CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, November 20, 2017 – 7:00 P.M.
City Hall, City Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING of October 16, 2017

COMMUNICATIONS & REPORTS

1) The Annual Meeting of the Planning Commission typically held in July including the election of Chairman and Vice Chairman will be scheduled for a future meeting upon completion of the appointment process for Commission members.

2) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, December 18, 2017 at 7:00pm in the City Council Chambers.

3) Notice: The Planning Commission Quarterly Workshop scheduled in November 2017 has been canceled.

4) Update on City Council Actions

5) Update from Planning Office

OPENING REMARKS CONCERNING APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW APPLICATIONS

1) C-17-05 Loockerman Coffee Shop at 14 Loockerman Plaza – Public Hearing and Review of Application for Conditional Use to permit conversion of an existing 820 SF 1 1/2-story structure into a restaurant (coffee shop). The subject site consists of two parcels totaling an 15,191.66 S.F. +/- (0.139 +/- acres). The property is zoned RGO (General Residence and Office Zone) and is within the H (Historic District Zone). The property is located on the south side of Loockerman Plaza and east of South State Street. The owner of record is The New Parsonage, LLC and the lessee is Kristin Stonesifer. Location Address: 14 Loockerman Plaza. Property Addresses: 203 and 205 South State Street. Tax Parcels: ED-05-077.09-05-01.00-000 and ED-05-077.09-05-01.01-000. Council District 4.

2) S-17-28 Multiplex at 299 College Road – Public Hearing and Review of a Site Development Plan application to permit construction of a three (3) unit multiplex residential building (multi-family dwelling) with adjoining parking spaces. The property consists of a 18,244 S.F. +/- parcel (0.42 +/- acres) and is zoned RM-2 (Medium Density Residence Zone). The property is located on the northwest side of College Road and adjacent to Conwell Street. The owner of record is Stephen E. Lumor (Enyam, LLC). Property Address: 299 College Road. Tax Parcel: ED-05-067.00-02-26.00-000. Council District 4.

3) S-17-29 Delaware State University Residence Hall at 1200 N. DuPont Highway: Master Plan – Public Hearing and Review of a Site Development Master Plan to permit phased construction of a new 190,000 S.F. five-story Student Residence Hall. The project phases consist of the following: Phase 1- Relocation of Utilities, Phase 2 - Construction of Residence Hall (600 Beds) and Demolition of Laws Hall, and Phase 3 - Demolition of Tubman Hall. The subject project area consists of 209,088 +/- S.F. (4.80 +/- acres) internal to the Delaware State University Campus of 287.32 +/- acres. The property is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) – Tier 3: Excellent Recharge Area. The campus is location west of North DuPont Highway and north of College Road. The owner of record is State of Delaware c/o Delaware State University. Property Address: 1200 North DuPont Highway. Tax Parcels: ED-05-057.00-01-19.00-000, ED-05-057.00-01-20.00-000, and ED-05-057.00-01-21.00-000. Council District 4.

4) MI-17-03 Text Amendments: Adult Day Care Facilities – Public Hearing and Review for recommendation to City Council on a series of Text Amendments to the Appendix B: *Zoning Ordinance*, Article 3 – District Regulations, Article 5 – Supplementary Regulations, and Article 12 - Definitions. The proposed Ordinance establishes provisions for Adult Day Care facilities allowing them to be permitted in any zoning district provided that state licensing and city code requirements have been met. Other amendments update references and definitions to make the distinction between Child Day Care facilities and Adult Day Care facilities. Ordinance #2017-13.
    - A copy of the Proposed Ordinance #2017-13 is available on the City's website www.cityofdover.com under the Government Heading: Ordinances, Resolutions & Tributes. https://www.cityofdover.com/ordinances-and-resolutions
    - *The Legislative, Finance, and Administration Committee reviewed the proposed Text Amendments on September 25, 2017 and the First Reading before City Council occurred on October 9, 2017. The Public Hearing before the Planning Commission is set for November 20, 2017and Public Hearing and Final Reading before City Council is on December 11, 2017.*

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: November 9, 2017

CITY OF DOVER PLANNING COMMISSION
OCTOBER 16, 2017

The Regular Meeting of the City of Dover Planning Commission was held on Monday, October 16, 2017 at 7:00 PM in the City Hall Council Chambers with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Roach, Ms. Edwards, Mr. Holt, Mr. Baldwin, Mrs. Welsh, Ms. Maucher and Mr. Tolbert. Dr. Jones was absent.

Staff members present were Mr. Dave Hugg, Mrs. Dawn Melson-Williams, Mr. Eddie Diaz, Mr. Julian Swierczek and Mrs. Kristen Mullaney. Also present were Mr. Alex Schmidt, Mr. Sam Chick, Mr. Garth Jones, Mr. Conny Malmberg, Mr. Jamie Sedler and Mr. Brian Finnegan.

APPROVAL OF AGENDA

Mrs. Welsh moved to approve the agenda as submitted, seconded by Mr. Holt and the motion was unanimously carried 8-0 with Dr. Jones absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF SEPTEMBER 18, 2017

Mr. Holt moved to approve the Planning Commission Meeting minutes of September 18, 2017, seconded by Mrs. Welsh and the motion was unanimously carried 8-0 with Dr. Jones absent.

COMMUNICATIONS & REPORTS

Mr. Hugg stated the Annual Meeting of the Planning Commission which would normally be held in July that would have included the election of the Chairman and Vice Chairman will be rescheduled for a future meeting upon completion of the appointment process. We are still waiting for Council's action he believes.

Mr. Hugg stated that the next Planning Commission regular meeting is scheduled for Monday, November 20, 2017 at 7:00pm in the City Council Chambers.

Mr. Hugg stated that the Planning Commission Quarterly Workshop scheduled in November 2017 has been canceled. They do not have a date for another meeting at this time.

Mr. Hugg provided an update on the regular City Council and various Committee meetings held on September 25 & 26, 2017 and October 9 & 10, 2017.

Mrs. Melson-Williams stated that the Planning Office did meet this past week to do some type of long range planning for the Planning Office. They will certainly be bringing a number of items forward to the Planning Commission as a result of these various studies, research and Ordinance writing in the upcoming year.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Melson-Williams presented the audience information on policies and procedures for the meeting.

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

2) Revisions to Applications:
   A. S-17-19 Bay Road Office Park Master Plan: Revised Plan – Update on Plan Revisions to a Site Development Master Plan conditionally approved by the Planning Commission on July 17, 2017. The Revised Plan for the construction of Bay Road Office Park is now proposed to consist of three buildings and a stormwater management facility in three phases. The buildings proposed include three office buildings; the previously proposed flex/warehouse building has been replaced with a stormwater management facility. The subject properties consist of a 5.00 acre +/- parcel and a 1.46 acre +/- parcel. The properties are zoned C-4 (Highway Commercial Zone). The property is located on the southwest side of Bay Road and south of Miller Drive with access from Cowgill Street and Martin Street. The owner of record is Bay Road One, LLC. Property Address: 550 Bay Road. Tax Parcels: ED-05-077.00-01-10.01-000 and ED-05-077.00-01-11.00-000. Council District 2.

Representatives: Mr. Alex Schmidt, Century Engineering

Mrs. Melson-Williams stated that this is an update on what was a Master Plan that was reviewed by the Planning Commission in July 2017. That proposal for the Bay Road Office Park consisted of a project that was to be four buildings in four phases. The engineer has continued to work on the refinement of the site design for this project and as such, has communicated to the Planning Office that there are some proposed revisions. Specifically, there are two main things that have happened. In testing the soils on the site, it has turned out that they will need a very large stormwater management facility. They have chosen to locate that on the far western portion of the property which was the location of the proposed Building 4 which was to be a flex warehouse space. Phase 4 Building 4 is no more and there is a stormwater management facility that will likely be constructed in the early phases of the project in that location instead. Secondly, the applicant has worked to include a cross access connection from this main parcel to the parcel to the south. That is a requirement of some of their workings with DelDOT in regards to the project site. This site's location on Bay Road requires Entrance Plan approval with DelDOT and the cross-access connection is now being shown on the plan. It is an item of information and if there are questions, they can certainly try to address those. With it being a Master Plan, the Master Plan appeared before the Planning Commission and then with that approval, it makes the project eligible for the Planning Office's Administrative Site Plan review process for each phase.

Mr. Schmidt stated that the overview sounded good to him and he is happy to answer any questions that the Commissioners may have. He agrees with the comments and will work with Staff.

Mr. Holden questioned if the Kent Conservation District is allowing them to claim quality treatment and stormwater with a wet pond? Responding to Mr. Holden, Mr. Schmidt stated that they are. Under the new revisions to the stormwater regulations, if you provide 48 hour extended detention in the wet pond they will allow that to be considered quality treatment.

Mrs. Welsh moved to approve S-17-19 Bay Road Office Park Master Plan Revised Plan, seconded by Mr. Holt and the motion was carried 8-0 by roll call vote. Mr. Holden voting yes; it's a change required due to site considerations that doesn't cause any impingement upon the original plan. Mr. Roach voting yes. Ms. Edwards voting yes; based on the reasons previously stated. Mr. Holt voting yes; based on the reasons previously stated. Mr. Baldwin voting yes; based on the reasons previously stated. Mrs. Welsh voting yes; the change is due to environmental conditions that have been addressed quite well. Ms. Maucher voting yes; for the reasons previously stated. Mr. Tolbert voting yes; the revision is a necessity and will facilitate the progress of this application.

NEW BUSINESS

1) HI-17-03 Sign Permit #17-1484: Wall Sign at 115 West Loockerman Street– Appeal of the Historic District Commission's Review of the Architectural Review Certification for Sign Permit application #17-1484 pertaining to the installation of an internally lit wall sign at Puffster Smoke Vape Lounge. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Zone). The property is located on the north side of West Loockerman Street between South Governors Avenue and South Bradford Street. The owners of record are Samuel G. and Nicole M. Chick. Property Address: 115 West Loockerman Street. Tax Parcel: ED-05-077.09-02-07.00-000. *This application was referred by the City Planner to Historic District Commission for their meeting on September 21, 2017.*

Representatives: Mr. Sam Chick, Owner

Mrs. Melson-Williams stated that this application is a Sign Permit specifically related to a wall sign at 115 West Loockerman Street. This is an appeal of the Historic District Commission action regarding this Sign Permit. Provided in the Commission's packet is the Architectural Review Report and a number of attachments pertaining to this item. This project started with a Sign Permit application, Permit #17-1484 that was submitted for review. The property at 115 West Loockerman Street is located within the Historic District and as such, any exterior improvements are subject to the Architectural Review Certification process. Typically with Sign Permits, they are a type of application that can be reviewed by Planning Staff as part of the permit process. This Sign Permit started with that review and ultimately was issued on September 9, 2017 with conditions specific to that Architectural Review Certification. The wall sign that was approved is a sign that is mounted on the front façade of the building between the awning and the second floor windows on that building. The specific details of the Sign Permit application are actually included in the packet. Staff had a series of findings in review of that Sign Permit application specifically outlined in the Report that address sign format, its location and size. The specific question then relates to sign materials and the illumination of the sign. The permit was issued with the caveat that the sign could not be internally illuminated. Staff found that that was not in keeping with the *Design Standards and Guidelines of the Historic District Zone* which is the guiding document for review of exterior work in the district. Staff did refer the Sign Permit to the Historic District Commission so that they could consider that proposal for the installation of what would be an internally light wall sign and to deal with that portion of the sign. The Historic District Commission met at their meeting of September 21, 2017. They were

provided the Sign Permit application materials as well as a reference report of the Staff's findings and the references to the *Design Standards and Guidelines*. Specifically in the *Design Standards and Guidelines* there is a section of Chapter 5 that deals with signage specifically. They have provided that excerpt from the *Design Standards and Guidelines* to the Commission.

At the Historic District Commission meeting, there were four members present. There were two motions. Both motions failed in that they resulted in tie votes of the members present. The first motion was to not recommend the backlighting of the sign; that motion failed. The second motion was to allow the lighting of that sign and that motion also failed as a result of the 2-2 vote. Therefore, coming out of the Historic District Commission, there was no additional action so the decision of the City Planner that the Architectural Review Certification was not issued for the internal illumination of the wall sign stood. At the Historic District meeting, Staff did identify a number of options for the applicant in that they could seek to defer action with the Historic District Commission seeking a full complement of their members being present or they could make an appeal to the Planning Commission. They verbally expressed an interest to appeal the decision on this Architectural Review Certification to the Planning Commission. The Planning Commission is charged with determining if the proposal for internal illumination of the wall sign should be granted Architectural Review Certification. Tonight, the packet includes the initial letter of referral to the applicant that sent the permit initially to the Historic District Commission and a copy of the Sign Permit application materials including the permit copy as issued for the installation of the sign with the no illumination condition placed upon it. There is also the excerpt on signage from the *Design Standards and Guidelines* as well as a copy of the Draft Meeting Minutes from the Historic District Commission meeting. This evening is the opportunity for the Planning Commission to determine if the proposal should be granted an Architectural Review Certificate in order to illuminate the sign internally.

Mr. Holt questioned what alternative the applicant would have for his sign? He has got to be able to show off his business and people have to be able to see his sign and know where the business is.

Ms. Edwards questioned if any of the other businesses in Downtown Dover that have box signs have the ability and permission to light internally? Responding to Ms. Edwards, Mrs. Melson-Williams stated that there are a number of box signs that exist along the Loockerman Street corridor. Some of them pre-date the existence of the *Design Standards and Guidelines* for the Historic District. They are allowed to be refaced. She is not sure how many of them may include internal illumination. For example, there are some that very clearly date from at least the 1960's such as the one that was most recently for the Brunch N Lunch. The Zuha Trend is a more recent reface of those box signs for that tenant. She is not sure if they are actually illuminated in the evening. Most illumination of signs in the district occurs by what they call the indirect lighting. They are externally illuminated through a light fixture that then shines down on the wall surface for the sign. The other sign of note related to internal illumination or external illumination came with the Family Dollar development a number of years ago. If you look at those signs, they look like the regular sign that could be internally lit; however, as part of their approval process through the Historic District Commission they were only allowed to be externally lit. You can see the goose neck lamps over those letters. When you get further down to the gas station facility, certainly some of that is somewhat internally illuminated but in the case of that site there

have been some applications that dealt with the signage and the lighting on that property. It's a mixed situation.

Mrs. Welsh stated that she would like to tag on to the issue of the Brunch N Lunch, the Family Dollar and the Suds Bar signs. She did check those signs out in the evening and they are not internally lit.

Ms. Maucher questioned if "Inappropriate" was a defined term in the Ordinance? Responding to Ms. Maucher, Mrs. Melson-Williams stated that the *Design Standards and Guidelines* setup a series of practices. There are Recommended practices, Not Recommended practices and Inappropriate. Specifically in the *Design Standards and Guidelines* in Chapter 3 it kind of gives some definition to those terms; they call them types of treatments and they are grouped under the categories of Recommended, Not Recommended and Inappropriate. The *Design Standards and Guidelines* states: "Guidelines that are Recommended represent the best preservation practice that is those treatments that are most respectful of existing historic fabric. Projects that follow Recommended guidelines should receive Architectural Review Certificate with little or no comment. Projects that employ treatments that are Not Recommended, may or may not receive an Architectural Review Certificate depending upon the valuation and determination by the Historic District Commission of the overall impact of those treatments on the character of the structure and the Dover Historic District Zone as a whole. Project that employ Inappropriate treatments should not receive an Architectural Review Certificate unless there are extenuating circumstances that warrant approval."

Mr. Chick stated that he would like to start by saying that this is a decision about whether Dover wants to be pro-business or anti-business. For as long as he can remember and for the last few decades, Dover has been trying to re-invigorate Downtown. For a commercial business, part of that is signage. They have a business that is open during the day and also at night. They are open on Friday and Saturday until 1:00AM. It is imperative that they have a lit up internally illuminated sign. They have already had many customers come in and tell us that they thought that they were closed because the sign was off. This is costing them money; it's their living and it's a very important issue for them. Within a block of their location there are seven other signs that are internally illuminated and there is another one that is not included on the hand out which is the Suds Bar. The Suds Bar has the ability to illuminate although they are not open at night. The Brunch N Lunch did illuminate in the morning; they were not open in the evenings obviously because it's a breakfast establishment. Two doors down from their location is Irish Mike's with a sign that is much larger and brighter than what they have.

They made a video about this and posted it online to get support from the community. Over 350 people commented on that video that they agreed and that this sign should be illuminated.

Mr. Chick read several comments from a Facebook post.

Mr. Chick asked that the Commission please let them turn the sign on. He got a great deal on it, he found it at a business that was re-doing their sign. It only costed him $100 and then another $1,100 to get it refaced. $1,200 for a sign like this is a fantastic deal. As a business person, especially with a new business, he has to save money where he can. The option of having to look

at several thousand dollars for an alternative sign is not appealing to him. For the Family Dollar, they decided not to take this to appeals like he did and he thinks that it looks ridiculous. They have little curly lamps that come over top of the Family Dollar. It looks way out of character. They were forced to spend money on that that they didn't need to spend. In the very same letter that Mr. Diaz sent to him that rejected the permit in the first place, also said that his sign was too large. Thankfully Mr. Hugg sided on him with this because the Code allowed 64 SF. Originally, they said that this sign would be out of character for the area because it was too large even though there is a sign that is two doors away that was larger. Also, inside his building there is an old wall sign that went up the entire height of the building that was an old advertisement. By these very same Historic District Guidelines today, that sign would not be allowed. How can you tell them that there is a sign on this building that pre-existed these guidelines and somehow that sign is not historical enough for whatever some architect thinks is the proper appeal for Downtown?

Ms. Edwards stated that she rode down West Loockerman Street at night and she looked at all of the signs. Her biggest concern here is whether or not there were other signs and businesses in the area along this corridor that can turn on backlight fluorescent lights. Irish Mike's sign is very softly lit. That was one of the questions that she had was how is that sign lit because it's a very soft light? She is imagining that the sign for Puffsters is going to be very bright since it's fluorescent and back lit. Responding to Ms. Edwards, Mr. Chick stated that Irish Mike's is fluorescent lit as well; it will be about the same brightness as Irish Mike's.

Mr. Roach questioned what the hours of operation are for the business other than Friday and Saturday night? Responding to Mr. Roach, Mr. Chick stated that they are closed on Sundays and Mondays, open 11AM-7PM on Tuesdays, Wednesdays and Thursdays so that means that now that we are going into winter the sign is going to come on at 5PM and then they are open on Fridays and Saturdays until 1AM. During OktDoverFest he lost tons of business because people thought that he was closed because they looked at the sign and it was off.

Mr. Holden stated that he thinks in the City they have been challenged sometimes to both desire a Loockerman Street that looked like the Loockerman Street that some remember and also wanting a Loockerman Street that is currently active in terms of the business sense and have people that are frequenting those businesses so it's tough balance that we seek. To Mr. Chick, Codes change and signs that were allowed before may not be allowed now. The Codes that existed when the sign that you spoke of in your store may have been different. The manner in which you bring requests to the City, he thinks is important. He noted in his (Mr. Chick's) testimony to the Historic District Commission that he had bought the sign before he was aware of what the guidelines were and that he was intent to put a sign out front saying that "Dover is bad for business." He thinks that those are notable statements. Some of these things are sometimes a challenge to move forward but he thinks that the manner in which you move forward with them is also important and sets an important statement. Have you explored the financial cost to front light the sign versus back light the sign? Responding to Mr. Holden, Mr. Chick stated no he hasn't and frankly he is not interested in front lighting the sign because it just would look right with the little lights going over it. He is not sure exactly what he will do if this Commission rejects it and then City Council rejects it and then he has to go to court and it's shut down. He is not sure what he will do at that point.

Mr. Holden further questioned if Mr. Chick was exploring permitting pathways to place the "Dover is bad for business" sign in front of the business? Responding to Mr. Holden, Mr. Chick stated that he doesn't think that he needs a permit to do that.

Ms. Maucher moved to approve HI-17-03 Sign Permit #17-1484: Wall Sign at 115 West Loockerman Street to include back lighting of the sign, seconded by Mr. Roach and the motion carried 7-1 by roll call vote with Dr. Jones absent. Mr. Holden voting yes; he thinks that they need to be cognizant to allow pathways that may differ from some of our historical preferences and that having viable businesses Downtown is important to us. Mr. Roach voting yes; being a person in Dover that frequents Downtown he knows hundreds of people that say that they would love to see a vape lounge in the Downtown Dover area. He also agrees that the signage looks very conducive with the nature of the Downtown Dover District. He also agrees that turning around situations pertaining to backlighting and signage is a major issue but he feels as though the preservation of things that we don't have in the area is more important than technicalities at certain times. He does agree with Mr. Holden that sometimes you have to be a little more careful. He understands being a business owner but at the same time, they have steps. He loves the signage and Mr. Chick is right. He rode down Loockerman Street today and he did not even see the business. Ms. Edwards voting yes; based on the fact that there are already existing businesses in Downtown Dover, especially Irish Mike's two doors down, that already have lit signage. Mr. Holt voting yes; other signs are near him and he thinks that the business end of it is very important for Downtown Dover. Mr. Baldwin voting yes; for the reasons stated. It is an improvement; however, he does think that we should be aware of the number of illumens that will be coming from this sign so that it doesn't stand out over and above the other existing signs. Mrs. Welsh voting yes; she does have reservations and she is in agreement with some of the comments from Mr. Holden regarding the pro-activeness that she sees in the minutes as far as not there not being an attempt to find out what sign could be put up before ordering the sign. But she does understand that there is a business aspect and there are other signs like this one existing in the Downtown. Ms. Maucher voting yes; for the reasons previously stated. It's a changing Downtown and it needs to be kept current and people look for that. She finds it far less offensive than some of the neon lights that she sees in the store windows when she goes by. Mr. Tolbert voting no; the area is the historic area of Dover and the historic area of any city is very important for financial reasons and other reasons. It's a major attraction for the City. It brings in a number of visitors into the City. It enhances the appeal of the City. When you start to compromise your Historic District with all of the new technology, it loses its attractiveness. He hates to see Dover lose its attractiveness at this time. We are moving right ahead with new businesses all the time and he doesn't like to see us go backwards.

NEW APPLICATIONS

1) MI-17-07 Request for Street Name Change: Krisko Circle to Energy Lane– Review for Recommendation of a Request for a Street Name Change for the remaining segment of Krisko Circle which runs in a west-east direction from Stover Boulevard just east of Bay Road. The new street name proposed is Energy Lane. The request was filed in accordance with *Dover Code of Ordinances*, Chapter 98, Article II, Section 98-45 Street name change procedure which also references Appendix A: *Land Subdivision Regulations*, Article VI,

Section A. Streets. *The name change procedure requires review and comments by the Development Advisory Committee (DAC) and review by the Planning Commission prior to public hearing and consideration by the City Council.*

Representatives: Mr. Garth Jones, Chesapeake Utilities

Mrs. Melson-Williams stated that this is a request for a street name change. The provisions for how that process works are actually laid out in the main part of Dover Code in Chapter 98. As part of that process, any requests for name change is referred first to the Development Advisory Committee for comments from the various agencies that participate in that process and then it is forwarded to the Planning Commission for review and recommendation. There is not a requirement for a public hearing in front of the Planning Commission. The public hearing comes later once this request proceeds to the City Council level. This evening we are talking about what is the remaining segment of Krisko Circle. It is a road segment that runs east to west from Stover Boulevard. It is part of what is now known as the North Gate Center. The project area of Stover Boulevard and Krisko Circle was originally part of the Stover Professional Campus. It was an industrial park that was laid out a number of years ago with a series of twelve lots for development. The hotel was constructed and there were some concepts for other development in the park; however, what has transpired most recently was first the abandonment of the southern half of Krisko Circle and the consolidation of a series of lots there which has led to the current construction of the Chesapeake Utilities/Eastern Shore Natural Gas headquarters and warehouse location. That was the subject of a Site Plan approval that came before this body back in 2016. With that consolidation of properties, Krisko Circle is no longer a circle and the road segment ends in a cul-de-sac. The applicant has requested the name change to something that is maybe a little more appropriate given the current condition of the road that is no longer a circle. They are proposing the street name of Energy Lane. It does follow the guidelines for naming of streets in that short curving roads are either lanes or circles; so a lane makes sense from that perspective. Planning Staff is recommending approval of the name Energy Lane. The comments from the various DAC agencies (the Public Works Office, the Fire Marshal's Office, DelDOT and the Kent Conservation District) are indicating no objection to this request for name change. As mentioned, the Planning Commission is a recommending body. This has to move forward to the City's Utility Committee and onto City Council.

Mr. Holden abstained from discussion and voting on this application as the applicant is his employer.

Mr. Jones stated that he has read through the DAC Report and there are no comments and they have no objections.

Mr. Holt stated that he can see where Eastern Shore Natural Gas is a big energy source so he can see why they want to change the name to Energy Lane from Krisko Circle.

Mr. Holt moved to recommend approval to City Council for MI-17-07 Street Name Change from Krisko Circle to Energy Lane, seconded by Ms. Edwards and the motion was carried 7-0 with Mr. Holden abstained and Dr. Jones absent. Mr. Roach voting yes; we can't go around calling streets circles when it's not. Ms. Edwards voting yes. Mr. Hold voting yes; he thinks that it's a

very appropriate name change. Mr. Baldwin voting yes; for the reasons stated. Mrs. Welsh voting yes; for the reasons previously stated. Ms. Maucher voting yes; the applicant has followed the required methodology to change a street name and it's a fine fit. Mr. Tolbert voting yes; for the reasons previously stated.

2) S-17-25 Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park – Public Hearing and Review of a Site Development Plan outlining four phases of construction for parking lot areas and two (2) 19,304 S.F. two-story office building along with the associated site improvements on two separate parcels adjoining one another. The properties are zoned IPM (Industrial Park Manufacturing Zone). The adjoining properties are located on the northwest side of Beiser Boulevard and are part of the Enterprise Business Park, a planned industrial park. The owner of record is Del-Homes Catalog Group, LLC. Property Addresses: Lot 2A is addressed as 219 Beiser Boulevard and Lot 3 is addressed as 229 Beiser Boulevard. Lot 2A Tax Parcel: ED05-076.11-01-46.00-000. Lot 3 Tax Parcel: ED05-076.15-01-03.08-000. Council District 1. *The project location was previously the subject of Minor Subdivision Plan SB-12-02 recorded in December 2012 creating the two lots; and also Site Plan S-07-23 Office Buildings at Enterprise Business Park which has expired.*

Representatives: Mr. Conny Malmberg, Young & Malmberg, PA

Mr. Swierczek stated that this is a Site Development Plan to permit the construction of two 19,304 SF office buildings on two adjoining sites; Lots 2A and 3 within the Enterprise Business Park. The two sites are addressed as 219 and 229 Beiser Boulevard and both are zoned IPM (Industrial Park and Manufacturing Zone) with the Planned Industrial Park Option. There are two previous applications for this site. One dating to 2007 which is pretty much the same proposal but when the two sites were previously joined. There was also an application from 2012; a Minor Subdivision Plan for a lot in the Enterprise Business Park creating Lots 2A and 3 as we see them now. The proposal before the Commission today is a four-phased construction process including two identical office buildings and accompanying parking lot areas. Phase 1 is planned to be the parking lot of Lot 3 which is the southern site with Phase 2 being its office building. Phase 3 would be the parking lot for Lot 2A on the northern side followed by Phase 4 which is to be the office building for Lot 2A. Both parcels of land are located along the western/northern edges of Beiser Boulevard within the Business Park.

Under the parking requirements for the IPM (Industrial Park and Manufacturing Zone) any office building is required to have one parking space for every 800 SF of office space. Whereas any medical office usage is required to have one parking space for every 300 SF of space. The Code also sets a maximum limit for parking spaces at 125%. There was some issue early on with the applicants that there may have been too many parking spaces on the plans but in further discussions with the applicant, they have indicated that the plans for Lot 2A are intended to contain 50% medical offices and 50% office space. Lot 3 plans to contain 100% medical office spaces. This would put the parking lot scheme as we see now in compliance with Code. There is also a requirement for parking spaces for bicycles. That will need to be calculated and added to future plans by the applicants.

In terms of access, there is an unnamed access drive already along the northern property line (towards the left of the screen) that's connecting to the adjacent property to the west. The plan also shows a two-way access point from this unnamed access road at the northern edge of Lot 2A. The main access point to both Lots 2A and 3 appears to be a full movement entrance from Beiser Boulevard. There is also an access point at the southwest corner of Lot 3 to the neighboring site. They also indicated in the plans a five-foot-wide sidewalk along the Beiser Boulevard frontage.

There were no building elevations provided; however, the applicants had previously commented that they would bring them up at a future Planning Commission meeting. The Site Plan indicates that they are well within compliance with tree planting and landscaping requirements. Other agencies have reviewed the plans and have not voiced any significant objections or concerns.

Mr. Malmberg stated that he is principal of the owning entity of this project. The back story is that this was an approved Subdivision Plan back in 2007. The crash came and his company bought the property. When they bought it, it had been partially constructed and the problem is that it was never really was finally stabilized. They really don't know that they are going to end up with two 20,000 SF buildings but they want to go in there and clean it up, put the parking lot in and have it more presentable than it has been and also more environmentally sound. That is why they presented this application in four phases. They want to keep their options open. They have to go through some kind of process and the easiest process right now is to have the Planning Commission bless Phase 1 and then they will be back with architecture or at least façade elevations and any tweaking to the plans once they know a little more.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Holden moved to approve S-17-25 Development of 219-229 Beiser Boulevard: Lots 2A and 3 at Enterprise Business Park as presented as it follows City Ordinance and would be nice infill development in a critical area of our City, seconded by Mr. Holt and the motion was carried 8-0 by roll call vote with Dr. Jones absent. Mr. Holden voting yes; for reasons previously stated. Mr. Roach voting yes; for reasons previously stated. Ms. Edwards voting yes; for reasons previously stated. Mr. Holt voting yes; he thinks that it is going to be a real plus for that area and will help the site get cleaned up and moving along to have some better looking buildings in that location. Mr. Baldwin voting yes; for the reasons previously stated. Mrs. Welsh voting yes; for the reasons previously stated. Ms. Maucher voting yes; for reasons previously stated. Mr. Tolbert voting yes; the area in which this project is being developed is needed there. It will fill up some empty space and will look nice.

3) US-17-01 Capital Station Development Unified Comprehensive Sign Plan – Public Hearing and Review of a Unified Comprehensive Sign Plan for Capital Station, a shopping center including five (5) future buildings and a series of freestanding signs and wall signs to identify the complex and its tenants. The property consists of 9.34 acres and is located on the west side of DuPont Highway, north of Division Street, and south of Maple Parkway. The property is zoned SC-1 (Neighborhood Shopping Center Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone – Tier 1: Secondary

Wellhead Protection Area). The owner of record is Capital Station Dover LLC. Property Address: 50 North DuPont Highway. Tax Parcel: ED05-077.06-01-02.00-000. Council District 2. *The associated Site Plan S-17-12 Revised Capital Station Dover was granted conditional approval by the Planning Commission in June 2017.*

Representatives: Mr. Jamie Sedler, DDF, Inc; Mr. Brian Finnegan, Capital Station Dover LLC

Mr. Diaz stated that this is an application for a Comprehensive Sign Plan for Capital Station. This is a 65,000 SF shopping center proposed for North DuPont Highway. The property is zoned SC-1 (Neighborhood Shopping Center Zone). The shopping center was conditionally approved by the Planning Commission in June 2017. It consists of five buildings including ALDI grocery store which is Building 5 near the intersection of North DuPont Highway and Division Street. It also includes a restaurant which is Building 4 near the intersection of North DuPont Highway and Maple Parkway on the northern end of the site. It includes three other buildings each of which may potentially be a single tenant building or multi-tenant buildings. This project qualifies for a Comprehensive Sign Plan because it will have at least three primary structures under common management on a single property. There are two primary purposes to a Comprehensive Sign Plan. The first is to allow for the increased signage needs of large complexes which may not be adequately addressed by standard sign regulations. The second is to establish alternative regulations that ensure architectural harmony between the signs as well as the buildings of the complex and to keep the overall amount of signage from being excessive. This particular Comprehensive Sign Plan is a bit different from ones that have been seen in the past because they don't know how many tenants will be in the shopping center or who most of those tenants will be. That means that they don't know what most of the signs will look like in the end. What this sign plan does rather than ask for specific signs for specific tenants, is to establish rules for where tenant signs can go. Those rules are divided into rules for placement of tenant panels on the complex's proposed free-standing signs and there are also rules for placement of the tenant's individual wall signs. For the free-standing signs, there are four main proposed free standing signs for the property. There are two pylon signs proposed to be 150 SF each, labeled Pylons A and B. The first pylon is at the location labeled A on the Site Plan on the DuPont Highway frontage. The second is at the location labeled B on the plan at the intersection of DuPont Highway and Maple Parkway. Each of these signs would be limited to a maximum of ten tenant panels. There are limits on the variations in the number of panel sizes and the positioning of these panels on the sign with the larger ones being required to be on top. All of these rules are detailed on Page 2 of the Plan Book. There may be one additional fifth free-standing sign at the intersection of DuPont Highway and Division Street that would just identify the property as a whole as Capital Station and not include any type of (tenant) panels. Construction of this sign would be at the applicant's discretion.

For the wall signs, the primary rule would be that every building elevation would be limited to having 15% of its wall area taken up by signage. This is different from the typical Sign Regulations where each individual sign is limited to 15% of the area of the wall that it's on. Another important rule would be that tenants would be limited to two primary signs for frontage and they would be allowed secondary signs that are subordinate in nature to the primary signs. Evaluating whether the secondary signs are subordinate will be part of the Sign Permit application process for individual tenants moving into the shopping center. The third rule is that

the sides of the buildings would not be for individual tenants but instead would be for multiple tenants with the owner or manager of the shopping center having some discretion over which tenants would be allowed signage on the side elevations. These elevations would still be subject to the 15% limitation and the two primary signs limitation. These rules are also on Page 2 of the Plan Book. The applicants have worked pretty extensively with Planning Staff to come up with a signage scheme that met the design guidelines for Comprehensive Sign Plans. For that reason, Staff is recommending approval of the Comprehensive Sign Plan. There were some comments from the Public Works Department through DAC on the placement of these signs relative to underground utilities on the site. That is for the signs to not be within ten feet of any underground utilities. For that reason, they are also recommending that the Commission approve the applicant's request to reduce the required setback for the pylon signs along North DuPont Highway from the typically required thirty-one feet to not less than 15 feet with the exact setback for the pylon signs to be determined as the plan moves forward and the utility locations are more closely defined.

Mr. Holt stated that it looks like they are kind of jumping the gun on the signage for this property since it hasn't really been developed yet. Once they get it developed maybe the different business entities in the property would want different types of signs than what's proposed here. Responding to Mr. Holt, Mr. Diaz stated that their discussions with the applicants really took into account the fact that they don't know what's going in here and they don't know what kind of signs the tenants will ultimately want. That's why they want to establish a set of rules as he previously described that will govern the placement and number of these signs. There are flexible rules so certainly the tenants when they come in will have a lot of options as to what size signs they will have and what the placement will be. Some of them may also have directional signs on the ground. Those could be permitted under this Comprehensive Sign Plan. But at the same time, it will keep the overall amount of signage in the center to a reasonable amount through the wide area of limitations which are more strict than what is typically allowed by Code.

Mr. Roach questioned if page number 17 was confirmed? Responding to Mr. Roach, Mr. Finnigan stated that it is not official yet. He spoke to the national tenant who was okay in providing this information to the City of Dover. The City asked for the architectural elevations to be part of the package going forward. They didn't get in trouble with it but it was a little off-setting to ALDI when they saw their name before they had signed the lease. He checked with Red Robin on this one and they are on the one yard line with them. As part of that, he put their architecture in here also because as a stipulation of their last time they were in front of the Planning Commission, they wanted to see their architecture again. This is the standard architecture that they will come in for when it comes time for them to go forth. With all the signage that comes with the site, they also have to come in and go back through for the sign permitting as well. He wants to thank the Planning Commission. Mrs. Melson-Williams' team was very helpful in working with them to make sure that they understood the latitude that was given in the current Code. It helps them to work with tenants to come out to the site. They can give them the latitude that they can work in for their signage package. A lot of these firms are difficult to deal with because they have very strict guidelines that they want to follow to get their branded signage up. It's very important for them to know what their left and right limit is. This way, at least they have a good idea of what they can offer them coming to the site so it's very

helpful in the planning process for them.

Mr. Finnigan stated that they went through the Staff notes that were provided and they are absolutely willing to work with Staff going forward.

Mr. Tolbert stated that when a motion is made, it needs to include that the applicant cooperates with Staff.

Mr. Finnigan stated that he would like the motion to also state that the architecture for that Building 4 was taken under consideration per their previous visit. He doesn't know if that is appropriate to be tacked on to something like this but it would save us from coming back together again. If anyone has any commentary towards that architecture they could speak to it now and maybe kill two birds with one stone.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Roach stated that he wanted to say that he appreciates the applicant given so many different examples in regards to different signage around Dover. It kind of goes along with the overall feel and gives an accurate depiction in regards to how you may be planning on doing it as the examples were taken from existing structures. He appreciates the thoroughness and detail in regards to this packet. It gave him a very clear idea of what they are going for.

Mr. Holden stated that relative to Building 4 and the provided architecture for Red Robin, is that an item that is up for our review and approval this evening in addition to the Comprehensive Signage Plan? Responding to Mr. Holden, Mrs. Melson-Williams stated that it is presented in the packet. Typically, the architecture would probably come back more specifically. She doesn't think that Staff looked at it that closely for architecture. They were more concerned about their opportunities for signage around that building because all four sides are very visible. The process for bringing the architecture back to the Commission is fairly easy. It would be considered an item of Old Business and it's not subject to the hearing process. They could certainly easily accommodate a future presentation specific to that once the tenant is formerly nailed down for the site at Building 4. It really wasn't presented to our DAC members that it also had the architecture for the building. They didn't know what it was going to look like before. She thinks that it's easy enough to come back before the Commission when they are ready for that. They are moving through the Site Development Plan Check Print review process for the entire site so she thinks that timingwise they are not at a crunch time yet. She thinks that it is certainly something that could be "thank you for presenting it to us this evening but we look forward to the more formal submission of it in the future."

Mr. Tolbert asked what affect that would have on the motion tonight? Can they approve it with that condition? Responding to Mr. Tolbert, Mrs. Melson-Williams stated that the Commission can certainly make refence to the architecture for Building 4 in the motion noting that it was included in this Comprehensive Sign Plan as an informational piece. But they could express that they still want to see it in the future to confirm the tenant since they haven't signed on the dotted line. You would not have to defer the Comprehensive Sign Plan because that's what it is here

tonight. It establishes a sign package or rules for how signage would be placed on the building; whether it's the tenant that is potentially shown here or a future tenant.

Mr. Holt questioned what the story was on the old water tower? Is that going to remain or will it be coming down? Responding to Mr. Holt, Mr. Finnigan stated that the water tower would be coming down shortly. They have a company out of Michigan that comes to take the tower over a two-day period. That is all that the company does; they travel around the country removing towers like this. They are actually going to cut it into sections and lower them. He thinks that right now they are working with the public safety people from the City of Dover. They wanted to do that work off of theirs and having all of those people on top of that tank in the dark was a concern of the applicant. He thinks that they are trying to make sure that DelDOT and everybody is on the same sheet of paper with that. They are going to be removing that tower.

Ms. Maucher stated that because the building architecture was not publicly noticed to be consideration tonight would it even be appropriate to include it? Responding to Ms. Maucher, Mr. Diaz stated that the architecture for this building would be coming back as an item of old business relative to the original approval of the Site Development Plan which was approved in June 2017 together with the architecture for all of the rest of the buildings. Because it was being covered as an item of Old Business he believes that it would not require a public hearing.

Mr. Holden moved to approve US-17-01 Capital Station Development Unified Comprehensive Sign Plan as submitted requiring that the applicant continue to work with Staff and follow Staff and DAC comments, seconded by Mr. Holt and the motion as carried 8-0 by roll call vote with Dr. Jones absent. Mr. Holden voting yes; supporting that a signage plan complies with our Signage Ordinance and will support the redevelopment of a critical parcel in the City. Mr. Roach voting yes; he thinks the signage will look very nice in an area that definitely needs to be handled and hopefully we punch that ball in on the one yard line. Ms. Edwards voting yes; the presentation tonight was very well done and it's esthetically coordinated and she likes the idea that there is some flexibility built in for the future tenants. Mr. Holt voting yes; he thinks that it's a real plus for the area and it's long been needed and he is anxious to see the whole thing get along with it. He thinks the sign plan is a good way to go. Mr. Baldwin voting yes. Mrs. Welsh voting yes; the plan is very professionally presented and well thought out. Ms. Maucher voting yes; based on reasons previously stated as well as the added flexibility to the future tenants. Mr. Tolbert voting yes; the applicant has the willingness to work cooperatively with Staff and adhere to the DAC comments and concerns. The project itself will be an asset to the City of Dover.

Meeting adjourned at 8:26 PM.

Sincerely,

Kristen Mullaney
Secretary

City of Dover

DATA SHEET FOR CONDITIONAL USE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF NOVEMBER 8, 2017

PLANNING COMMISSION MEETING OF NOVEMBER 20, 2017

Plan Title:	Loockerman Coffee Shop at 14 Loockerman Plaza, C-17-03
Plan Type:	Conditional Use Review
Property Location:	South side of Loockerman Plaza, east of South State street
Property Address:	14 Loockerman Plaza
Owner:	The New Parsonage, LLC
Applicant (Lessee):	Kristin Stonesifer
Tax Parcels:	ED-05-077.09-05-01.00-000 and ED-05-077.09-05-01.01-000
Present Zoning:	RGO (General Residence and Office Zone) H (Historic district Zone)
Site Area:	0.129 ac. +/-
Present Use:	Vacant (previous: office building)
Proposed Use:	Restaurant (Coffee shop)
Building Area:	820 S.F.
Off Street Parking:	Required – 0 spaces Existing – 0 spaces
Sewer & Water:	City of Dover
Waivers Requested:	none

CITY OF DOVER DEVELOPMENT ADVISORY

COMMITTEE APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 8, 2017

City of Dover Planning Office

APPLICATION: Loockerman Coffee Shop at 14 Loockerman Plaza: Conditional Use

FILE #: C-17-05 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Julian Swierczek, Planner I PHONE #: (302) 736-4442

I. PLAN SUMMARY:

This is an Application for Conditional Use Review to permit conversion of an existing 820 SF 1 1/2-story structure into restaurant (coffee shop) use. The site in question consists of two (2) parcels which, combined, consist of 15,191.66 SF +/- or (0.139 acres). The property is zoned RGO (General Residence and Office Zone) and is subject to the H (Historic District Zone). The property is located on the south side of Loockerman Plaza and east of South State Street. The owner of record is the New Parsonage, LLC and the lessee is Kristin Stonesifer. Property Address: 14 Loockerman Plaza. Tax Parcels: ED-05-077.09-05-01.00-000 and ED-05-077.09-05-01.01-000. Council District 4.

II. PROJECT DESCRIPTION

The project proposes the conversion of the existing structure from office space to a restaurant (coffee shop). According to the *Zoning Ordinance*, "restaurants" are an acceptable Conditional Use in a RG-O Zone when the property is located in the Historic District Zone, as stipulated in *Zoning Ordinance,* Article 3, Section 9.14 (b).

III. ZONING REVIEW

RG-O Zoning District: The property is zoned RG-O (General Residence and Office Zone) which includes an allowance for restaurant use, meaning the intended conversion is allowed to be considered through the Conditional Use process (Article 3, Section 9.14 (b)). The property is also subject to the H (Historic District Zone).

Historic District Zone

The parcels involved with this application are within the H (Historic District Zone). The *Zoning Ordinance* details the requirements of the Historic District Zone in Article 3, Section 21 and its subsections. The purpose of the Historic District Zone regulation is to preserve and enhance the unique character and value of the old portion of Dover as an area of special charm and interest. It is particularly intended that the regulations prevent, in the historic district, any change of conditions that would be deemed to be a disfigurement or degradation of the present unique visual and architectural qualities of the district. To this end, more stringent standards are applied

to development taking place in this zone.

The *Zoning Ordinance* notes that an Architectural Review Certificate shall be required for the demolition, construction, reconstruction, alteration or restoration of any new or existing structure or where general exterior repairs are made within the historic, as provided in Article 10, Section 3 of this ordinance. No alterations to building architecture proposed except for maybe fresh paint. A new patio and new landscape plantings are also proposed. The Architectural Review Certification for the new outside patio can be reviewed by Staff through the Building Permit application process for its construction.

Conditional Use Review

With Conditional Use Applications, the Planning Commission reviews the proposed project to determine whether or not the intended use is appropriate in type and scale for the immediate neighborhood. The Commission must also consider whether or not the proposed use will have an adverse impact on the future orderly development of the surrounding area. The following sections of the *Zoning Ordinance* which relate to the role of the Commission in reviewing Conditional Use applications are particularly relevant when reviewing this application:

ARTICLE 10. PLANNING COMMISSION
Section 1. - Approval of conditional uses.

On application and after public notice and hearing, the commission may authorize the issuance by the city planner of permits for any of the conditional uses for which this ordinance requires, in the district in which such use is proposed to be located. In approving any such use, the planning commission shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required in order that the results of its action may, to the maximum extent possible, further the expressed intent of this ordinance and the accomplishment of the following objectives in particular:

1.1 *Accessibility for emergency response.* That all proposed structures, equipment or material shall be readily accessible for fire, ambulance, police, and other emergency response;

1.2 *Harmony of location, size and character.* That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties;

1.3 *Residential zones.* That, in addition to the above, in the case of any use located in, or adjacent to, a residential zone:

1.31 The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, the said residential district or conflict with the normal traffic of the neighborhood; and

1.32 The location and height of buildings, the location, nature and height of walls and fences, the nature and extent of landscaping, and other improvements on the

> site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

If the Planning Commission approves a Conditional Use, the use is granted as a Conditional Use Permit. Such permits may be permanent, subject to limitations outlined in *Zoning Ordinance*, Article 10 §1.41, or be required by the Commission to undergo periodic renewal, using the procedure described in Article 10 §1.42. Any Conditional Use Permit, permanent or not, may be revoked using the procedure described in Article 10 §1.43 if the conditions prescribed by the Commission in conjunction with the issuance of the Conditional Use Permit have not been, or are no longer being complied with.

IV. BUILDING ARCHITECTURE

The project photographs provided show the existing building architecture and the applicant has confirmed that there will be no major alterations to the building's appearance. The 1 1/2-story frame portion of the building is covered in a light colored horizontal siding for the eastern portion of the façade, and in red brick for the western portion of the building's north elevation. There is a shingle roof and two (2) windows on the east side of the main door along with a pent roof-overhang. The western portion further contains two windows on the first floor, a dormer window at the second floor level. The windows at the front further contain decorative shutters. The applicant shows a proposed new planting scheme of small scale shrubs and a new brick patio providing direct access to the main door.

V. PARKING SUMMARY

The Planning Office has determined the nature of the proposed use as the Loockerman Coffee Shop to be similar to a retail use, as the applicant has indicated that there will be very little seating and no wait staff. Under Article 3, Section 9, a retail spaces being established through the Conditional Use process in the Historic District Zone does not require off-street parking. The *Zoning Ordinance* requires that restaurants provide parking based on seat count. The existing site conditions limit the ability to proposed construction of any off-street parking at this location. The general area includes on-street parking spaces (two-hour parking and permit parking) and other managed and municipal parking lots within walking distance of the location. There is an established sidewalk network for the blocks surrounding the location.

SITE CONSIDERATIONS

Access

There is no vehicular access to this site, nor is there any available space to create one. There will be pedestrian only access via a new pervious foot path leading to the building from the Loockerman Plaza frontage sidewalk.

Sidewalks

The *Zoning Ordinance*, Article 5, Section 18 requires sidewalks to be installed along the public street frontages of a property. The site has an existing sidewalk approximately nine (9) feet wide along the frontage of Loockerman Plaza. The applicant has indicated in their application that they will build a new pervious footpath from Loockerman Plaza to the main entrance of the

coffee shop. They have also stated they will build a new pervious patio area along the front of the eastern portion of the building in question for future seating. The applicant has further indicated their intent to construct a new fence to separate the patio area from the public sidewalk and has expressed their willingness to work with the Planning Office to ensure that the fence would satisfy the City's requirements for construction in the Historic District.

VI. TREE PLANTING AND LANDSCAPE PLAN

The tree planting requirements are based on the project property or the project's development area. Article 5, Section 16.62 states that "[a] lot shall attain or exceed a tree density of one tree per 3,000 square feet of lot area or fraction thereof." The site appears to contain four (4) fully grown trees on the involved parcels of +/- 15,199.66 SF. A site of this size would require six (6) trees, meaning this would make this site overall non-compliant. Article 5, Section 16.2 offers the option of the applicant defining a development area within the overall site for the purposed of tree planting calculations. If the applicant makes the proposed development area from a line along the western edge of the coffee shop straight to Loockerman Plaza, east, then the newly defined "development site are would be approximately 3,343 SF, bringing the current number of trees in that same area of two, compliant with code requirments.

VII. CITY AND STATE CODE REQUIREMENTS

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:

1) The Final Plan must include considerations and specifications for Historic District Zone (H) requirements. Also list Historic District Zone as part of the zoning of the property.

2) The Final Plan must include notes indicating the action taken by the Planning Commission listing any conditions of approval for the Conditional Use. The plan must be revised to reflect all changes recommended by the Planning Commission.

3) The Final Plan must include a plan sheet with a specific "Development Area" designated within the overall parcels. The designation of a "Development Area" will be utilized to calculate the tree planting requirements. Identifying the existing trees in the Development Area will likely satisfy the tree planting requirement

VIII. RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

In accordance with the *Zoning Ordinance*, Article 10 §1, the Planning Commission in considering and acting upon Conditional Use Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed

in subsections 1.1 to 1.3.

1) Staff recommends, pursuant to Article 10, Section 1.2 on "Harmony of location, size and character," that it would be beneficial to the surrounding community if the applicant were to provide bicycle rack facilities along the sidewalk on the Loockerman Plaza frontage or on the property. The Planning Office recommends that the applicant install a bicycle rack accommodating at least two bicycle parking spaces as a condition of approval. There is no bicycle rack provided on the south side of the block in which the site is located. *The applicant has indicated that they are happy to work with the Planning Office on creating an aesthetically pleasing bike rack for the site.*

IX. ADVISORY COMMENTS TO THE APPLICANT:

1) In the event, that major changes and revisions to the plan occur in its finalization, contact the Planning Office. Examples include relocation of site components, and increases in floor area. 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.

2) In the event, that there are changes to the architecture, building footprints, layout or square footage of the buildings contact the Planning Office. These changes may require review by the Planning Commission.

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) Following Planning Commission approval of the Conditional Use Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted.

5) For new uses in an existing building, 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.

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

7) The applicant shall be aware that Conditional Use approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Permit 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.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: NOVEMBER 1, 2017

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Loockerman Coffee Shop at 14 Loockerman Plaza**

FILE #: **C-17-05**

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 - 302-736-7072 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 receipt of final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. Due to the fact that this property is changing uses, 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 building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan, if an upgrade is required. 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.

WASTEWATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. 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. All proposed wastewater utility components must meet the requirements of the Public Utilities Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.

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 is submitted to our office. If a plan is not required by KCD, the City of Dover will require a Stormwater/Erosion and Sediment Control Plan.

SANITATION/GROUNDS

1. None

STREETS

1. Final site plan approval will not be granted until a copy of the approved plan, signed by DelDOT is submitted to our office.

GENERAL

1. The final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf 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 / WATER / WASTEWATER / STORMWATER / GROUNDS / GENERAL

1. None

SANITATION

1. This site is currently being serviced by the City of Dover. If a change to the service is required, please contact our office to discuss options.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

WATER

1. Water impact fees may be associated with this project.
2. This lot shall be served by a single water service line, which shall be furnished and installed by the property owner. In the event a property contains multiple principal structures, the property shall be served by a single water main where a water service line may be provided to each principle structure. Each structure, which is capable of being offered for sale, shall have its own separate water facilities.

WASTEWATER

1. Wastewater impact fees may be associated with this project.
2. This lot shall be served by a single sanitary sewer lateral, which shall be furnished and installed by the property owner. In the event a property contains multiple principal structures, the property shall be served by a single sanitary sewer main where a sanitary sewer lateral may be provided to each principle structure. Each structure, which is capable of being offered for sale, shall have its own separate wastewater facilities.

STORMWATER/SANITATION/STREETS/GROUNDS/GENERAL

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.

C-17-05

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 1, 2017

CITY OF DOVER FIRE MARSHAL

APPLICATION: 14 Loockerman Plaza; Loockerman Coffee Shop

FILE #: C-17-05 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Matthew Brown, 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 Restaurant (Coffee House).

2. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms. *Dimensions of bollards.* Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however, the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection. *Color of bollards.* Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector. (City of Dover Code of Ordinances, 46-4)

3. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following: *One-family and two-family residential structures, height, t*he number shall measure a minimum of four inches in height, *location, t*he number shall be placed on the house above or to the left or right of the front entrance, *color, t*he number shall be contrasting to the background color, A*rabic numerals, a*ll numbers shall be Arabic numerals. *Multiple-family dwellings, measurements,*

*t*he number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals. *Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *property line or driveway, s*hould the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building, *color; each building, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex, *Arabic numerals, a*ll numbers used shall be Arabic numerals, *Shopping centers.* Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height. (City of Dover Code of Ordinances, 98-344)

4. 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.

5. Project to be completed per approved Site Plan.

6. Full building and fire plan review is required.

7. Construction or renovations cannot be started until building plans are approved.

8. Fire alarm systems, fire suppression systems, hoods, and hood suppression systems require a fire permit from the Fire marshal's Office. This work cannot be started until the permit is approved.

9. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. Construction of wall will require a permit.
2. Proposed use is Business to Business.
3. No grease laden vapors shall be produced. If so addition requirements will apply.
4. Future Tenants of the building may require separation and additional requirements.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015 NFPA 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: November 1, 2017

DELDOT

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APPLICATION: Loockerman Coffee Shop at 14 Loockerman Plaza

FILE#: C-17-05 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 comments regarding city & state code 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 objection to the proposed Coffee Shop.

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

DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
November 2017

APPLICATION: Loockerman Coffee Shop at 14 Loockerman Plaza

FILE #: C-17- 05

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *Jessica L. Verchick, EIT* **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. The Kent Conservation District has no objection to the conditional use approval of the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

1. If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted to, reviewed by and approved by The Kent Conversation District.

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF November 8, 2017

PLANNING COMMISSION MEETING OF November 20, 2017

Plan Title:	College Road Multiplex at 299 College Road, S-17-28
Plan Type:	Site Development Plan
Location:	At the northeast corner of College Road and Conwell Street
Tax Map #:	ED-05-067.00-02-26.00-000
Owner/Applicant:	Enyam, LLC c/o Stephen Lumor
Site Area:	0.42 acres +/- (18,244 SF)
Zoning:	RM-2 (Medium Density Residence Zone)
Prior Use:	Vacant
Proposed Use:	Multiplex of three (3) units
Building Footprint:	1,105 SF per unit for a total of 3,315 SF footprint
Dwelling Units:	3
Off Street Parking:	Required – 6 spaces (maximum 7 by Code) Proposed – 6 spaces
Sewer & Water:	City of Dover
Waivers Requested:	Elimination of bicycle parking requirement Relaxation of pathway location requirements

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 8, 2017

APPLICATION: College Road Multiplex at 299 College Road, Dover

FILE #: S-17-28 REVIEWING AGENCY: City of Dover Planning

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

I. PLAN SUMMARY

Review of a Site Development Plan application to permit construction of a three (3) unit multiplex residential building (multi-family dwelling) with adjoining parking spaces. The property consists of a 18,244 S.F. +/- parcel (0.42 +/- acres) and is zoned RM-2 (Medium Density Residence Zone). The property is located on the northwest side of College Road and adjacent to Conwell Street. The owner of record is Stephen E. Lumor (Enyam, LLC). Property Address: 299 College Road. Tax Parcel: ED-05-067.00-02-26.00-000. Council District 4.

II. PROJECT DESCRIPTION

The property is located on the north side of College Road, adjacent and to the east of a right-of-way known as Conwell Street. It is bound on the north and east by an enclave of land in Kent County which is used as a residential area. To the west across Conwell Street from the property is a one-family residence. To the south across College Road from the property is another section of Conwell Street which serves the Delaware State University's Courtyard Apartments. Other streets in the area include Raymond Street and Mishoe Street, and other land uses in the area include mostly one-family residences, apartments, and manufactured homes. There is also a transitional housing complex east of the site and a cemetery southwest of it.

The Site Plan proposes three (3) residential units in a single multiplex building. It appears the units are arranged in a townhouse-like fashion, with their fronts facing College Road. Other proposed site improvements include a six (6) space parking lot which takes access from College Road, a front entrance walk for each unit, rear patios, and landscaping.

On November 8, 2017, the applicant provided together with the waiver requests for this project a "waiver request display" which shows a slightly updated version of the site plan. Differences on this plan from the initial submission include a larger turnaround in the parking area, a DelDOT permanent easement 15 feet in width instead of 10 feet, and a landscape buffer 15 feet in width instead of 20 feet.

III. ZONING REVIEW

RM-2: Medium Density Residence Zone

The property's proposed multiplex use is permitted in the RM-2 zoning district. Based on the number of units and the 0.42-acre size of the lot, the density of the lot is approximately equivalent to 7.1 units per acre. This complies with the zone's maximum of eight (8) units per acre. However, based on the size of the lot the development is limited to three (3) dwelling units.

Multiplex

A multiplex is given the following definition within the *Zoning Ordinance* Article 12:

> Multiplex: A detached structure containing three to five attached dwelling units, with each unit having independent outside access and at least two exposures.

The proposed structure meets this definition of the *Zoning Ordinance*. A Multiplex is a type of multi-family dwelling or multiple dwelling where the building contains more than two dwelling units. Multiplexes are not a defined type of dwelling within the City's Building Code or Fire Code, and the proposed structure will have to be defined as townhouse units or apartment units within those codes depending on the type of construction.

IV. PARKING SUMMARY

Off-street parking in the RM-2 zone must be provided for multiplexes at a rate of two (2) spaces per unit. Based on this ratio six (6) parking spaces are required. The applicant has provided the six required parking spaces at the front of the units.

The parking area may be considered a kind of shared-use driveway under zoning requirements. It does not meet the definition of a parking lot specified in *Zoning Ordinance* Article 12, which states that a parking lot is a parking area provided for ten or more vehicles in the open.

Based on building code requirements, one of the parking spaces may be required to be ADA-accessible. If this is the case the parking area may need to expand to accommodate the additional width needed by one of the spaces.

Loading Spaces

No loading spaces are required for this site.

Bicycle Parking

Bicycle parking is required at a ratio of one space for every twenty parking spaces. If the site is to be served by 6 parking spaces, one (1) bicycle parking spaces is required. No bicycle parking is currently shown on the plan. It should be noted that there is not a requirement for bicycle parking spaces to be located on an impervious surface.

Waiver Request: Elimination of Bicycle Parking

In accordance with *Zoning Ordinance* Article 6 §3.10, the Planning Commission may waive the requirement for 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. A waiver request has been submitted for consideration.

V. SITE CONSIDERATIONS

Site Entrance and adjacent Rights-of-Way

College Road is a State-maintained road and the design of the site entrance onto it is subject to DelDOT approval. While typically DelDOT seeks to have access taken from side streets where possible rather than the main road corridor, in order to minimize points of access on such corridors, it appears direct access to College Road will be approved for this site, subject to DelDOT's review and approval. There is a previous driveway access from College Road to this parcel which will be removed.

A right-of-way named Conwell Street runs along the west property line of the subject parcel; it is not currently improved to City street standards and portions of the right-of-way as it continues north are not located within the boundaries of the City of Dover. The portion of the right-of-way immediately adjacent to the site is not located within the City boundaries.

The drive aisle leading from the site entrance to the parking spaces is shown as 20 feet in width. This complies with the requirements of the *Zoning Ordinance* for minimum aisle width outlined in Article 6, §3.5. However, the applicant has stated that DelDOT will require the aisle to be expanded to 24 feet in width. Fire code requirements may also impact the width of the aisle. On the updated site plan (the "waiver request display"), the aisle is shown partially inside the DelDOT permanent easement, which has expanded to 15 feet. The drive aisle will have to be moved to the north so as to be outside the easement, potentially moving other site elements as well.

Impervious Surface Coverage

The maximum impervious area for multiplex dwellings in the RM-2 Zone is 35%. For the project's 18,244 SF site, the maximum impervious area is 6,385 SF. At present, 6,384 SF of impervious surface are listed on the site plan. However, the applicant has indicated that there are sufficient requirements across the reviewing agencies that the amount of impervious surface will need to increase. **The applicant has indicated they will seek a variance from the Board of Adjustment to increase the allowed amount of impervious surface.** If this variance is not granted, the applicant will have to revise the design of the project so that all design requirements can be met within the 35% coverage limit.

Setbacks and Separation Requirements

The building location as proposed meets the required setbacks for multiple dwellings within the RM-2 Zone, as outlined in *Zoning Ordinance* Article 4 §4.8. The project also meets the required separation distance between multi-family dwellings and parking areas established in *Zoning Ordinance* Article 6 §5.3. The required separation distance is 15 feet. This section of the *Zoning Ordinance* was recently amended under Ordinance #2017-12 (approved by City Council on October 9, 2017; MI-17-02); however, in this case the requirement would be the same both before and after the ordinance change.

Pedestrian and Bicycle Considerations

The site is currently served by frontage sidewalk along College Road. However, this frontage sidewalk does not appear to be built to City sidewalk standards, and there is also no sidewalk along the Conwell Street frontage. Under the recently adopted Ordinance #2017-12, *Zoning Ordinance,* Article 5 §18 was amended to include the provision that new buildings developed on sites with

sidewalk are required to upgrade the sidewalk to the City standard. There is also the requirement that new buildings developed on sites without sidewalk on one or more frontages are required to provide sidewalk along the public street frontages and private street frontages; this would apply to the Conwell Street side of the property.

There is one pedestrian route into the site from the College Road street frontage, which leads into the parking area. Additional sidewalk on the north side of the parking lot leads into the residential units.

The site is somewhat lacking in adjacent bicycle facilities. Immediately to the west of the site College Road has wide paved shoulders, which taper off right in front of the site. Residents of the site can bicycle west on these shoulders as far as College Park Drive. To the east on College Road there are bike lanes which tie into the City's wider bicycle network via North DuPont Highway. These bike lanes start about 300 feet to the east of the site. This section of College Road is not specifically addressed in the City's 2015 *Bicycle Plan* or the Dover/Kent County MPO's 2017 *Regional Bike Plan,* and it is not clear what site-specific improvements would improve bicycling in the area.

Waiver Request: Relaxation of Pathway Location Requirements

In accordance with *Zoning Ordinance* Article 5 §18.5, the Planning Commission may waive some or all of the pathway location requirements, including the requirement to upgrade the frontage sidewalk and the requirement to put sidewalk along Conwell Street. The applicant's waiver request must demonstrate that the property is isolated from the existing pathway network, that the proposed use would not generate additional pedestrian, bicycle, or other non-motorized trips, or that installation of sidewalk would be impractical or impossible. The applicant has submitted a waiver request for consideration; based on the "waiver request display" the applicant is asking to waive the requirements for both College Road and Conwell Street.

Emergency Rear Access Requirements

Zoning Ordinance Article 5 §17(5)(a) specifies rear emergency access requirements for various types of residential units. Multiplexes are not specifically listed here as a type of residential use requiring emergency rear access; therefore, if the requirements of the Fire Marshal are met with regard to fire protection, no emergency rear access will be required. The applicant has stated that the building may have sprinklers, which would satisfy the Fire Marshal's requirements. If sprinklers are not provided other fire protection requirements may apply.

Lighting

No lighting is currently shown on the site. For this residential building, lighting should be sufficient to light the site while also not being detrimental to conditions inside the units at night.

Dumpsters

The plan specifies that trash will be collected by a private hauler; however, after being told by the City's Public Works Department that public trash pickup was available for this site, the applicant stated they would seek to use the City service instead. For City pickup, 90-gallon trash and recycling cans would be used. It is not clear from the plan where the trash receptacles will be stored.

The trash receptacles cannot be stored in either front yard (along College Road or Conwell Street) and may need some form of screening to hide them from adjacent properties.

VI. BUILDING ARCHITECTURE

The applicant submitted an architectural template from a designer of stock buildings as architectural information for the building. The template shows a four-unit multiplex, and the design shown will have to be adapted to the three-unit multiplex on the plan. This adaptation will primarily occur on the exterior of the building, as the floor plan of each unit is identical.

The multiplex is designed so that the units will appear to be a single large structure, rather than individual townhouse-like units. A single large hipped roof covers all the units. It is not clear from the elevation provided what the material on the exterior walls will be, but it appears to be a kind of siding. The units may or may not have some distinction from each other based on the color of the siding. Window boxes, small covered porches/entryways, and patios are provided for each unit.

Only one elevation of the building is shown; it is not yet known what the rest of the elevations will look like.

The occupancy classification of the building (townhouses or apartments) is not yet known, as "multiplex" is not a defined building type within the Building Code. The classification does have implications for the site design, including on emergency access and on the need for ADA parking.

VII. RECREATION AND OPEN SPACE

Residential projects are typically required to provide Active Recreation Area under *Zoning Ordinance,* Article 5 §10.1. Due to the property size and unit density, this project qualifies for an active recreation area exemption for small developments under *Zoning Ordinance,* Article 5 §10.511. Article 5 §10.511 specifies that developments with less than five acres of land and less than ten dwelling units shall be exempt from land dedication requirements, which include a 10,000 SF minimum Active Recreation Area.

However, the applicant will be required to make a cash donation to the City's Parks and Recreation fund in lieu of dedicating the required recreation area. The value of the donation will be ten percent of the appraised value of the property's gross land area.

The Parks, Recreation and Community Enhancement Committee will need to consider this Cash-in-lieu of Recreation Area payment and the Planning Office must prepare an Active Recreation Area Report outlining the amount of the cash donation; the appraisal information must be provided. **The next meeting of the Parks, Recreation and Community Enhancement Committee will be on December 12, 2017.** The Planning Commission must act to accept the cash-in-lieu donation as part of any motion regarding this project, or as a separate motion if necessary.

VIII. TREE PLANTING AND LANDSCAPE PLAN

The submitted plan set includes a concept for the Landscaping Plan. The total lot area is 18,244

SF; based on this area, seven (7) trees are required to meet the tree density requirements of the site. The applicant proposes to meet this requirement with seven existing trees. The existing trees include three (3) Black Cherry trees, two (2) Black Walnut trees, one (1) Tulip Poplar tree, and one (1) Sweet Gum tree. Five of the trees are located at the rear of the site and two are located near the western edge of the site. It appears that the rest of the existing vegetation on the site (mostly wild brush and shrubs) will be appropriately cleared to make way for the development.

Infill Landscaping Standards and Parking Lot Screening

Zoning Ordinance Article 5 §10.3 specifies that residential lots developed in infill areas shall include landscaping, with plants and shrubs, along the portions of the house that front a public street. The two trees along Conwell Street and the proposed 15-foot wide landscape buffer may be sufficient to fulfill this requirement. However, to be sure this requirement is met more information is needed on the type of proposed landscaping within the landscape buffer. Trees and shrubs would be sufficient to meet the requirement while grass alone would not.

Zoning Ordinance Article 6 §5.43 also specifies that landscaping is required whenever a parking lot is located across the street from a residential use. Specifically, a thick hedge is required parallel to the street between the street and the parking. However, a hedge will not be required the parking area on this property as it does not meet the definition of a parking lot specified in *Zoning Ordinance* Article 12, which states that a parking lot is a parking area provided for ten or more vehicles in the open.

IX. CITY AND STATE CODE REQUIREMENTS

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:

1) A Record Plan sheet is required to show the dedication of a 15-foot wide permanent easement to DelDOT along the College Road frontage. The dedication cannot be accomplished with the Site Plan sheets.

2) The sidewalk along College Road shall be upgraded to City sidewalk standards, and sidewalk shall be provided along the Conwell Street frontage, unless a waiver is granted by the Planning Commission. A waiver request was submitted for review.

3) One (1) bicycle space shall be provided in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. This bicycle parking space is not required to be located on impervious surface. A waiver request was submitted for review.

4) **An appraisal of the property to be utilized for determining the value of the required cash-in-lieu donation must be submitted to the Planning Office.** The Planning Office will prepare an Active Recreation Area report for review by the Parks, Recreation, and Community Enhancement Committee and the Planning Commission based on the information provided.

5) Additional information is required regarding the proposed trash collection strategy. The storage location of the trash receptacles must be specified, and if in an outdoor location, the method of screening the receptacles from right-of-way and adjacent properties must also be specified.

6) Please show any proposed site lighting on the plan, including location, direction, power, and time of use, or specify that lighting will be building-mounted only.

7) If required by the Building Code, redesign one of the six parking spaces so it is ADA van accessible.

8) Sheet C100/Cover Sheet:
   a. Under the City of Dover utility notes, please add a note specifying that all new utilities constructed on the site shall be constructed at the expense of the developer.

9) Sheet C102/Existing Conditions and Demolition Plan:
   a. Please label on this plan the area of existing vegetation to be cleared for construction.
   b. Please provide lengths and bearings of the property lines of the site so that the site boundaries may be precisely defined.

10) Sheet C106/Landscape Plan:
   a. Under the Tree Density Calculations, please change the 0.42 acres of "non-woodland area" to 0.42 acres of "development area." This is to comply with the new method of calculating tree density requirements established under Ordinance #2017-12, passed by City Council on October 9, 2017. Please note that for this property the required number of trees remains at seven under the new calculation method.
   b. Please provide details on the plantings to be placed in the 15-foot wide landscape buffer area. These plantings must be sufficient to meet the infill lot landscaping standards of *Zoning Ordinance* Article 5 §10.3.

11) Any Erosion & Sediment Control Plans and 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.

12) Any signs are subject to a separate review and approval process in the City of Dover.

13) The Final Plan set must include notes documenting any action taken by the Planning Commission with regard to requested waivers, and must list any additional conditions of approval.

X. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken

into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

1) Waiver Request: Elimination of Bicycle Parking Requirement: In accordance with *Zoning Ordinance*, Article 10 §2.21, related to safety and convenience of vehicular, transit, bicycle, and pedestrian traffic, Staff recommends the Commission **deny** the waiver request to eliminate the bicycle parking requirement. As established in the "Pedestrian and Bicycle Considerations" section of this Report, bicycle facilities to access the site are somewhat deficient but still present. The applicant states that the tenants and their visitors are anticipated to keep their bicycles inside, but the preferences of the tenants cannot be definitively known at this time. The units lack garages that would be the logical place to store a bicycle, as opposed to keeping them in, for instance, the living room. If at least one tenant might prefer to store their bicycle outside, the Bicycle Parking Requirement should be maintained.

2) Waiver Request: Relaxation of Pathway Requirements: In accordance with *Zoning Ordinance*, Article 10 §2.21, related to safety and convenience of vehicular, transit, bicycle, and pedestrian traffic, Staff recommends the Commission **partially approve** the waiver request to relax pathway requirements for the site. Specifically, Staff recommends the Commission eliminate the requirement to construct sidewalk along Conwell Street. Staff concurs with the applicant that constructing sidewalk along this right-of-way would result in an isolated pathway with no access benefits. In addition, the sidewalk would likely have to be reconstructed if Conwell Street was ever updated.

   The applicant did not make an argument in favor of relaxing code requirements for College Road. The only point where it is mentioned in the waiver request is when it is stated to be consistent with the sidewalk along the frontage of surrounding properties on College Road. While this is true, the whole sidewalk is deficient with respect to current City standards, and should be upgraded wherever possible. A sidewalk immediately adjacent to the curb is more dangerous to pedestrians than one at a 5-foot wide remove. A sidewalk separated from the street, however, is both safer and perceived to be safer, encouraging more people to use it. This is particularly important for residential properties.

3) Alterations to Pathway Design standards: With the passage of Ordinance #2017-12 on October 9, 2017, the Planning Commission gained the ability to require standard City sidewalk be upgraded to an alternative pathway type in order to improve multi-modal access to a site. However, in accordance with *Zoning Ordinance*, Article 10 §2.21, related to safety and convenience of vehicular, transit, bicycle, and pedestrian traffic, Staff recommends the Commission **not** require the provision of a multi-use path or other facility upgrades for this site. There are options for residents of the site to reach the eastbound bike lane on College Road tying into the City's wider bicycle network. A multi-use path constructed across the property's short 100-foot College Road frontage would not tie into any other multimodal facilities, and is unlikely to be linked to in the foreseeable future as the neighborhood is not a developing area. The area also has no

specific recommendations related to it in the City's 2015 *Bicycle Plan* or the Dover/Kent County MPO's 2017 *Regional Bike Plan.* This recommendation does not preclude DelDOT from requiring facility upgrades.

Other agencies may recommend additional considerations to meet code objectives in accordance with their areas of expertise. Action on all considerations identified in this section and by other agencies is at the discretion of the Planning Commission.

XI. ADVISORY COMMENTS TO THE APPLICANT

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

2) The applicant should be advised that getting a variance from the impervious surface coverage requirements of the site is a separate process through the Board of Adjustment. A separate application and separate public hearing is required. Conditional approval of the project by the Planning Commission does not guarantee the granting of a variance.

3) In the event that major changes and revisions to the Site Development Plan occur in the finalization of the Plan, contact the Planning Office. Examples include reorientation of the complex/buildings, relocation of site components like stormwater management areas and site entrances, and increases in floor area. 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.

4) In the event that there are changes to the architecture, building footprints, layout or square footage of the buildings contact the Planning Office. These changes may require review by the Planning Commission.

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

6) Following Planning Commission approval of the Site Development Plan, the Plan must be revised to meet all conditions of approval from the Development Advisory Committee or as otherwise noted.

7) For building 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, parking requirements, etc.

8) The applicant/developer shall be aware that prior to any ground disturbing activities on

the site the appropriate Site Plan approvals, Pre-Construction meetings, site inspections and permits are required.

9) Construction may have an effect on the adjacent property owners. Any work requiring the closing or rerouting of residents or visitors should be coordinated as to offer the least amount of inconvenience.

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 may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance* Article 5 §4.

11) The applicant shall be aware that Site 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.

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: NOVEMBER 1, 2017

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Multiplex at 299 College Road**

FILE #: **S-17-28**

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. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. 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.
10. 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.
11. 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.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
13. 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.
14. 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. 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.
    b. 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. Sheet C107, General Utility Note #6- All water services shall be type 'K' copper tubing coils for services one inch to two inch (1" to 2"), or SDR9 (poly tubing) for services two inches (2") or greater.
5. Water service lines shall be installed five feet (5') to the right of the sewer lateral as viewed from the centerline of the street.
6. 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 building. 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.
7. Curb stops shall be installed one foot (1') outside of the right-of-way or easement line for each lot in a non-traffic bearing location.
8. A master water meter shall be installed outside, in a meter pit or vault, on the domestic water service, in a non-traffic bearing location.
9. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically this valve is installed at the tee or an acceptable distance from the building. 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 building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
10. 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.

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 mains showing that velocity and all other requirements are met. Any projected future flow requirement must be clearly identified.
6. The minimum size of all sanitary sewer laterals shall be six-inch (6").
7. Sheet C107, General Utility Note #2- All sanitary sewer pipe shall be SDR35 for depths up to twelve feet (12') and SDR 26 for depths from twelve feet to eighteen feet (12' to 18').
8. Proposed sanitary sewer laterals shall be connected directly to the existing main, not manholes, unless impracticable, as determined by the Department of Public Works.
9. The proposed sanitary sewer services shall be contained on the lot.

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 is submitted to our office. If a plan is not required by KCD, the City of Dover will require a Stormwater/Erosion and Sediment Control Plan.
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.
3. The City of Dover does not own Conwell Street; therefore there is no City of Dover right-of-way. Please revise on plans.

SANITATION

1. Every person occupying a residence or duplex and every owner of an apartment shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers.

GROUNDS

1. No street tree shall be planted closer than 30 feet to any street corner and no closer than ten feet to any fireplug.
2. Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within ten feet of any underground water line, sewer line, transmission line or other utility.
3. It shall be unlawful and a nuisance for any person to plant any vegetation in any public right-of-way. Upon receipt of notice from the city to remove any vegetation located in a public right-of-way, the owner of the abutting property shall remove such vegetation at his own expense within the time limit provided in such notice.

4. It shall be unlawful and a nuisance for any person to plant any tree, shrub or bush within 16 feet of the curbline. Upon receipt of notice from the city to remove any tree, shrub or bush which is located within 16 feet of the curbline, the owner of the property upon which such tree, shrub or bush is located shall remove the same at his own expense within the time limit fixed in such notice.

GENERAL

1. 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.
2. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).
3. Sheet C100
   a. City of Dover Utility Note #2- The City of Dover Construction Manager contact number is 302-736-7025,
   b. City of Dover Utility Note #5- Please replace the Public Utilities Department with Department of Public Works
   c. City of Dover Utility Note #6- Please replace “ny” with “by”.
4. Sheet C102- Please provide the City of Dover with the referenced deed in General Note #2.
5. Sheet C108 is blank. Please revise to show utility profiles.

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/.

WATER / WASTEWATER

1. None.

STORMWATER

1. It is recommended to relocate the proposed sanitary sewer service away from the proposed perimeter swale.

STREETS / SANITATION / GROUNDS

1. None.

GENERAL

1. It is recommended to provide the following note for the Contractor on sheet C100: Contractor shall notify “Miss Utility” (1-800-282-8555) at least 48 hours prior to excavation to have existing underground utilities located and marked.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1.

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 during the spring and fall. 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 this proposed site plan.

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, it may be required to submit the sanitary sewer system plans 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. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees may be required for this proposed site plan.

STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. 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-17-28

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 11/08/17

CITY OF DOVER FIRE MARSHAL

APPLICATION: Multiplex at 299 College Rd

FILE #: S-17-28 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Matthew Brown, 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:

Routine Comments:

1. Proposed building is residential townhomes.

2. Perimeter access shall be 25% and clearly shown on the plans. Perimeter Access minimum width shall be 15 feet measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations. If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3)

3. Fire lanes shall cover 25% of the proposed building. Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required. The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or 30 feet if over four stories in height. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5)

4. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)

5. All Fire Lanes shall be marked as follows: both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no

curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

6. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

7. Fire lane signs shall be located as follows: see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic. Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs, and shall conform to the specifications of 7.6. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. 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. All townhouses (3-8 units) with no fire protection require a 16ft alley at the rear.

9. Speed Reduction Devices must be approved, please see City of Dover Ordinance 98-10 in reference to this process.

10. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All fire hydrants shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides. Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)
The owner is responsible if the hydrant is private.

11. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black. (2015 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
The owner is responsible if the hydrant is private.

12. Sprinkler system required. System is to be monitored by an approved Fire Alarm System. This chapter shall apply to all buildings, structures, marine vessels, premises, and conditions which are modified by more than 50% after the effective date of these Regulations. The 50% figure shall be

calculated utilizing the gross square footage of the building, structure, marine vessel, premises and conditions as to arrive at the correct application.

13. Fire Department Connection is to be a 5 inch stortz connection on a 30 degree elbow located within 50 feet of main entrance. Fire Department Connection shall be located at the nearest point of fire department apparatus accessibility (front of the building) or at a location approved by the AHJ. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

14. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

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

16. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

    Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

17. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms. *Dimensions of bollards.* Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection. *Color of bollards.* Bollards

should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector. (City of Dover Code of Ordinances, 46-4)

18. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following: *One-family and two-family residential structures, height, t*he number shall measure a minimum of four inches in height, *location, t*he number shall be placed on the house above or to the left or right of the front entrance, *color, t*he number shall be contrasting to the background color, A*rabic numerals, a*ll numbers shall be Arabic numerals. *Multiple-family dwellings, measurements, t*he number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals. *Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *property line or driveway, s*hould the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building, *color; each building, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex, *Arabic numerals, a*ll numbers used shall be Arabic numerals, *Shopping centers.* Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height. (City of Dover Code of Ordinances, 98-344)

19. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system. (2015 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

    Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection. *Location.* The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box. *Required keys.* Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required. *Ordering responsibility.* It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be

the responsibility of the owner or tenant to order the key box for existing buildings. *Installation before testing.* No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box. (City Code of Ordinances 46-127)

20. 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.

21. Project to be completed per approved Site Plan.

22. Full building and fire plan review is required.

23. Construction or renovations cannot be started until building plans are approved.

24. Fire alarm systems, fire suppression systems, hoods, and hood suppression systems require a fire permit from the Fire marshal's Office. This work cannot be started until the permit is approved.

25. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

ADDITIONAL / SPECIFIC COMMENTS:

1. Clarify what residential type is proposed.
2. Proposed building is sprinklered.
3. Hydrant required within 300ft of FDC
4. Fire Lanes installed correctly per item #3-7

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: November 1, 2017

DELDOT

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APPLICATION: Multiplex at 299 College Road

FILE#: S-17-28 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 comments regarding city & state code 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:

- The site access on College Road must be designed in accordance with DelDOT's Development Coordination Manual. A copy of the Manual is available at http://www.deldot.gov/information/business/subdivisions/changes/index.shtml The entrance throat appears to be narrower than 24' which is our standard.
- The manual addresses that there should be a 15' permanent easement beyond the right-of-way. On the plans you are only proposing a 10' PE. In order to allow this, you must request a written waiver from the Development Coordination section.
- Pursuant to Section P.3 of the Manual, a Pre-submittal meeting is required before plans are submitted for review. The form needed to request the meeting and guidance on what will be covered there/ how to prepare for it is located at http://www.deldot.gov/information/business/subdivisions/Meeting_Request_Form.pdf .

- Section P.5 of the manual addresses fees that are assessed for the review of the development proposals. DelDOT anticipates collecting the Initial Stage Fee when the record plan is submitted for review.

- In accordance with Section 3.4 of the Manual, a record plan shall be prepared prior to issuing "Letter of No Objection" review:
  Initial Stage Fee Calculation Form
  Initial Stage Review Fee
  Gate-Keeping Checklist – Site Plan
  Design Checklist – Record Plan
  Sight Distance Spreadsheet
  Owners and Engineers' name and e-mail address
  Record Plan
  Conceptual Entrance Plan
  Submission of the Area – Wide Study Fee (If applicable)

- Referring to Section 3.4.2.1 of the Manual, the following items, among other things are required on the Record Plan:

  A Traffic generation Diagram. See 3.4.2-a for the required format and content.

  Depiction of all existing entrances within 600 feet of the proposed entrance.

  Notes identifying the type of off-site improvements, agreements (signal, letter) contributions and when the off-site improvements are warranted.

- In accordance with Section 3.5.4.2.A.3 of the Manual, DelDOT will require construction of a sidewalk/ Shared Use Path along the property frontage of College Road. If the intent is to leave the existing sidewalk, then we will need to confirm its ADA compliance. If it does not meet regulation it will need to be replaced.

- Referring to Section 4.3 of the Manual, an entrance plan shall be prepared prior to issuing entrance approval. The following information will be required for Entrance Plan review:
  Construction Stage Fee Calculation Form
  Construction Review Fee
  Gate-Keeping Checklist – Entrance Plan
  Design Checklist – Entrance Plan
  Auxiliary Lane Spreadsheet
  Entrance Plan
  Pipe/ Angle Spreadsheet (If Applicable)
  SWM Report and Calculations (If Applicable)

- In accordance with Section 5.2.5.6 of the Manual, Turning Movement Diagrams shall be provided to verify vehicles can safely enter and exit the site entrance. As per Section 5.2.3 of the
  Manual, the entrance shall be designed for the largest vehicle using the entrance.

- In accordance with Section 5.2.9 of the Manual, the Auxiliary Lane Worksheet should be used to determine whether auxiliary lanes are warranted at the site entrance and how long those lanes should be. The worksheet can be found at http://www.deldot.gov/information/business/subdivisions/auxiliary_lane_worksheet.xls.

- In accordance with Section 5.4 of the Manual, sight distance triangles are required and shall be established in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards. A spreadsheet has been developed to assist with this task. It can be found at http://www.deldot.gov/information/business/subdivisions/Intersection-Sight-Distance.xls.

- In accordance with Section 5.14 of the manual, all existing utilities must be shown on the plan and a utility relocation plan will be required for any utilities that need to be relocated.

- Section 7.7.2 of the Manual addresses the need to provide 20-foot wide drainage easements for all storm drainage systems open or closed, that fall outside the existing right-of-way or the drainage/ utility easement. In accordance with this section, metes and bounds and total areas need to be shown for any drainage easements. The easements should be shown and noted on the record plan.

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

DATA SHEET FOR SITE DEVELOPMENT MASTER PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF November 8, 2017

PLANNING COMMISSION MEETING OF November 20, 2017

Plan Title:	Delaware State University Residence Hall: Master Plan, S-17-29
Plan Type:	Site Development Master Plan
Property Location:	North side of College Road, west side of North DuPont Highway
Property Address:	1200 North DuPont Highway
Tax Parcels:	Portion of ED-05-057.00-01-21.00-000 ED-05-057.00-01-20.00-000 ED-05-057.00-01-19.00-000
Owner:	State of Delaware c/o Delaware State University
Site Area:	287.32 acres +/- (Total of 240.29 acres North of College Road)
Project Area:	4.80 acres +/- (209,088 S.F.) considered to be Development Area
Existing/Proposed Use:	University campus
Project Area Existing Use:	Open Area and existing Residence Halls
Project Area Proposed Use:	Residence Hall (600 beds) and Dining Facility
Building Areas:	New Building: 190,000 S.F. Existing Building (to be demolished)/ Laws Hall: 18,532 S.F. Existing Building (to be demolished)/Tubman Hall: 14,281 S.F.
Off Street Parking:	1,650 spaces required for Campus (Established by BOA in 2009) 2,243 spaces provided on Campus 31 spaces removed by project development 200 spaces required for New Residence Hall (Dormitory)
Impervious Surfaces:	Campus (North area) Existing: 73.38 acres (33.97%) Campus (North area) Proposed: 74.48 acres (34.48%) Net Increase in Project Area of 1.10 acres (48,060 S.F.)
Sewer & Water:	City of Dover
Zoning Classification:	IO (Institutional and Office Zone) SWPOZ (Source Water Protection Overlay Zone)
For Consideration:	Demonstration of Loading Space needs
Waiver Requested:	Partial Elimination of Sidewalk (segment of College Road)

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 8, 2017

APPLICATION: Delaware State University Residence Hall: Site Development Master Plan

FILE #: S-17-29 REVIEWING AGENCY: City of Dover Planning

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

I. PLAN SUMMARY:

This is a Site Development Master Plan to permit phased construction of a new 190,000 S.F. five-story Student Residence Hall at Delaware State University. The project phases consist of the following: Phase 1- Relocation of Utilities, Phase 2 - Construction of Residence Hall (600 Beds) and Demolition of Laws Hall, and Phase 3 - Demolition of Tubman Hall. The subject project area consists of 209,088 +/- S.F. (4.80 +/- acres) internal to the Delaware State University Campus of 287.32 +/- acres. The property is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) – Tier 3: Excellent Recharge Area. The campus is location west of North DuPont Highway and north of College Road. The owner of record is State of Delaware c/o Delaware State University. Property Address: 1200 North DuPont Highway. Tax Parcels: ED-05-057.00-01-19.00-000, ED-05-057.00-01-20.00-000, and ED-05-057.00-01-21.00-000. Council District 4.

Current Application

Preliminary Land Use Services Review (PLUS)

The application was evaluated for the necessity of Preliminary Land Use Services Review. This project met the project size threshold established in the City of Dover's Memorandum of Understanding (MOU) that requires completion of the PLUS Review process prior to application submission. However, for this Site Development Master Plan, a waiver of the requirement for PLUS Review process was sought and received from the Office of State Planning Coordination via a letter dated October 3, 2017 citing its location within an existing developed campus and that the proposed new construction was to replace two existing dormitory facilities.

II. PROJECT DESCRIPTION

The Site Development Master Plan proposes three (3) phases of the project for the Delaware State University Student Residence Hall. Overall, the project involves the following:

- Phase 1: Relocation of Utilities (water, sanitary sewer, stormwater, gas, etc.) within the project area to accommodate the location of a new building.
- Phase 2: Construction of new Student Residence Hall as five stories and 190,000 S.F. to include 600 beds and associated dining facilities. Project area location in southwestern portion of campus between Loockerman Hall and Warren & Franklin Hall. Phase also includes the demolition of Lydia P. Laws Hall, an existing dormitory building.

- Phase 3: Demolition of Harriet Tubman Hall, an existing dormitory building.

The project also includes the associated site improvements related to sidewalks to interconnect the building with the existing network on campus, stormwater management facilities, and landscaping. In the project development area, an existing parking lot of thirty-one (31) parking spaces will be removed.

III. ZONING REVIEW

SWPOZ (Source Water Protection Overlay Zone)

The site is located within the SWPOZ (Tier 3: Excellent Recharge Area) and subject to Article 3 Section 29.7 of the *Zoning Ordinance*. The proposed use as a university campus with residential and dining facilities is not prohibited in the SWPOZ. For Tier 3: Excellent Recharge Areas, the maximum lot coverage for the site is 30% unless infiltration is utilized then the maximum lot coverage is 60%. The plan indicates that the campus has an existing impervious coverage of 33.97%. The lot coverage was calculated by utilizing the portions of the three university parcel areas located north of College Road. With this project, the lot coverage for the campus is proposed to increase to 34.48%. The project will be required to utilize infiltration practices; two potential options for underground infiltration systems are shown in the plan set. In the SWPOZ, the differential volume of stormwater between the 30% and 60% lot coverage must utilize infiltration. Thus the stormwater resulting from the increase in the lot coverage from 33.97% to 34.48% (increase of 0.51% in lot coverage) must be infiltrated. If infiltration is not a viable option the site shall comply with the existing lot coverage; this would require elimination of impervious surfaces.

IO Zoning District

The Delaware State University campus property is zoned IO (Institutional and Office Zone) and subject to the regulations of *Zoning Ordinance*, Article 3 Section 10 and Article 4 Section 4.15. The proposed use as a residence hall and dining facility are expected building types found at a university, which is a permitted use in the zoning district.

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.

IV. PARKING SUMMARY

The parking requirement for a university is one (1) parking space for every five (5) seats in the auditorium or cafeteria. The Board of Adjustment set the required number of parking spaces needed for the Delaware State University Campus at 1,650 parking spaces per Article 6 Section 3.8 of the *Zoning Ordinance* on April 15, 2009 (V-08-19).[1] At the time the campus had 2,256 parking spaces exceeding the required 1,650 required by 606 parking spaces. Construction activities on campus since 2009 have revised the number of existing parking spaces to 2,243 spaces (following S-09-09). Then construction activities with the Applied Optics Research facility building (S-12-12 and S-13-02 Phase 2) required 93 parking spaces; these were satisfied by the "excess" parking spaces available on campus.

With this project, the parking requirement for the new Residence Hall when based on the dormitory parking rate of one space per three beds would require 200 parking spaces for its 600 beds. This plan claims the parking space credits available from the existing spaces on campus. In addition, this plan will reduce the available parking by 31 spaces through the elimination of a parking lot located in the project area. As a result, the campus parking will stand at 2,212 existing parking spaces remaining (which is in compliance with the 1,650 parking space required as set by the Board of Adjustment in 2009 and the subsequent construction activities) and the increase in parking needs of the new Residence Hall Building is covered by the excess parking available on campus.

Loading Spaces (Consideration of Loading Space Justification)

For buildings in excess of 150,000 S.F., loading spaces are required to be sufficient for the use and must be demonstrated in writing during the plan submission. The plan shows two loading spaces on

[1] The provisions of *Zoning Ordinance*, Article 6 – Off Street Parking, Driving and Loading Facilities has since been amended. Currently, Article 6 §3.8 Combined spaces allows the Planning Commission to establish the parking requirements for lots having multiple uses through review of a campus parking plan.

the west side of the building presumably near the dining facility portion of the building. The *Zoning Ordinance* also recognizes joint facilities usage of loading spaces. As a campus, the University may also function with a centralized receiving/processing facility. A written description of the loading spaces needs specific to the building and describing the campus procedures for receiving was submitted for consideration by the Planning Commission.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. The number of bicycle parking spaces on the overall Delaware State University campus is unknown. Based on the 200 parking spaces specifically required for this new Residence Hall building, at least ten (10) bicycle parking spaces are required for the project area and must be identified on the plan.

V. SITE CONSIDERATIONS

Entrance

The entrances to the Delaware State University campus from the local road network remain unchanged with this project with the main entrance to campus from North DuPont Highway and several entrances from College Road. The project site for the development of the new Residence Building is in the campus area of the existing dormitory buildings of Lydia P. Laws Hall and Harriet Tubman Hall, both of which will be demolished at points during the phased project. The project site is in the block north of Old College Road to the north of Warren & Franklin Hall and south of Loockerman Hall and other buildings. The westernmost campus entrance from College Road is to the southwest of the project development area.

Waiver Request: Partial Elimination of Sidewalks (Pathways)

Sidewalks are required along all street frontages of a property (*Zoning Ordinance*, Article 5 Section 18) for development proposals subject to Site Development Master Plan review by the Planning Commission.[2] Review of the Delaware State University campus properties (located north of College Road) shows sidewalks along the North DuPont Highway frontage of the properties and for portions of the College Road frontage. The segment of College Road located east of the westernmost entrance does not included street frontage sidewalk.

A written waiver request was submitted for consideration by the Planning Commission for the segment of College Road which does not have existing sidewalk. The applicant cites the physical characteristics of that frontage (drainage swale, grade differences, and mature evergreen trees) as reasons for elimination of the sidewalk. In addition, they discuss on-going pedestrian circulation planning efforts on the campus. The Planning Commission should act on this waiver request as part of their review of the Site Development Master Plan; see the following *Zoning Ordinance* citation on waivers of pathways. Sidewalks are a type of pathway.

> Article 15 §18.5 *Waiver of pathway locations requirements*. The property owner or developer may request a waiver from the planning commission or city planner, according to the type of plan review required by article 10 of this ordinance, under the following circumstances in order to reduce or eliminate the requirements for pathway installation:

[2] Article 5 Section 18 pertaining to sidewalks was retitled Article 5 Section 18 – Pedestrian, bicycle, and multi-modal access requirements and the requirements were amended by Ordinance #2017-12 adopted by City Council on October 9, 2017.

> a) When the property is isolated from the existing pathway network, with no existing pathways within the immediate vicinity of the property.
> b) When the proposed use would not generate or attract additional pedestrian, bicycle, or other non-motorized trips.
> c) When physical characteristics of the property are such that pathway installation is impractical or impossible.

The project development area is internal to the campus and contains a system of sidewalks/pathways linking the adjacent buildings to the new building. The New Residence Hall is shown to have a series of wide pathways (brick and concrete) to serve pedestrians and also as the require fire lane access for the new building.

Curbing

The upright curbing for parking lots and drive aisles is required the requirements of Article 6 Section 3.6(b) of the *Zoning Ordinance*. This curb type appears to be utilized throughout the project area (due to existing conditions) and with what is likely depressed curbing at the necessary access points to the wide pathway sidewalks that serve as fire lanes. Under recent Code amendments, the City Planner can consider requests to eliminate curbing when there is a demonstrated need related to stormwater management.

Dumpsters

The institutional buildings are required to have two (2) dumpster pads based on the size of the institutional building at a rate of two per the first 80,000 SF with one required for each additional 40,000 S.F.[3] Thus it requires five dumpsters for this building. The plan notes that the University has a centralized trash pick-up and disposal process for the campus. However, locations for these dumpster pads must be reserved at a location on campus for future potential use. A location for a reserved dumpster pad area is shown on the plan with a note stating that the dumpsters shall be constructed if determined to be necessary by the Planning Director.

VI. BUILDING ARCHITECTURE

Conceptual Renderings and Elevation Drawings were submitted for the New Residence Hall Building. The building is proposed as a five story building with what a flat roof with taller parapet walls at the edge. Each building elevation includes a series of changes in the wall plane by section and other projections i.e. an upper floor projecting over a lower floor. The building includes the exterior finishes of brick masonry with detailing in the brickwork and with the placement of cast stone or precast trim in select locations. The windows there are details at the sills and headers and window openings of glass surrounded by metal panels or fiber cement panel infills. The exterior finish of the fifth floor is fiber cement panels rather than brick masonry. The first floor of the building and select vertical areas include larger areas of aluminum glass storefront window systems of spandrel and frosted glass.

VII. TREE PLANTING AND LANDSCAPE PLAN

The submitted plan includes the Landscaping approach for the overall project. *Zoning Ordinance,* Article 5, Section 16.62 offers the option of the applicant defining a "Development Area" within the overall property for the purpose of tree planting calculations. Planning Staff is equating the delineated project area shown on the plan as the "Development Area" since the

[3] The Dumpster requirements of Article 5 Section 6 – Dumpsters for trash and recycling were amended by Ordinance #2017-12 adopted by City Council on October 9, 2017.

project location is within the central area of the campus (i.e. not adjacent to property lines). The Development Area of 4.8 acres (209,088 S.F.) requires seventy (70) trees. The Landscape Plan is providing a mixture of trees (appears to be at least three types from the graphic depiction) to provide a total of seventy (70) trees; the specific tree species will be identified in the Administrative Site Plans for Phases 2 and 3.

Arterial Street Buffer

North DuPont Highway (U.S Route 13) is considered as a principal arterial and requires a thirty (30) foot landscape buffer along the road frontage known as an Arterial Street Buffer. The buffer is measured from the edge of the right-of-way. The University campus provides this required thirty (30) foot landscape buffer along DuPont Highway which includes tree plantings, landscape plantings of shrubs and annuals, and a brick wall. Activities of this Site Development Master Plan do not impact the Arterial Street Buffer.

VIII. CITY AND STATE CODE REQUIREMENTS:

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:

1) A written justification of the loading space needs for the building (and any campus-wide receiving procedures) was submitted for consideration by the Planning Commission in order to determine if the proposed number of loading spaces is sufficient. The project proposed proposes construction of two (2) new loading spaces.

2) Upright curbing shall be provided in accordance with the *Zoning Ordinance.* A waiver may be granted by the City Planner if necessary for stormwater management. Such requests should be identified with the Administrative Site Plan submissions.

3) Sidewalks are required along all street frontages of a property subject to this review process; currently there is not sidewalk along a portion of College Road. A written waiver request was received for consideration by the Planning Commission.

4) Cover Sheet, Sheet C-001:
    a. Site Data column, Item 11: Explain the Total Area at Completion. If the new Residence Hall building is 190,000 SF in size isn't this the total area at completion as that number doesn't include the two dormitories to be demolished.
    b. Site Data column, Item 15: This is not a waiver but a 'justification' for determination.
    c. General Notes, Items 26 and 28: The same note is repeated.

5) Plan drawings: Clarify the square footage listing on the existing buildings as footprint only. If known add listing of total floor area of building.

6) A system of bollards, etc. may be necessary to limit non-authorized use of the wide pathway/sidewalk areas, especially at the connection points to the campus' internal street network. Consult with Fire Marshal's Office on format.

7) Landscape Plan, Sheet L1.00:
    a. Ensure tree planting locations and landscaping maintain the required spacing distances or access provisions from utility lines, fire hydrants, etc.
    b. Additional information on the selected tree species, size, details, and tree planting calculations will need to be provided as part of the Administrative Site Plan submissions.

8) The Master Plan set will need to be updated to document and reflect any changes recommended or approvals or waivers granted by the Planning Commission.

9) A separate Record Plan sheet may need to be prepared to record and document any proposed easements, right-of-way dedications, etc. for the project activities.

10) Any Sediment & Stormwater Management Plans granted approval by DNREC 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.

IX. RECOMMENDED ADDITIONAL CONSIDERATIONS TO MEET CODE OBJECTIVES:

In accordance with the *Zoning Ordinance*, Article 10 §2.2, the Planning Commission in considering and acting upon Site Development Plans may prescribe appropriate conditions and safeguards so that the public health, safety, and welfare, the comfort and convenience of the public in general, and the residents of the immediate neighborhood in particular shall be taken into consideration. These safeguards may to the maximum extent possible further the expressed intent of the *Zoning Ordinance* and the accomplishment of several objectives in particular listed in subsections 2.21 to 2.28.

1) Loading Spaces: In accordance with Article 10 subsections 2.21 and 2.27 and the loading space requirements of Article 6, Section 4, Staff recommends approval that this building project can be sufficiently serviced by two (2) loading spaces. This finding is based on the uses and functions of the building and the on-campus procedures for receiving and distribution activities of goods and trash management as described in the applicant's Loading Space Justification document dated November 7, 2017.

2) Waiver Request: Partial Elimination of Sidewalks: In accordance with Article 10 subsection 2.21 and Article 5 Section 18.5, Staff recommends approval of the waiver request to eliminate the requirement for the construction of sidewalks along a segment of the north side of College Road. This is based on the findings that the physical characteristics of this frontage area with existing drainage swales, grading, and mature evergreen trees (as screening) would be impactful to the design and construction of the sidewalk. Also this is a segment unlikely to be traveled by pedestrians as there are pedestrian circulation systems (sidewalks and pathways) internal to the campus setting which traverse the area connecting buildings and parking lots.

3) Pedestrian Connections: In accordance with Article 10 subsection 2.21 related to safety and

convenience of vehicular, transit, bicycle, and pedestrian traffic, Staff recommends the following pedestrian access improvements:

a) Ensure campus entrance from College Road (westernmost) and the nearby Old College Road and Loop Road intersection include the required accessibility ramps and pedestrian crosswalk markings to maintain a viable pedestrian connectivity.
b) Consider implementation of bollard systems at points of connection of the wide pathway/sidewalks surrounding the new building with the adjacent vehicular road system internal to the campus.
c) Provide several locations for bicycle parking as the new Residence Hall has multiple approaches. The design of the building may also provide opportunities for covered bicycle parking as well.

Other agencies may recommend additional conditions and safeguards in accordance with their areas of expertise. The Recommended Additional Considerations to Meet Code Objectives may be accepted or rejected by the Planning Commission.

X. ADVISORY COMMENTS TO THE APPLICANT:

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

2) The *U.S. Route 13 Circulation Study* and the *2008 Comprehensive Plan* discuss concepts for implementation of a connector road which continues Crawford Carroll Avenue to the south for new interconnections with North DuPont Highway and through the Delaware State University campus to College Road. Discussion of the appropriate timing of right-of-way designation will need to occur between the City, DelDOT, and Delaware State University. This transportation network planning element should be incorporated into the University's on-going efforts of master planning of the campus.

3) In the event, that major changes and revisions to the Master Plan occur in the finalization of the Master Plan or during the Administrative Site Plan process contact the Planning Office. Examples include reorientation of or size changes of the buildings, relocation of site components, etc. 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.

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

5) The site is located within the SWPOZ (Tier 3: Excellent Recharge Area) and the Planning Office and DNREC will coordinate to ensure compliance.

6) Following Planning Commission approval of the Site Development Master Plan, the Plan must be revised to document all conditions of approval from the Development Advisory

Committee or as otherwise noted. The Site Plan of each construction phase/project area must be submitted for Administrative Site Plan Review by the Planning Office and other agencies. *Zoning Ordinance,* 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.

7) For building 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.

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

9) Construction may have an effect on the adjacent campus areas. Any work requiring the closing or rerouting of employees, students, or visitors to adjacent areas should be coordinated to address construction safety, continual fire protection needs, etc.

10) It is noted that the nearby Loockerman Hall building is listed on the National Register of Historic Places (*Delaware Cultural Resource Survey* #K-112). Such properties are given protection under the National Historic Preservation Act of 1966 and need to be considered if project activities include Federal actions (i.e. funding, permitting).

11) The appropriate permits (as regulated by DNREC) will be required for the removal of the fuel storage tanks noted on the plan drawing.

12) The applicant shall be aware that Master 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 may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with *Zoning Ordinance* Article 5 §4.

13) The applicant shall be aware that 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.
    a. An Administrative Building Permit will be required for the Phase 1: Utility Relocation activities as a project tracking mechanism.

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: NOVEMBER 1, 2017

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Delaware State University Residence Hall at 1200 N. DuPont Highway- Master Plan**

FILE #: **S-17-29**

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. Owner is responsible for site and/or street lighting.
7. Meter locations will be determined by City of Dover Engineering Department.
8. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
9. 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.
10. 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.
11. 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.
12. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
13. 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.
14. 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 building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically this valve is installed at the tee or an acceptable distance from the building. 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 building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. 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.

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 DNREC is 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.

SANITATION / GROUNDS

1. None.

GENERAL

1. 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.
2. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).
3. Sheet C-001, General Notes
   a. Note #12 and #19- Please replace Public Utilities Department with Department of Public Works

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/.

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

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

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 during the spring and fall. 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 this proposed site plan.

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 this proposed site plan.

STORMWATER / GROUNDS / STREETS

1. None.

SANITATION

1. This building shall be served by a private solid waste removal company.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. 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-17-29

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 11/08/17

CITY OF DOVER FIRE MARSHAL

APPLICATION: Delaware State University Residence Hall 1200 N DuPont Hwy

FILE #: S-17-29 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Matthew Brown, 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:

Routine Comments:

1. Proposed building is Residential (Residence and Dining).

2. 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. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3)

3. Parking shall be prohibited in front of the primary entrance for a width of not less than 1.5 times the width of the door(s) or for 10 feet, whichever is greater. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.2)

4. Perimeter access shall be 100% and clearly shown on the plans. Perimeter Access minimum width shall be 15 feet measured from the face of the building at grade with a maximum slope of ten percent (10%). Plantings and utility services (includes condenser units, transformers, etc.) shall be permitted within the perimeter access, and shall not interfere with emergency services fire ground operations. If a physical barrier (fence, pond, steep slope, etc.) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 3)

5. Fire lanes shall cover 75% of the proposed building. Fire lanes are required to be 24 feet wide and run along the front of the building as determined by the primary entrance(s). In cases where there is more than one primary entrance(s), each shall be served by a fire lane even if this exceeds the percentage as required. The closest edge of fire lanes shall not be located closer than ten (10) feet to the exterior wall and the closest edge of fire lanes shall not be located further than 50 feet from the exterior wall if one or two stories in height; 40 feet if three or four stories in height, or

30 feet if over four stories in height. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5)

6. Where parking is located between the building and the fire lane, parking shall not be located closer than 15 feet to the exterior wall. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.4.1)

7. All Fire Lanes shall be marked as follows: both the inner and outer edges of the fire lane shall be marked, where curbs are present, the top and face of the curb shall be painted yellow, where no curbs are present, a four inch (4") solid yellow demarcation line shall mark the edge(s) of the fire lane. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

8. The specific color yellow shall be the uniformly accepted yellow as utilized by State of Delaware Department of Transportation (DelDOT). Only vivid and durable paint shall be used and shall be suitable for street surfaces

9. Fire lane signs shall be located as follows: see Figure 5-16 – Approved Sign For Marking Fire Lanes, fire lane signs shall be spaced at 150 foot intervals maximum, all fire lane signs shall be located no less than six feet (6') and no higher than eight feet (8') above the pavement, signs shall be placed at each end of the fire lane, and signs shall face all oncoming traffic. Where parking is not restricted roadway markings shall utilize the words "FIRE" and "LANE" in lieu of fire lane signs, and shall conform to the specifications of 7.6. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 7)

10. Where overhangs, canopies, balconies, or any other building or site features must project over any fire lane, an unobstructed vertical clearance of not less than 13'-6" above the fire lane shall be provided and the portion of the building perimeter which contains overhangs, canopies, balconies, or any other building features shall not apply towards the fire lane accessibility requirements of Section 4.0, Table 5-1 in this chapter. (6.8.4) (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.8)

11. 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.

12. 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.

13. Street width shall be in accordance with City of Dover Code of Ordinances, Article VII, Section A. 13, 24 feet wide with no parking, 30 feet wide with parking on one side, or 36 feet wide with parking on both sides Or 24 feet wide with no parking, 28 feet wide with parking on one side, or 34 feet wide with parking on both sides Any dead end road more than 300 feet in length shall be provided with a turnaround or cul-de-sac as outlined in the 2015 Delaware State Fire Prevention Regulations 705,chapter 5, 2.3.

14. Speed Reduction Devices must be approved, please see City of Dover Ordinance 98-10 in reference to this process.

15. Gated Areas: Fire Department access shall be provided to the property through the use of a system or device approved by the Fire Marshal. The system or device required shall be located in an area accessible to the fire department and approved by the Fire Marshal. All gates shall be either automatic or manual. An automated system shall consist of one manual and one automated means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the system. A letter of agreement shall be created, and signed by both parties. The letter shall include a detailed description of both the manual and automated means. A manual gate shall consist of one manual means to open the gate. The owner or their representative shall meet with the Fire Marshal prior to submission to agree on the means to open. A letter of agreement shall be created, and signed by both parties. The letter shall include a detailed description of the manual means to open. To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14 feet, the paved surface through the gate shall be not less than 12 feet, and the gate shall be setback from the perpendicular street by at least 50 feet. (2015 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.6)

16. All fire hydrants shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All fire hydrants shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, where fire hydrants are located along a curb line with permitted parking, the area between the fire hydrant and the street or fire lane shall be stenciled with four inch (4") demarcation lines and the words "NO PARKING", demarcation lines shall be measured from the center line of the fire hydrant and extend for a distance 15 feet on both sides. Where fire hydrants are located in parking lots or other areas susceptible to blockage by parked vehicles they shall be treated as follows: fire hydrants shall be protected in all directions for a distance of seven feet (7') with barriers or curbing, Minimum four inch (4") diameter steel bollards filled with concrete and marked yellow shall be installed at the outermost corners of the fire hydrant demarcation area. The minimum height of the bollard shall be 36 inches above the finished grade of the adjacent surface, and the steamer connection of all fire hydrants shall be positioned so as to be facing the edge of the street, or traffic lane. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 6, 2)
The owner is responsible if the hydrant is private.

17. Hydrant barrels shall be provided with reflective material, such as paint, durable for highway/roadway markings or a reflective tape of a minimum of 2" in width around the barrel under the top flange, hydrant bonnets shall be color coded based on the following criteria: class AA 1500 GPM - painted light blue, class A 1,000 GPM -1499 GPM - painted green, class B 500 - 999 GPM - painted orange, class C 250 - 499 GPM - painted red, class D under 250 GPM - painted black. (2015 Delaware State Fire Prevention Regulations 703, Chapter 3. 4)
The owner is responsible if the hydrant is private.

18. Fire Alarm System required per occupancy code requirements.
Fire alarm in place of assembly. *Fire alarm required.* Any new occupancy or new portion of an occupancy determined to be a place of assembly by the fire marshal, and is capable of receiving an occupant load of 75 persons or greater, shall be required to install a fire alarm in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code. *Fire alarm system required.* Any existing occupancy or portion of an existing occupancy determined to be a place of assembly by the fire marshal, and is undergoing renovations in excess of 50 percent of the assessed value of the building and is capable of receiving an occupant load 75 persons or greater or is being enlarged to receive an occupant load of 75 persons or greater, shall be required to install a complete fire alarm system in accordance with NFPA codes governing the installation of fire alarms and the National Electrical Code. *Public mode audible requirements.* To ensure that audible

public mode signals are clearly heard by occupants of a structure, they shall have a sound level at least 15 decibels (dB) above the average ambient sound level or five decibels (dB) above the maximum sound level having a duration of at least 60 seconds, whichever is greater, measured five feet (1.5m) above the floor in the area required to be served by the system using the A-weighted scale dBA. In the event the stated requirement cannot be met a shunt trip relay/switches shall be the approved method of meeting the intent of this section of the Code. (City Code of Ordinances 46-171)

19. Sprinkler system required. System is to be monitored by an approved Fire Alarm System. Places of assembly shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply: All new indoor places of assembly with an occupant load of 150 persons or greater. Any interior renovations of 50 percent or more to an existing place of assembly with an occupant load greater than 150 persons. Any additions or increase in interior size to an existing place of assembly that would create an occupant load of 150 persons or greater. Places of assembly where alcohol is served for consumption on the premises shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13 when the following apply: All new indoor places of assembly with an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises. Any interior renovation of 50 percent or more to an existing place of assembly with an occupant load greater than 100 persons and where alcohol will be served for consumption on the premises. Any additions or increase in interior size to an existing place of assembly which would create an occupant load of 100 persons or greater and where alcohol will be served for consumption on the premises. New educational occupancies of 5,000 square feet or greater shall be sprinklered throughout in accordance with the most recently adopted edition of NFPA 13. (City of Dover Code of Ordinances 46-162)

20. Fire Department Connection is to be a 5 inch stortz connection on a 30 degree elbow located within 50 feet of main entrance. Fire Department Connection shall be located at the nearest point of fire department apparatus accessibility (front of the building) or at a location approved by the AHJ. Access to the Fire Department Connection must be clear unobstructed access as defined by the AHJ.

21. Parking and/or obstructions shall be prohibited in front of fire department connections for a distance measuring from the center line and extending four feet on both sides. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 5, 6.3.4)

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

23. All standpipe and sprinkler connections shall be marked as prescribed within the appropriate section of this regulation and as illustrated by the appropriate figures of this regulation. All standpipe and sprinkler connections shall have minimum of four inch (4") solid yellow demarcation lines to define specific areas, Solid yellow demarcation lines shall be measured from the center line of the connection and extend for a distance of four feet (4') on both sides, and where parking is allow between the building and the street or fire lane the solid yellow demarcation lines shall extend from the end of the sidewalk surface to the street or fire lane (Markings shall not be required on the sidewalk surface). All fire department connections (standpipe and sprinkler) shall have a minimum 12" x 18" sign that reads FIRE DEPT. CONNECTION, sign lettering shall be a minimum of 3 inches (3") in height with red scotchlite letters on white scotchlite background. The sign shall be clearly visible from the fire lane or

roadway, and signs using NFPA international symbols shall be an acceptable alternative. (2015 Delaware State Fire Prevention Regulations, 705, Chapter 6, 3)

24. Standpipes shall be provided in all areas and buildings as required in the codes and standards listed in Regulation 701 as well as the following areas or buildings: In all Class A and Class B places of assembly and institutional occupancies two (2) stories or 25 feet in height or over, In any building over three (3) stories, In any building over 35 feet in height, In any building that has a floor above the first floor over 10,000 square feet gross floor area, In all buildings where the 1st floor exceeds 60,000 gross square feet, a Class I horizontal standpipe system installed in accordance with the applicable codes and standards listed in Regulation 701 of these Regulations shall be provided. All standpipe systems shall be installed in accordance with the applicable codes and standards listed in Regulation 701.The standpipe system shall be carried up with each floor and shall be installed and ready for use as each floor progresses. Standpipes shall not be more than one floor below the highest forms of staging, The 2½-inch of hose connections on Class I systems shall be provided in the following locations, At the highest intermediate landing between floor levels in every required exit stairway, Where intermediate landing are not provided, hose connections shall be permitted to be located at the main floor landings in exit stairways when approved by the authority having jurisdiction, Where the local fire department has the capability of providing the required pressure, hydraulically designed standpipe systems in fully sprinklered, non-highrise buildings shall be designed to provide the required waterflow rate. A sign shall be provided at each landing, in all interior stairways, designating the floor level. (2015 Delaware State Fire Prevention Regulations 702, Chapter 4, 2)
Fire department connections. Unless otherwise approved by the fire marshal, fire department connections shall be on the street side of the building and shall be located and arranged so that hose lines can be readily and conveniently attached to without interference from any nearby obstructions as defined by the fire marshal's office. Fire department connections shall be a five-inch Storz. Fire department connections shall be within 300 feet of an approved City of Dover Fire Hydrant and within 50 feet of the main entrance of the structure it serves. All fire department connections shall be not less than three feet nor more than five feet in height above finished grade. The fire marshal shall have the authority to require more stringent requirements when deemed necessary. (City of Dover Code of Ordinances 46-162)

25. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms. *Dimensions of bollards.* Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection. *Color of bollards.* Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector. (City of Dover Code of Ordinances, 46-4)

26. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance

with the following: *One-family and two-family residential structures, height, t*he number shall measure a minimum of four inches in height, *location, t*he number shall be placed on the house above or to the left or right of the front entrance, *color, t*he number shall be contrasting to the background color, A*rabic numerals, a*ll numbers shall be Arabic numerals. *Multiple-family dwellings, measurements, t*he number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals. *Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *property line or driveway, s*hould the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building, *color; each building, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex, *Arabic numerals, a*ll numbers used shall be Arabic numerals, *Shopping centers.* Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height. (City of Dover Code of Ordinances, 98-344)

27. A lock box (Knox) containing any and all means necessary for fire department access shall be provided at the following occupancies: any occupancy that contains a fire alarm signaling system that is monitored off-site, or any occupancy that contains an automatic sprinkler system. (2015 Delaware State Fire Prevention Regulations 705, Chapter 5, 2.4)

    Secured key systems. When required; exemption. A secured key system shall be required for any new or existing building where a fire alarm or sprinkler system is being installed. It shall be the responsibility of the owner or occupant to keep a set of keys in the secured key box that are current to the locks of the protected occupancy. Buildings with 24-hour staffing or guard service shall be exempt from this subsection. *Location.* The secured key system shall be located as close to the main entrance as possible. Should the building design not allow the secured key system to be located by the main entrance, the fire marshal and fire chief shall come to an agreement as to an alternate location for the key box. A secured key system, once installed, shall not be obstructed from view or obstructed by any means that would delay the fire department access to the box. *Required keys.* Keys to be secured in the key box shall include keys to all points of ingress or egress, whether on the interior or exterior of the building, and keys to locked mechanical rooms, electrical rooms, elevator rooms, fire alarm and sprinkler controls and any area protected by automatic fire detection. Keys to individual residential apartment units are not required. *Ordering responsibility.* It shall be the responsibility of the general contractor to order the key box for new buildings. It shall be the responsibility of the owner or tenant to order the key box for existing buildings. *Installation before testing.* No acceptance test for sprinklers or fire alarms shall be conducted before the installation of a key box. (City Code of Ordinances 46-127)

28. 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.

29. All new passenger elevators in a building shall be provided with a car sized to accommodate an ambulance cot 24 inches (609 mm) by 84 inches (2133 mm) in its horizontal open position. Where two or more new passenger elevators are located in a single hoist way and serve all or the same portion of the building, only one elevator car that provides a car sized to accommodate an ambulance cot 24 inches by 84 inches in its horizontal position for each hoist way shall be required. Elevator cars required to comply with 15.1 or 15.2 shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist way door frame. Firefighter recall keys shall be provided in a manner acceptable to the local fire department. (2015 Delaware State Fire Prevention Regulations 705, Chapter 1, 15)

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

31. Project to be completed per approved Site Plan.

32. Full building and fire plan review is required.

33. Construction or renovations cannot be started until building plans are approved.

34. Fire alarm systems, fire suppression systems, hoods, and hood suppression systems require a fire permit from the Fire marshal's Office. This work cannot be started until the permit is approved.

35. Building cannot be occupied by the public until a Certificate of Occupancy is obtained.

ADDITIONAL / SPECIFIC COMMENTS:

1. Fire Department Connection not shown on plans. To be located at front entrance with Fire Hydrant
2. Fire lane markings not shown on plan.
3. Fire command center to be required.
4. Access to all buildings will be required during all phases of this project.
5. Clarification of underground fuel tank. Will it be removed?

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015 NFPA 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: November 1, 2017

DELDOT

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APPLICATION: Delaware State University Residence Hall at 1200N. DuPont Highway Master Plan

FILE#: S-17-29 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 comments regarding city & state code 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:

This project will need to be submitted to DelDOT for formal review. An analysis of the site will need to be completed to verify that the proposed increase in trips generated are being adequately handled by the entrance. Additionally, concerns have been expressed in regards to pedestrian improvements that may be needed along and near this site to handle the large volume of foot traffic. An analysis should be looked into to see if the pedestrian facilities are adequately accommodating the pedestrian traffic the site creates.

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.

DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

OFFICE OF THE
DIRECTOR

PHONE: (302) 739-9921
FAX: (302) 739-6724

Memorandum

DATE: October 30, 2017

TO: Dawn Melson-Williams, Principal Planner
City of Dover, Department of Planning & Inspections

FROM: Elaine Z. Webb, P.E., Engineer IV EZW
Sediment & Stormwater Program

RE: Development Advisory Committee (DAC)
S-17-29 Delaware State University Residence Hall at 1200 N. DuPont Highway:
Master Plan

CC: Jamie Rutherford, Program Manager
Randy Greer, Engineer VI
J.D. Bartlett, Delaware State University
Gregg Moore, Becker Morgan Group

DNREC Sediment and Stormwater Program reviewed the site plan provided with the DAC agenda. In addition, DNREC Sediment and Stormwater Program conducted a project application meeting with representataives from Delaware State University and Becker Morgan Group on Friday, October 27, 2017. The project application meeting discussion and agreement items document is attached for reference.

A Sediment and Stormwater Management Plan must be approved by DNREC Sediment and Stormwater Program prior to any land disturbance taking place on site. In addition a Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity must be submitted with the $195 NOI fee prior to plan approval. It is anticipated that utility relocation in advance of the full demolition and construction project will be approved through the Minor Linear Utility Disturbances Standard Plan.

Stormwater will be managed through infiltration in a StormTech system sized to manage the Sediment and Stormwater Program's Resource Protection Event requirements in addition to the City of Dover's recharge requirements. Infiltration is feasible and an acceptable approach for this project.

Management of the Conveyance and Flooding Events (10-year and 100-year) will be through watershed location. The discharges from this project will be allowed to discharge directly to

Fork Branch at the upper end of Silver Lake because those discharges will far preceed the peak of the watershed into Silver Lake.

Construction Site Stormwater Management controls will be implemented during construction to prevent discharges of sediment and other pollutants.

If you should have any questions, please do not hesitate to contact me at (302) 739-9921 or Elaine.Webb@state.de.us.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF STATE PLANNING COORDINATION

October 3, 2017

Mr. David S. Hugg, III
Interim Planning Director, City of Dover
15 E. Loockerman Street
P.O. Box 475
Dover, DE 19903

RE: PLUS Waiver for the New Student Dormitory within Delaware State University

Dear Mr. Hugg: David

I am writing to inform you that I have waived the PLUS process for the above referenced project pursuant to your request.

The new dormitory project will replace two existing outdated dormitories, which will be demolished. The Delaware State University is a fully developed campus with infrastructure in place to support the new building.

It is also noted that the City of Dover's Development Advisory Committee provides a more stringent review process than is offered through PLUS. I am confident that all of the relevant State agencies will be included in the review of this dormitory project.

This waiver has been granted at my discretion according to the provisions of Title 29, Chapter 92, § 9205 of the Delaware Code. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,

Constance C. Holland, AICP
Director
Office of State Planning Coordination

122 William Penn Street · Third Floor · Dover, DE 19901
Phone (302)739-3090 · Fax (302) 739-5661 · www. stateplanning.delaware.gov

City of Dover

September 29, 2017

Constance Holland, AICP
Director, Office of State Planning Coordination
Dover DE
Via Email: connie.holland@state.de.us and david.edgell@state.de.us

RE: Request for Waiver of PLUS Review
Delaware State University: On-Campus New Student Dormitory Project

Dear Connie:

The City of Dover Planning Office recently met with representatives of Delaware State University and the Becker Morgan Group regarding an on-campus new Student Dormitory project. This is a public-private partnership effort to improve campus housing options for students. The project anticipates filing a Site Development Plan application on Friday, October 6, 2017 in order for the Plan to be scheduled to be heard at the Planning Commission meeting on November 20, 2017.

The proposed project would meet the threshold for PLUS review; however, the City believes that it is not necessary to submit the proposal for PLUS Review process.

1. The project location is internal to the campus of Delaware State University where the area is fully developed with infrastructure in place to support the buildings. This is essentially an infill project on the existing campus.

2. The construction will ultimately replace two existing dormitory facilities (Lydia P. Laws Hall and Harriet Tubman Hall) with a modern dormitory facility built to current building code standards.

3. The Site Development Plan will be reviewed through the City of Dover's Development Advisory Committee (D.A.C.), which includes DNREC and DelDOT. The City works very close with these departments on development projects. As the Delaware State University campus is located within an Excellent Recharge Area, the City will work to ensure that the requirements of the SWPOZ (Source Water Protection Overlay Zone) will be addressed through the Sediment and Stormwater Management Plan, which will be reviewed and ultimately approved by DNREC. The applicant has already indicated their intent to proactively discuss the project with these agencies.

Attached to this letter is a copy of a letter and information on the proposed project requesting a determination that a Waiver from standard review is available, as identified in the Memorandum of Understanding for the Preliminary Land Use Services (PLUS). I feel that a waiver appropriate given the location of the project internally to the campus and its proposal to replace existing campus facilities.

If there is potential for such a waiver, I support your consideration of this request. As always, I am available to discuss, please contact the Planning Office at (302)736-7196.

Sincerely,

David S. Hugg, III, Interim Planning Director
City of Dover, Delaware

DSH/demw

CC via Email:

David Edgell, AICP, Office of State Planning Coordination
Dawn Melson-Williams, AICP, Principal Planner
Gregory V. Moore, P.E. Becker Morgan Group gmoore@beckermorgan.com
J.D. Bartlett, Delaware State University jbartlett@desu.edu
Michael Cipriano, American Campus Communities mcipriano@americancampus.com

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENTS' SUCCESS

September 12, 2017

Mr. David Hugg, III
City of Dover
P.O. Box 475
Dover, DE 19903-0475

RE: **DELAWARE STATE UNIVERSITY**
Dover, Delaware
2017185.00

Dear Mr. Hugg:

I am writing on behalf of Delaware State University as it relates to a new student dormitory proposed for the campus. I am attaching concepts of the new building addition which details location of the new building and demolition of existing. The plan is to demolish two (2) existing outdated facilities, Lydia P. Laws Hall and Harriet Tubman Hall, and replace them with a new modern dormitory located in the same location as the existing. We are hereby requesting the PLUS process be waived for this project due to the following:

1. The Delaware State University is a fully developed campus with infrastructure in place to support the new building; recent projects include the Oscar Building.

2. The new building is located on the site where two (2) existing dorms will be demolished. Lydia P. Laws Hall and Harriet Tubman Hall will be razed as neither have air conditioning nor meet current building code standards.

3. The city uses an advanced Development Advisory Committee (DAC), and provides a more stringent review process than PLUS offers and includes additional affected agencies like local school districts and Dover Air Force Base along with state and city agencies.

4. Delaware State University and Becker Morgan Group, Inc. will be meeting with DelDOT, DNREC, and all affected city agencies to discuss requirements for the building prior to submission to the City of Dover.

We plan on making site plan submission to the city on October 6th to facilitate a November 20th Planning Commission Public Hearing. Please advise.

Thank you for your cooperation. We look forward to hearing from you.

Sincerely,

BECKER MORGAN GROUP, INC.

Gregory V. Moore, P.E.
Vice President

GVM/rlh

Cc: J.D. Bartlett, Delaware State University (jbartlett@desu.edu)
Michael Cipriano, American Campus Communities (mcipriano@americancampus.com)

201718500ad-ltr-COD.doc

BECKER MORGAN GROUP, INC.

ARCHITECTURE & ENGINEERING

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950
FAX 302.734.7965

RITTENHOUSE STATION
250 SOUTH MAIN STREET, SUITE 109
NEWARK, DELAWARE 19711
302.369.3700

PORT EXCHANGE
312 WEST MAIN STREET, SUITE 300
SALISBURY, MARYLAND 21801
410.546.9100
FAX 410.546.5824

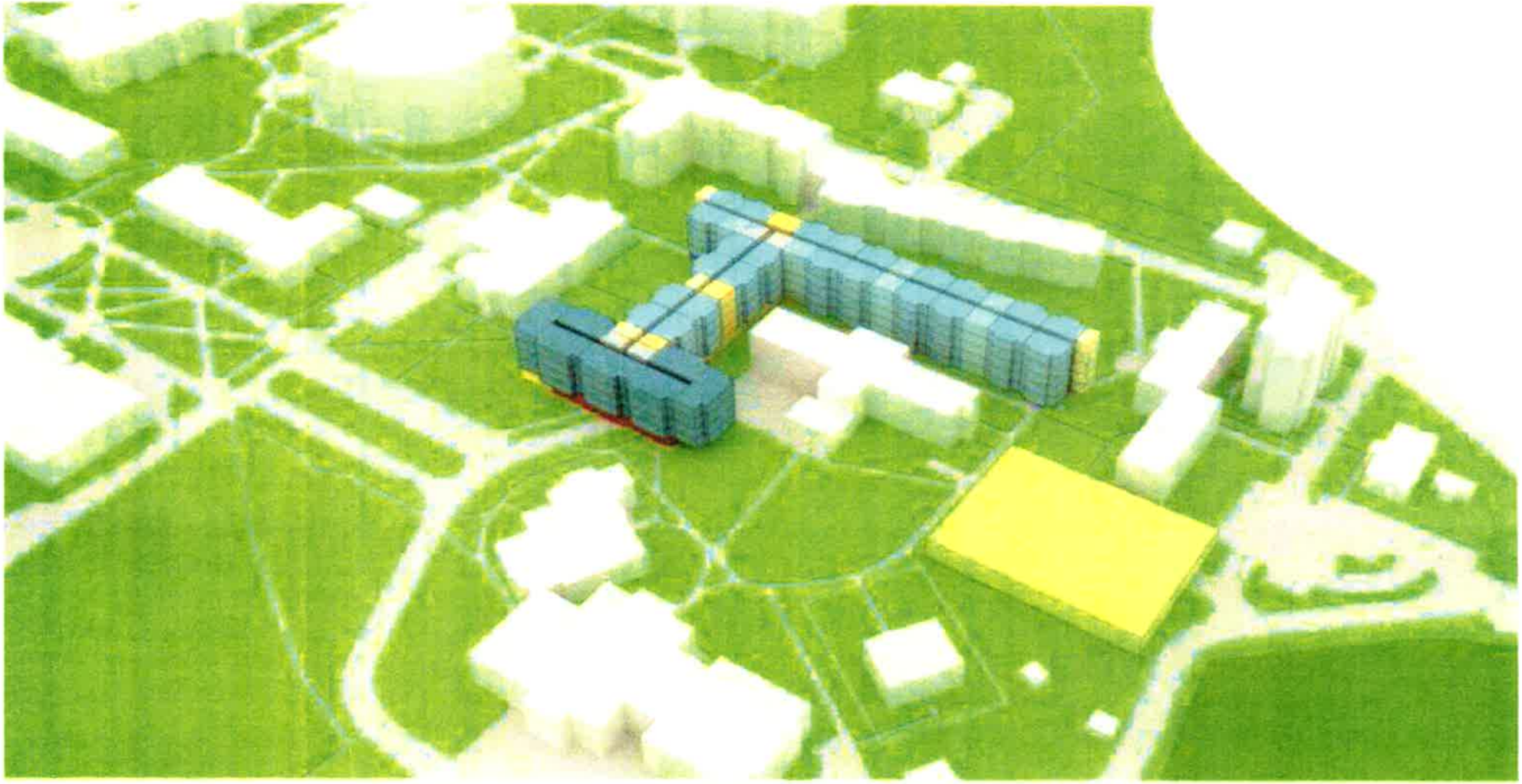
ARCHITECTURE & PLANNING

3205 RANDALL PARKWAY, SUITE 211
WILMINGTON, NORTH CAROLINA 28403
910.341.7600
FAX 910.341.7506

www.beckermorgan.com

Development Approach

Project Phasing



PETITION TO AMEND ZONING ORDINANCE TEXT

Report to the
Dover Planning Commission
November 20, 2017

Proposed Changes:

Text Amendments to the following:

- *Zoning Ordinance*, Article 3 – District Regulations
  - Section 1 – One-family residence zones
  - Section 10 – Institutional and office zone
- *Zoning Ordinance*, Article 5 -Supplementary Regulations
  - Section 14 – Child Day Care Facilities (edits)
  - Section 22 – Adult Day Care Facilities (new section)
- *Zoning Ordinance*, Article 12 - Definitions.

Summary of Amendment:

The proposed amendment establishes provisions for Adult Day Care facilities allowing them to be permitted in any zoning district provided that State licensing and City code requirements have been met. Other amendments update references and definitions to make distinction between Child Day Care facilities and Adult Day Care facilities.

Key features of the Provisions:

- Identifies a distinction between child day care facilities and adult day care facilities
- Defines adult day care facilities, small adult day care facility, and large adult day care facility
- Establishes the review processes for each type of facility depending on zoning of the subject property
- Establishes requirements for parking, signage, and licensing
- Adds allowances for after school care of children in Family Day Care Home – Children and Large Family Day Care Home - Children

Process:

The Legislative, Finance, and Administration Committee reviewed the proposed Text Amendments on September 25, 2017 and the First Reading on October 9, 2017. A Public Hearing before the Planning Commission is scheduled for November 20, 2017 and a Public hearing and Final Reading before City Council is scheduled for December 11, 2017.

Ordinance Number: Proposed Ordinance #2017-13
File Number: MI-17-03

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: NOVEMBER 1, 2017

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Text Amendments: Adult Day Care Facilities**

FILE #: **MI-17-03**

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. No objections to proposed amendments.

WATER / WASTEWATER / STORMWATER / SANITATION / STREETS / GROUNDS

1. Our office has no objections to the proposed text amendments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / STORMWATER / SANITATION / STREETS / GROUNDS

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / SANITATION / STREETS / GROUNDS

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.

MI-17-03

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 1, 2017

CITY OF DOVER FIRE MARSHAL

APPLICATION: Text Amendments: Adult Day Care

FILE #: MI-17-03 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Matthew Brown, 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:

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. No objections.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015 NFPA 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: November 1, 2017

D E L D O T

==========

APPLICATION: Text Amendment: Adult Day Care Facilities

FILE#: MI-17-03 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 comments regarding city & state code 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 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.

FIRST READING

CITY OF DOVER ORDINANCE #2017-13

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B – Zoning, Article 3 – District Regulations, Section 1 – One-Family Residence Zones, of the Dover Code be amended by inserting the text indicated in bold, blue font as follows:

ARTICLE 3. - DISTRICT REGULATIONS

Section 1. - One-family residence zones [(R-20, R-15, R-10, R-8 and R-7)].
(R-20, R-15, R-10, R-8, R-7.) (See also article 5, Supplementary Regulations; and article 6, Off-Street Parking, Driveways and Loading Facilities.)

1.1 *Uses permitted.* In a one-family residence R-20, R-15, R-10, R-8 and R-7 zones, no building or premises shall be used and no building or part of a building shall be erected or altered which is arranged, intended or designed to be used, in whole or in part, for any uses except the following:

1.11 The raising of field and garden crops, vineyards and orchard farming, the maintenance of nurseries, and the seasonal sale of the products thereof, provided no building is erected and signs conform with article 5, section 4.

1.12 One-family detached dwellings, not to exceed one such dwelling per lot.

1.13 Public buildings, structures and uses, including parks and playgrounds, subject to approval of site plans by the planning commission in accordance with article 10, section 2.

1.14 The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in section 10.1 and to any specified requirements set forth below:

(a) Places of worship, including parish houses; [and] schools, including nursery schools, kindergartens and day care centers in accordance with article 5, Supplementary Regulations, section 14. **Child** ~~D~~**d**ay care facilities; philanthropic and eleemosynary institutions; hospitals and sanitariums for general medical care; and funeral homes subject to the following requirements:

i. Any school permitted under this paragraph [subsection 1.14(a)] shall be a nonprofit organization within the meaning of the Internal Revenue Act and shall be registered effectively as such thereunder.

ii. Any school permitted under this paragraph [subsection 1.14(a)], other than a kindergarten, nursery school, or day care center, shall occupy a lot with an area of not less than two acres, plus one acre for each 100 pupils for which the building is designed.

iii. Any kindergarten or nursery school permitted under this paragraph [subsection 1.14(a)] shall be limited to a maximum of 50 children in zones R-8 thru R-20 and a maximum of 100 children in all other zones. At least 100 square feet of outdoor play space per child shall be provided. Outdoor play space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land unsuited by other usage or natural features for children's active play space.

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Fencing or other enclosures shall be a minimum height of four feet. The minimum lot area for each ten, or remainder over the multiple of ten, children shall be the same as the minimum lot area requirement for each dwelling unit in the districts in which such uses are to be located.

iv. No such building or part thereof shall be erected with less than a 50-foot front yard or nearer than 25 feet from any other street or property line.

v. The sum of all areas covered by all principal and accessory buildings shall not exceed 20 percent of the area of the lot.

vi. Courts shall conform to the requirements of article 5, section 3 hereof.

(b) Railroad and public utility rights-of-way and structures necessary to serve areas within the city, subject to such conditions as the planning commission may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed structure is to be constructed.

(c) Country clubs or other annual membership clubs, catering exclusively to members and their guests, and accessory private playgrounds, golf courses, swimming pools, tennis courts and recreation buildings not conducted as business enterprises, provided that the following operations shall be prohibited:

i. Outdoor entertainment, live or mechanical;

ii. The use of outdoor public address systems for any purpose; and

iii. Exterior lighting producing glare at the lot line other than that essential for the safety of the users of the premises.

No building erected under the provisions of this paragraph [subsection 1.14(c)] shall be so erected nearer than 50 feet to any street or property line.

(d) Adult day care facilities in accordance with Article 5 – Supplementary Regulations, Section 22 – Adult Day Care Facilities.

1.15 Accessory uses, limited to the following:

(a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but not including veterinarians, provided that:

i. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant; and

ii. Such office or studio shall occupy not more than 30 percent of the area of one floor of the main building.

iii. Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.

iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes or similar uses shall not be considered permitted accessory uses.

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(b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential use of the premises and not operated for gain.

(c) Private garage, provided that, in the case of a one-family dwelling, such garage shall have a capacity of not more than three passenger automobiles. One such space may be leased to a person not [a] resident on the premises.

(d) Keeping domestic animals as pets, provided not more than three (3) dogs over six months old, shall be permitted.

(e) Keeping of chickens for individual domestic purposes subject to the following restrictions:

i. Keeping of chickens shall not be permitted on lots smaller than 10,890 square feet in lot area.

ii. No more than five (5) chickens shall be permitted on a residential lot.

iii. Chickens shall be registered with the Delaware Department of Agriculture.

iv. Chickens shall be penned in a coop that shall be at least four (4) square feet per chicken.

v. All chicken coops shall be located in a rear yard and shall be a minimum of 20 feet from side and rear property lines.

vi. Any odor associated with the chickens shall not be discernable from property lines.

vii. Keeping of roosters shall be prohibited.

viii. Any lot with chickens shall either comply with these requirements by June 1, 2016 or remove the chickens.

(f) Dormitories accessory to schools, provided that such dormitories conform to the bulk regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall be considered one dwelling unit. Parking shall be calculated as identified in Article 6—Off-Street Parking, Section 3—Required off-street parking spaces, Paragraph 3.1—Schedule of requirements.

(g) Customary home occupations, provided that:

i. No display of products, goods and/or signs shall be visible from the street.

ii. Such home occupation shall be incidental and secondary to the residential use of the premises and shall be conducted in the principal building by the resident or residents that reside therein.

iii. Nonresident assistants or co-workers shall be prohibited.

iv. Such home occupation shall not occupy more than 30 percent of the area of one floor in the principal building.

v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation, or electromagnetic interference.

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1.16 [1.2] *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and related accessory structures. Such approval shall also be required prior to the issuance of certificates of occupancy for a change of use.

1.17 [1.3] *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

1.18 [1.4] [*Closed zone.*] Zone R-7 is a closed zone in accordance with article 10, section 5.19.

1.19 [1.5] [*Signs.*] Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

(Ord. of 1-8-1979; Ord. of 5-14-1990; Ord. of 12-14-1992(2); Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. No. 2009-12, 9-14-2009; Ord. No. 2011-21, 10-10-2011; Ord. No. 2016-01, 4-11-2016)

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 3 – District Regulations, Section 10 – Institutional and Office Zone of the Dover Code be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

Section 10. - Institutional and office zone (IO).

10.1 *Uses permitted.* In an institutional and office zone (IO), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

(a) Business, professional, or governmental offices.

(b) Banks.

(c) Research, design, and development laboratories.

(d) Public and institutional uses including hospitals, medical clinics, libraries, police stations, courthouses, transit centers, schools, colleges, universities, places of public assembly, philanthropic and charitable institutions, parks, playgrounds, public indoor recreation centers, athletic fields.

(e) Public utility rights-of-way and structures necessary to serve areas within the city.

(f) **Child** ~~D~~day care centers, provided they are established in accordance with all applicable state regulations pertaining to child care and provided that they are established and maintained in accordance with article 5, section 14 of this ordinance.

(g) Emergency shelters and transitional housing.

(h) Adult day care facilities provided they are established in accordance with all applicable state regulations pertaining to adult care and provided that they are established and maintained in accordance with article 5, section 22 of this ordinance.

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10.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

(a) Firearm ranges, prisons, and correctional facilities.

(b) Public incinerators.

(c) Hotels and restaurants.

10.3 *Accessory uses.* The following uses shall be permitted accessory to other permitted uses on a lot.

(a) Clinics, cafeterias, and recreational facilities.

(b) Motor vehicle storage and repair facilities accessory to a public or institutional use.

(c) Restaurants that are on a campus and intended to support users of the campus.

10.4 *Uses prohibited.* The following uses are prohibited:

(a) Landfills, dumps.

10.5 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants approved by the city planner.

10.6 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

10.7 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

(Ord. of 10-24-1983; Ord. of 12-14-1992; Ord. of 7-12-1993, § 7; Ord. of 4-25-1994; Ord. of 10-12-1998; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 4-23-2007(1); Ord. of 4-23-2007(2); Ord. No. 2014-08, 7-14-2014)

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 –Supplementary Regulations, Section 14 – Day Care Facilities of the Dover Code be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

Section 14. ~~–~~ **Child** ~~D~~day care facilities.

14.1 *General.* In order to promote the development of quality child care outside of the home (day care facilities), the following two basic assumptions have been made:

14.11 The establishment of **child** day care services and facilities, wherever there is a need, is a

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necessary public objective; and

14.12 Day care programs **for children** shall be treated as community facilities and shall be permitted to locate in any zoning district, provided that need has been demonstrated, state licensing requirements have been met and no physical hazard to children can be reasonably anticipated.

14.2 *Definitions.*

Child ~~D~~day care facility. For the purposes of this ordinance, the facilities described furnishing care, supervision and guidance of a child or group of children unaccompanied by a parent or guardian, for periods of less than 24 hours per day shall be defined as follows:

14.21 **Child ~~D~~d***ay care center.*

(a) Any place, other than an occupied residence, which receives children for compensation for day care or large family day care home; and

(b) Any occupied residence which receives 13 or more children for compensation for day care.

Child ~~D~~day care centers shall be required to obtain conditional use approval by the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10 and to any specified requirement set forth in subsection 14.3 below, except in zoning districts where listed as a permitted use.

14.22 *Family day care home**-children***. An occupied residence in which a person provides care for children other than his/her own family and the children of close relatives for compensation. Such care in a family day care home is limited to that care given to six or fewer children **with a maximum of three children allowed for after school care**. Such child care facility shall be permitted as an accessory use in all residential zones and shall be exempt from obtaining a conditional use permit and site plan approval.

14.23 *Large family day care home**-children***~~-~~. A facility which provides child care for more than six, but less than 13 children **with a maximum of three children allowed for after school care**. This care may be offered in a private home or in a property converted to the purpose of providing child day care. This form of day care facility requires the submission of a site plan application in accordance with the procedures and subject to article 10, section 2 of the zoning ordinance. If a large family day care home is not to be located in an occupied residence, then a conditional use site plan application shall be required in accordance with article 10 section 1 of the zoning ordinance.

14.3 Zoning criteria.

14.31 *Number of children.* Day care centers shall be limited to a maximum of 50 children in all residential zones.

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14.32 *Outdoor play area.* Must meet the state requirement for day care centers.

14.33 *Off-street parking/loading.* One space per each adult attendant, plus one space for every ten children.

14.34 ~~*Signs in all residential zones.* Signage shall be limited as follows:~~***Signage for child day care facilities***

(a) Signs in residential zones.

~~(a)~~ i**.** *Family day care homes-**children** and large family day care homes-**children**.* One wall-mounted sign limited to two square feet.

~~(b)~~ ii**.** ***Child*** ~~*D*~~*day care center.* One sign, wall-mounted or freestanding, limited in area to 12 square feet. The planning commission shall consider the location of such sign as part of the conditional use review and may approve a lesser amount of sign area if deemed necessary by the commission to protect the general health, safety and welfare of the public in general and the residents of the immediate neighborhood in particular.

(b) *Signs in nonresidential zones.* **Child** ~~D~~day care centers within nonresidential zoning districts shall be governed by the sign regulations in effect for the particular nonresidential zoning district in which the day care center is located.

14.35 *Licensing requirements.* **Child** ~~D~~day care facilities must meet state **licensing** standards~~, and a license from the state shall be submitted to the department of planning and inspections prior to the issuance of~~ **and must be inspected by the City of Dover Fire Marshal's Office.** ~~a~~**A** City of Dover Business License **and a Public Occupancy Permit is required**.

(Ord. of 5-14-1990; Ord. of 4-25-1994; Ord. of 4-23-2007(3))

Editor's note— The subsections of this section have been numbered by the editor to retain format.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 –Supplementary Regulations of the Dover Code be amended by inserting a new Section 22 – Adult Day Care Facilities, as follows:

Section 22. – Adult day care facilities

Adult day care facilities **shall be permitted to locate in any zoning district provided that state licensing requirements have been met and such facilities are subject to the following requirements:**

22.1 ***Definitions***

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Adult day care facilities **apply to any program that provides health, social and related support services for four or more functionally impaired adults who requires supervision due to cognitive or physical impairment or who cannot independently perform one or more activities of daily living. These services are provided to adults for a period of less than 12 hours during the day and are provided in a setting other than a participant's home or the residence of the facility operator.**

Small adult day care facility**. A facility that provides services for four adult participants but less than 16 adult participants.**

Large adult day care facility**. A facility that provides services for 16 or more adult participants.**

22.2 ***Review Process***

(a) Adult day care facilities are permitted as accessory uses to existing facilities that provide services to adult participants.

(b) ***Residential zones.*** **A conditional use site plan application shall be required in accordance with Appendix B-Zoning, Article 10-Planning Commission section 1 for adult day care facilities in residential zones.**

(c) ***Non-residential zones.***

i. Site development plan approval in accordance with Appendix B-Zoning, article 10, section 2 hereof shall be required for small adult day care facilities.

ii. A conditional use site plan application shall be required in accordance with Appendix B-Zoning, article 10 section 1 for large adult day care facilities.

22.3 ***Zoning criteria***

22.31 Off-street parking**. One space per each adult attendant, plus one space for every four adult participants.**

22.32 ***Signage for adult day care facilities***

(a) ***Signage in a residential zone.*** **One sign, wall-mounted or freestanding, limited in area to 12 square feet. The planning commission shall consider the location of such sign as part of the conditional use review and may approve a lesser amount of sign area if deemed necessary by the commission to protect the general health, safety and welfare of the public in general and the residents of the immediate neighborhood in particular.**

(b) ***Signs in nonresidential zones.*** **Adult day care facilities within nonresidential zoning districts shall be governed by the sign regulations in effect for the particular nonresidential zoning district in which the day care facility is located.**

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22.33 *Licensing requirements.* Adult day care facilities must meet state licensing standards and must be inspected by the City of Dover Fire Marshal's Office. A City of Dover Business License and a Public Occupancy Permit are required.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 – Definitions of the Dover Code be amended by inserting the following new definition in its correct alphabetical order:

Adult day care facilities: Apply to any program that provides health, social and related support services for four or more functionally impaired adults who require supervision due to cognitive or physical impairment or who cannot independently perform one or more activities of daily living. These services are provided to adults for a period of less than 12 hours during the day and are provided in a setting other than a participant's home or the residence of the facility operator.

(a) Small adult day care facility: A facility that provides services for four adult participants but less than 16 adult participants.
(b) Large adult day care facility: A facility that provides services for 16 or more adult participants.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 – Definitions – Day care facility of the Dover Code be amended by inserting the text indicated in bold, blue font and deleting the text indicated in red strikeout as follows:

~~*Day care facility:* For the purposes of this ordinance, the facilities described furnishing care, supervision and guidance of a child or group of children unaccompanied by [a] parent or guardian for periods of less than 24 hours per day shall be defined as follows:~~

Child ~~D~~day care facility: For the purposes of this ordinance, the facilities described furnishing care, supervision and guidance of a child or group of children unaccompanied by a parent or guardian for periods of less than 24 hours per day shall be defined as follows:

(a) ***Child ~~D~~day care center:***

i. Any place, other than an occupied residence, which receives children for day care or large family day care home; and

ii. Any place, including an occupied residence, which receives 13 or more children for day care.

(b) *Family day care home-**children**:* An occupied residence in which a person provides day care for children other than his/her own family and the children of close relatives. Such care in a family day care home is limited to that care given to six or fewer children **with a maximum of three children allowed for after school care**. Such child care shall be permitted as an accessory use in all residential zones and shall be exempt from obtaining a conditional use permit and site plan approval.

(c) *Large family day care home-**children**:* A facility which provides child care for more than six, but less than 13 children **with a maximum of three children allowed for after school care**. This care may be offered in a private home or in a property converted to the purpose of providing child day care.

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ADOPTED: *

SYNOPSIS

The proposed ordinance Article 5 section 22 will be a new section added to the *Zoning Ordinance* to allow Adult day care facilities to be permitted in any zoning district provided that state licensing and city code requirements have been met. The proposed amendment under Article 5 section 14 of the *Zoning Ordinance* are revisions to the existing ordinance that identifies Child day care facilities. Other amendments revise references and definitions pertaining to these uses.

(SPONSORS: NEIL AND HUGG)

Actions History:
10/09/17 - Scheduled for First Reading – City Council
09/25/17 – Introduction – Council Committee of the Whole/Legislative, Finance, and Administration Committee

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