storage building will be built on area which is already impervious.

BUILDING ARCHITECTURE

The applicant has submitted elevations for the storage building and the greenhouse, and sections for the truck wash building.

The maintenance building features prefinished insulated metal wall panels and a low-pitched standing seam metal roof. It is similar in appearance to the existing buildings on the site. There are three 12 ft. wide by 16 ft. high roll-up doors on the south façade and regular access doors on the west and east facades. The building lacks windows.

The truck wash stations also feature prefinished insulated metal wall panels and a common low-pitched standing seam metal roof. A maintenance room on the north side of the building is walled with concrete masonry units. Access information is not fully known; however, the stations are oriented east to west, so the trucks enter and exit from these directions.

The greenhouse features a medium-pitched roof made out of polycarbonate roof panels. The walls are also made out of polycarbonate panels. The material makes most of the building translucent. Access is through doors on the north and south facades.

PARKING SUMMARY

The parking requirement in the ROS zoning district is one (1) parking space per 300 S.F. of floor area, for uses not covered in the *Zoning Ordinance,* Article 6 §3.1. All the existing and new buildings on the project site count toward this parking requirement except the two 640 S.F. truck

wash stations, because these two spaces are already intended for vehicular use. Based on a reduced (from 28,530 S.F.) total building area of 27,250 S.F, therefore, the site must be served by at least ninety-one (91) parking spaces.

Waiver Request: Reduction of Parking Requirement

The applicant has submitted a waiver request asking that the parking requirement for the site be reduced by 45% (41 parking spaces). The existing parking area with the Work Yard is not marked, but the applicant has submitted an exhibit (included in this packet) demonstrating that there is space for fifty (50) vehicles to park in the parking area. The applicant has also stated that the project once completed will not increase the number of employees at the Work Yard or increase the number of vehicles needing to park in the Work Yard.

Zoning Ordinance, Article 6, §3.9 requires that the plan have an area of open space designated where the 41 parking spaces, if waived, could be constructed in the future should the Planning Commission determine the reasons for originally granting the waiver no longer exist. This area of open space has not been designated on plan.

Loading Spaces

The use as a Work Yard does not have a loading space requirement.

Bicycle Parking

Bicycle parking is required at a rate of one bicycle parking space for every twenty parking spaces. Based on the proposed number of parking spaces at 50 spaces, the applicant is required to provide three (3) bicycle spaces. No bicycle parking spaces are located on the plan; however, the applicant has stated that they are to be constructed.

SITE CONSIDERATIONS

Entrances

The existing entrances to the parking area and the stockpile area will remain largely unchanged, though the entrance to the stockpile area is now planned to have a gate. One new entrance from Electric Avenue is planned for the truck wash station area. This entrance will also be gated.

Sidewalks: Waiver Request for Elimination of Sidewalk

The *Zoning Ordinance*, Article 5 §18 requires sidewalks to be installed along the public street frontages of a property, and from the frontage to buildings on the property. Schutte Park has an existing multi-use path along its frontage on Hazlettville Road, which also extends south along Electric Avenue to a gravel parking lot just south of the Park's softball fields. This sidewalk system does not fully connect to the location of the Work Yard area. The project does not currently propose any new sidewalk to extend the existing path system. If a new sidewalk were to be constructed to link up the Work Yard and the end of the multi-use path, it would be about 2,400 feet in length (0.45 miles), mostly located outside the project area. The applicant has requested a waiver from constructing any new sidewalk to complete the connection to the Work Yard area (See Waiver Request).

Dumpsters

A Work Yard is not among the uses listed in the *Zoning Ordinance* to have specific dumpster requirements. Therefore, the Work Yard must have dumpster capacity adequate to its needs. No

trash receptacles are marked on the plan, though it is believed that there are in fact trash receptacles on the site.

TREE PLANTING AND LANDSCAPE PLAN

A Landscape Plan has not been prepared for this project, because the applicant is requesting considerations below that would allow all required trees to be planted away from the project site. The trees would instead be planted elsewhere in Schutte Park as proposed in a Tree Mitigation Plan.

Consideration of Area Subject to Tree Planting Requirement

The applicant has indicated they would like to discuss consideration of an alternative area to be the subject of the tree planting requirement, and has submitted a written request to this effect. They have requested to use a project area consisting of 14.9 acres within the overall parcel of land, outlined by the Work Yard's existing fence and new fence to be constructed around the rest of the Work Yard. The Planning Office previously calculated that the tree planting requirement for the overall Schutte Park parcel of land that includes the Work Yard area would be three hundred ninety-one (391) new trees, based on its 104.33-acre parcel size and accounting for existing woodland areas and existing tree plantings at site. The tree planting requirement for the requested 14.9-acre project area, accounting for ninety-nine (99) existing trees within this fenced area, would be one hundred seventeen (117) new trees.

Waiver Request: Consideration of Tree Mitigation Plan

The applicant has requested a waiver from planting new trees on site. In accordance with the *Zoning Ordinance*, Article 5, §16.91, when such waivers are granted the required trees must instead by planted at an off-site location approved by the Planning Commission. The applicant worked with the Planning Office to find locations for these trees. The proposed Tree Mitigation Plan is shown on an exhibit included in this packet.

The Tree Mitigation Plan shows 117 trees divided between three areas. Page one shows 86 trees located along the northwest edge of Schutte Park, adjacent to Wyoming Mill Road; these include 29 Austrian Pine trees, 29 Canadian Hemlock trees, and 28 Leyland Cypress trees. Page two shows 24 trees located near to the entrance of the Work Yard; these include six Serviceberry trees, ten Cornelian Cherry trees, and eight Amanogawa Cherry trees. Pages three and four between them show seven additional Amanogawa Cherry trees along Electric Avenue, north of the Little League fields.

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

CITY AND STATE CODE REQUIREMENTS:

1) Sidewalk must be constructed along all street frontage currently lacking sidewalk, from the current end of the sidewalk south of the softball fields to the end of Electric Avenue, unless a waiver is granted by the Planning Commission. A waiver request was submitted for consideration.

2) Space for ninety-one (91) parking spaces must be located on the plan. If the requested parking reduction waiver is granted by the Planning Commission, the fifty (50) existing

parking spaces within the Work Yard area will suffice.

a. The plan must identify an area reserved for future construction of parking, equivalent in area to the number of parking spaces reduced (41 spaces).

3) If the requested Tree Planting Requirement reduction and associated Tree Mitigation Plan are not approved by the Planning Commission, a Landscape Plan will have to be prepared showing 391 new trees located on the parcel.

4) Three (3) bicycle parking spaces must be located for the site.

5) Specify on the plan the location of dumpsters or trash receptacles. The dumpsters must be screened from public view.

6) Architectural submission:
   a. Include elevations for the truck wash station in the architectural submission.
   b. Verify the height of the truck wash stations. The plan notes them as being 20 feet high, while the architectural drawings show them as being about 24 feet high.

7) All plan sheets:
   a. Include graphic scales in addition to written scales where appropriate.
   b. Add the boundary of the SWPOZ where it crosses the site.

8) On the Title Sheet, add the following information to the Project Site Data:
   a. Total parcel acreage (104.33 acres)
   b. SWPOZ (Under zoning)
   c. ROS Zoning setbacks (30 feet from any lot line)
   d. Existing building area
   e. Building area for each new building
   f. Existing impervious surface coverage for the parcel (in square feet and as a percentage)
   g. Proposed impervious surface coverage for the parcel (in square feet and as a percentage)
   h. ROS Zone maximum building height (35 feet)
   i. Building height for each new building
   j. Total parking required (28.530 S.F. / 300 S.F. = 91 spaces)
   k. Total parking provided (50 spaces)
   l. Tree plantings required (104.33 acres / 3,000 S.F. – 448 existing trees and woodland areas = 391 trees)
   m. Tree plantings provided (14.9 acres / 3,000 S.F. – 99 existing trees = 117 trees)

9) On the Legend and Notes sheet, the legend contains a symbols for “existing wetlands” and “existing wetlands delineation.” Only the second of these appears to be used. Either remove or use the first symbol.

10) The Details sheet must be updated with any new details required as a result of changes to the site plan, including but not limited to details for bike racks and sidewalks.

11) If sidewalks are constructed, ensure that access to them is barrier-free for ADA users.

12) The Site Plan must be updated with changes required or approvals granted, including any waivers granted by the Planning Commission, prior to Final Plan Approval. The Site Plan must contain notes documenting these changes and granted waivers.

13) Any Sediment & Stormwater Management Plans granted approval by the Kent Conservation District must reflect the Site Plan layout and design conditionally approved by the Planning Commission and be in compliance with the *Zoning Ordinance* and technical review requirements of other agencies.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver Request – Relaxation of Parking Requirement: Staff recommends approval of the waiver request to relax the parking requirements for the project. The use as a Work Yard needs a parking strategy alternative to typical parking lots, one that can accommodate a range of different vehicles of different sizes, including construction vehicles. The applicant has demonstrated that there is space in the existing Work Yard area for fifty (50) standard parking spaces. Not marking these spaces allows for a wider range of possible parking configurations that can accommodate non-standard vehicles as well as internal site circulation. Because the proposed Yard improvements will not increase the number of employees or vehicles needing access to the site, the existing parking strategy will not need to be expanded.

2) Waiver Request – Elimination of Sidewalk Requirement: Staff recommends approval of the request to eliminate the sidewalk requirement for the project. Under the *Zoning Ordinance,* Article 5 §18.4, sidewalk requirements may be waived if physical characteristics of the property are such that sidewalk installation is impractical. To connect to the park's existing sidewalk network, the Work Yard project would have to build sidewalk well outside the scope of the Work Yard's area, about half a mile along Electric Avenue, and at least one street crossing would be needed. In addition, there are several stormwater drainage swales along Electric Avenue that would have to be moved should sidewalk be constructed. Any partial fulfilment of the sidewalk requirement would leave that sidewalk isolated with respect to the park's overall sidewalk network.

3) Consideration of Area for Tree Planting Requirements: Staff recommends allowing the tree planting requirements for the project to be based on the area of the Work Yard (14.9 acres). In discussion with the Public Works Department, the Planning Office agreed that basing the tree planting requirements for the project on the entire 104.33-acre parcel would be inappropriate. The Planning Office believes it is appropriate to base the tree planting requirement on just the project area because to require otherwise would be to require tree planting in excess of the development's impact.

4) Waiver Request – Consideration of Tree Mitigation Plan: Staff recommends approval of the Tree Mitigation Plan for offsite tree plantings. The Planning Office recognizes that trees may be obstacles to equipment used by the Public Works Department within the Work Yard Area, and that planting trees at an off-site location is therefore desirable. The tree plantings proposed in this Tree Mitigation Plan would still be within Schutte Park,

and provide more public benefit than trees planted in the Work Yard because they are located in public areas. The trees in the northwest part of the park would act to shield park users from heavy traffic on Wyoming Mill Road. Meanwhile the trees along the portion of Electric Avenue near the Work Yard and at the main entrance to the facility would beautify the entry, which is regularly seen by visitors to the Little League area of the Park.

Staff recognizes that the locations and species of the trees in the Tree Mitigation Plan need to be double-checked for feasibility by park groundskeeping staff, and that updates to the Plan may result. Staff encourages the selection of appropriate tree species based on intended location, sizing, screening abilities, aesthetic value, and pest/disease avoidance.

ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission should act upon any waiver requests for the project as part of any motion to approve this project, or as a separate motion if necessary. Note: All waivers are at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

2) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

3) The engineer and landscape architect sealing the plan are required to have a current City of Dover Business License; the licensing year has changed to August 1st – July31st. For licensing information contact the Permitting & Licensing Division at (302)736-7010.

4) Following Planning Commission approval of the Site Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted. A Check Print must be submitted for review by Planning Office Staff and directly to other agencies. Upon determination that the Plan is complete and all agency approvals have been received, copies of the Plan may be submitted for final endorsement.

5) In the event that major changes and revisions to the Site Development Plan occur in the finalization of the Site Plan, contact the Planning Office. Examples include reorientation or relocation of the buildings, relocation of site components or site entrances, and increases in floor area count. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

6) For building construction, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design including such items as building dimensions and height, building openings, and fire protection needs, etc.

7) The applicant should be aware of the potential for environmental concerns. This site is

adjacent to Puncheon Run, and care should be taken during the material removal process for existing storage piles and the introduction of new material to be stored in the Work Yard that no material runs off into the stream.

8) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meetings (including a City of Dover Pre-Construction meeting), and permits are required.

9) Construction may have an effect on the adjacent property owners and nearby travel lanes. Any work requiring the closing or rerouting of potential customers or visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.

10) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

11) The applicant shall be aware that Site Plan approval does not represent a Building Permit, Demolition Permit, and associated construction activity permits. A separate application process is required for issuance of these Permits from the City of Dover.

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.