COUNCIL COMMITTEE OF THE WHOLE
AGENDA

AUGUST 9, 2016 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

PUBLIC COMMENTS ARE WELCOMED ON ANY ITEM AND WILL BE PERMITTED AT APPROPRIATE TIMES. WHEN POSSIBLE, PLEASE NOTIFY THE CITY CLERK (736-7008 OR E-MAIL AT CITYCLERK@DOVER.DE.US) SHOULD YOU WISH TO BE RECOGNIZED.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

AGENDA ADDITIONS/DELETIONS

1. **REVIEW OF ACTIVE RECREATION AREA PLAN - PLANNED NEIGHBORHOOD DESIGN: SENIOR CITIZEN HOUSING OPTION - THE GRANDE - 90 SAULSBURY ROAD (CLUBHOUSE AND POOL) (PLANNING REFERENCES C-15-04 AND C-16-04)**
   (STAFF RECOMMENDS APPROVAL OF THE ACTIVE RECREATION AREA PLAN WITH THE COMMENTS AND CONDITIONS PROVIDED)

2. **PROPOSED LAND SWAP - CAPITOL BAPTIST CHURCH/MAYFAIR PARK**
   (STAFF RECOMMENDS AUTHORIZING THE CITY MANAGER AND OTHER CITY STAFF TO NEGOTIATE A PROPOSED LAND SWAP WHICH IS MUTUALLY BENEFICIAL TO THE PROPERTY OWNERS AND THE CITY OF DOVER. THIS AUTHORIZATION WILL INCLUDE ANY NECESSARY RESEARCH AND LEGAL EXPENSES NECESSARY TO DETERMINE THE TERMS AND CONDITIONS OF A POTENTIAL LAND SWAP THAT INVOLVES THE PUBLIC OPEN SPACE KNOWN AS MAYFAIR PARK.)

3. **PROPOSED MURAL - KIRKWOOD/DIVISION STREET PARK**
   (STAFF RECOMMENDS ACCEPTING THE PROPOSAL TO ALLOW THE RESTORING CENTRAL DOVER RESIDENT ENGAGEMENT WORK GROUP TO INSTALL A WOOD PANEL FENCE AS PROPOSED AND PAINT A MURAL)

4. **UPDATE - RESIDENTIAL APPEAL PROCESS AND NON-COMPLIANT/NON-CONFORMING USES/REVIEW OF PHYSICAL DATA (53% COMPLETED)**
   (STAFF RECOMMENDS ACCEPTANCE OF THE PROPOSED PHASING OF DISCONTINUING NONCONFORMING USES IN RESIDENTIAL ZONES)

5. **REVIEW OF NEW CASTLE COUNTY DISORDERLY PREMISES ORDINANCE**

6. **DISCUSSION OF SURVEY RESULTS REGARDING PROGRAMS, ACTIVITIES, AND NEW BUILDING AT DOVER PARK**

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE (CONTINUED)

7. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM QUARTERLY UPDATE (APRIL, MAY, AND JUNE)**
   (COMMITTEE ACTION NOT REQUIRED)

8. **ADJOURNMENT OF PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE MEETING**

UTILITY COMMITTEE

(MEETING WILL CONVENE UPON ADJOURNMENT OF THE PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE MEETING)

AGENDA ADDITIONS/DELETIONS

1. **REQUEST FOR STREET ABANDONMENT (IMPROVED) - TOPAZ CIRCLE STUB STREET - COUNCIL COMMITTEE OF THE WHOLE/SAFETY ADVISORY AND TRANSPORTATION COMMITTEE RECOMMENDATION OF APRIL 26, 2016**
   (THE DEPARTMENT OF PUBLIC WORKS RECOMMENDS DENIAL OF THE REQUEST FOR ABANDONMENT DUE TO EMERGENCY VEHICLE ACCESS TO THE EMERALD POINTE SUBDIVISION. IF THE UTILITY COMMITTEE AND/OR CITY COUNCIL IS IN FAVOR OF PROCEEDING WITH THE PROPOSED ABANDONMENT, THE FOLLOWING ACTIONS ARE RECOMMENDED: 1) THE ABANDONMENT BE CONDITIONAL UPON UTILITY EASEMENTS THAT WOULD BE RECORDED WITH THE DEED MODIFICATIONS; AND 2) THAT CITY COUNCIL ADOPT A RESOLUTION SETTING A PUBLIC HEARING REGARDING THE PROPOSED ABANDONMENT FOR SEPTEMBER 12, 2016.)

2. **ELECTRIC DEPARTMENT FEDERAL REGULATORY AUDIT REPORT (INFORMATIONAL ONLY)**
   (COMMITTEE ACTION NOT REQUIRED)

3. **QUARTERLY REVIEW OF UTILITY RELATED CAPITAL INVESTMENT PLAN (CIP) (ELECTRIC AND WATER/WASTEWATER) (APRIL, MAY, AND JUNE) (PRE-AUDIT)**
   (COMMITTEE ACTION NOT REQUIRED)

4. **ADJOURNMENT OF UTILITY COMMITTEE MEETING**

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(MEETING WILL CONVENE UPON ADJOURNMENT OF THE UTILITY COMMITTEE MEETING)

AGENDA ADDITIONS/DELETIONS

1. **CONSULTING SERVICES FOR ENTERPRISE RESOURCE PLANNING (ERP) TECHNOLOGY UPGRADES**
   (STAFF RECOMMENDS AUTHORIZING THE CONTROLLER/TREASURER TO ENTER INTO A CONTRACT WITH BARRY DUNN MCNEIL & PARKER, LLC (BARRY DUNN) FOR PHASE I OF AN ERP NEEDS ASSESSMENT, SOFTWARE RFP DEVELOPMENT, VENDOR SELECTION AND CONTRACT NEGOTIATIONS)

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)

2. DISPOSAL OF EXCESS PROPERTY

A. SILVER LAKE DRIVE (EAST LAKE GARDENS)

(STAFF RECOMMENDS THE FOLLOWING: 1) DETERMINE THAT THE PROPERTY IS EXCESS PROPERTY; AND 2) AUTHORIZE THE CITY MANAGER TO CONVEY THE EXCESS PROPERTY IN ACCORDANCE WITH EXCEPTION C OF THE PROCEDURE FOR SALE AND DISPOSITION OF REAL PROPERTY)

B. 106 AND 110 SOUTH NEW STREET - OFFER FROM NCALL RESEARCH, INC.

(STAFF RECOMMENDS THE FOLLOWING: 1) DETERMINE THAT THE PROPERTY IS EXCESS PROPERTY; AND 2) AUTHORIZE THE CITY MANAGER TO COMPLETE A FINAL AGREEMENT OF SALE TO NCALL RESEARCH, INC. FOR $10,000 PER PROPERTY)

3. ADJOURNMENT OF LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING

ADJOURNMENT OF COUNCIL COMMITTEE OF THE WHOLE MEETING

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S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COMMITTEE-AGENDAS\2016\08-09-2016 CCW.WPD

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

City of Dover

DATA SHEET FOR RECREATION PLAN REVIEW
PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF August 9, 2016
Planning Commission Meeting of August 15, 2016

Plan Title:	90 Saulsbury Road Clubhouse and Pool associated with The Grande: Planned Neighborhood Design – Senior Citizen Housing Option
Plan Type:	Conditional Use Site Plan for Planned Neighborhood Design Active Recreation Area Plan
Associated Plan Title:	The Grande, Building 4 (C-15-04) Planned Neighborhood Design – Senior Citizen Housing Option
Property Location:	West side of Saulsbury Road near Carver Road
Property Address:	90 Saulsbury Road
Tax Parcel Number:	ED-05-076.07-01-28.00-000
Owner:	90 Saulsbury Associates, LLC
Site Area:	1.48 Acres +/-
Proposed Use:	Clubhouse and Pool to be associated with a Planned Neighborhood Design Senior Citizen Housing Option project of 4 Apartment Buildings (Total 192 units)
Zoning:	C-2A (Limited Central Commercial Zone) COZ-1 (Corridor Overlay Zone)

Project Summary and Background:
The project for development of 90 Saulsbury Road to construct a Clubhouse and Pool is associated with the project for The Grande Planned Neighborhood Design – Senior Citizen Housing Option (PND-SCHO). It also will be reviewed as a Conditional Use Site Plan in order to establish additional Active Recreation Area amenities to serve The Grande.

The site of The Grande is located northwest of the intersection of Saulsbury Road and Forrest Avenue and adjacent to the west of the subject site at 90 Saulsbury Road. Currently, there are three 4-story buildings existing on The Grande, each with 48 apartment units, managed as a 55+ community. In December 2015, a Conditional Use Site Plan Application C-15-04 was approved by the Planning Commission to add The Grande Building 4 at the site and to establish the apartment complex as a Planned Neighborhood Design development of Senior Citizen Housing. With the pending addition of a four story 62,240 SF apartment building of 48 units (Building 4), The Grande complex will consist of a total of 192 apartment units of Senior Housing. The

project for Building 4 has achieved Final Plan approval subject to satisfying the Active Recreation requirement which is currently being pursued as a cash-in-lieu of recreation area construction.[1]

The use of the property at 90 Saulsbury Road for a Clubhouse & Pool is not an allowable use in the C-2A zone; however, the uses may be considered through a Conditional Use process as specifically associated with a Planned Neighborhood Design – Senior Citizen Housing Option. As this Clubhouse & Pool proposal was not part of the original proposal for The Grande PND-SCHO, it is required to complete the application and review process for a PND-SCHO. This review began on June 13, 2016 when City Council found that the General Sketch Plan for 90 Saulsbury Road warranted further review by the Planning Commission (MI-16-09). This Review of an Active Recreation Area Plan is part of the next review step involving the project review by the Planning Commission.

Active Recreation Area Plan Summary:

The applicant has prepared a plan for the development of 90 Saulsbury Road with a Clubhouse & Pool and other site improvements to serve as additional recreation amenities for The Grande: PND-SCHO. PND- SCHO developments are to provide recreation amenities in accordance with the design specifications described in Article 3 § 24.61 Common Open Space and Article 5, Section 10 Open space, recreation, and other public facilities of the *Zoning Ordinance*. The following excerpt from *Zoning Ordinance,* Article 3 §24.61(b) describes the common open space design requirements for this type of PND project:

> Article 3 §24.61
> (b) *Senior citizen housing option.* Useable open space shall be provided in accordance with the area requirements set forth in article 5, section 10.16 of this ordinance. The location, dimensions and orientation shall be designed to afford maximum accessibility and convenience for the residents of the development. Open space areas shall include landscaped walkways with park benches, patios, and garden areas, and may include other active recreation amenities suited to the needs, abilities and preferences of the anticipated service population. The open space area requirement may be reduced or waived by the planning commission if it is determined that the property on which a senior citizen housing option is proposed is within one-quarter mile walking distance of a public park which offers pedestrian amenities and appropriate recreation opportunities for senior citizens.

The original Active Recreation Area proposal for The Grande PND-SCHO project (C-15-04) provided 22,569 S.F. of land to be reserved on The Grande property as Active Recreation Area.

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[1] The Grande PND-SCHO project qualified for Active Recreation Area exemption for small developments under *Zoning Ordinance,* Article 5 §10.514. The Active Recreation Area is required at a rate of 150 square feet per dwelling unit; therefore, based on a total of 192 dwelling units, 28,800 SF of active recreation area is required. The Plan indicated that 22,569 S.F. of land would be reserved on The Grande property as Active Recreation Area including the amenities of walking paths, horseshoe pits, shuffleboard, swing set, benches, and picnic tables. The deficiency of 6,231 SF of active recreation area for the project was proposed to be satisfied by a cash-in-lieu donation. Approval of the donation amount of $22,914 for the cash-in-lieu of recreation area was accepted by the Parks, Recreation and Community Enhancement Committee on July 12th and by City Council on July 27, 2016; approval of this amount is pending review by the Planning Commission on August 15, 2016. (C-15-04)

There are three areas of activity on The Grande property: Shuffleboard and Swing Set area (Area #1); Walking Path area (Area #2); and Horseshoe Pit area (Area #3). These existing amenities already constructed on the site include an area with a shuffleboard court, gazebo, swing set, and picnic table; a walking path with benches and picnic tables around the stormwater management pond; and area with horseshoe pits with picnic tables. The deficiency of 6,231 S.F. of active recreation area for the project was proposed to be satisfied by a cash-in-lieu donation.

Active Recreation Area at 90 Saulsbury Road

The main area of activity on the subject property is the Clubhouse and Pool. These two amenities together total 4,300 square feet. The pool patio should also be able to be counted toward Active Recreation Area, but its area has not been calculated. It is unclear whether the entrance walk leading from the Pool and Clubhouse to the apartment complex is intended to act as active recreation area, and it is unlikely the undeveloped areas of lawn on the property can be counted toward active recreation area. Unlike for the main property of The Grande, the areas intended to be counted toward Active Recreation Area have not been expressly delineated.

The Active Recreation Area Plan must be reviewed by the Parks, Recreation, and Community Enhancement Committee for a recommendation prior to consideration of the Conditional Use Site Plan for the Planned Neighborhood Design – Senior Citizen Housing Option by Planning Commission.

The following table provides information from the submitted Plan (dated June 17, 2016) for the Active Recreation Area as proposed for 90 Saulsbury Road:

	Required	***Provided on Plan***
Common Open Space in PND – Senior Option (Article 3 §24.61b)	Useable open space following the area requirement of Active Recreation Area	Pool Pool patio
Active Recreation Area (Article 5 §10.514)	150 S.F. per dwelling unit or 10,000 SF whichever is greater to be provided on site. 192 DU = 28,800 SF Provided on The Grande: 22,569 SF Deficient: 6,231 SF	Existing Amenities on The Grande property. Consideration of donation amount for cash-in-lieu payment pending. Clubhouse – 2,500 SF Pool – 1,800 SF Pool Patio
Design Guidelines (Article 5 §10.151, §10.152)	Accessible and Pedestrian Oriented	Accessible via connecting concrete path
Design Guidelines (Article 5 §10.153)	Age Oriented to development	Clubhouse and Pool would serve all ages.

Design Guidelines (Article 5 §10.154)	Parking	The C-2A zone requires parking based on square footage; six parking spaces are shown where nine spaces are required for the Clubhouse. There are on-site parking areas for the apartment complex and the Clubhouse.
Design Guidelines (Article 5 §10.156)	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	All of the active recreation areas are in compliance as required.
Design Guidelines (Article 5 §10.157)	Landscaping	The project shows tree planting around the perimeter site.

Staff Recommendations:
The following are comments and recommendations from Staff of the Planning Office following review of the Active Recreation Area Plan for 90 Saulsbury Road.

1. The proposed plan presents additional amenities for The Grande PND-SCHO. These amenities could be utilized to satisfy the Active Recreation Area deficit. However, timing of construction at 90 Saulsbury Road would need to coincide and achieve completion prior to the completion of The Grande Building 4.

2. Staff recommends approval of the Clubhouse, Pool, and other site amenities subject to the condition that the area of each amenity intended to count toward Active Recreation Area requirements be expressly delineated on the plan. If this is done the amenities can be accepted towards meeting a portion of the Active Recreation Area requirement for The Grande subject to the conditions outlined below and subject to the approval of Conditional Use Site Plan Application C-16-04.

3. The following conditions of approval are recommended:
    a. If the Clubhouse and Pool are accepted as part of the Active Recreation Area, there must be an accessible route for pedestrians from the apartment complex to the facility. The accessible route should include barrier free access, designated cross walks, directional signage, or other site improvements, etc.
    b. To accept the entrance walk as part of the Active Recreation Area, it should be provided with landscaping and benches to strengthen its use as an amenity.

4. The following items should be included on the Plan to clarify the Recreation Area improvements:
    a. Provide a summary list of the proposed features of the facility (i.e. interior floor plan of the Clubhouse, site amenities of bicycle parking and golf cart parking, benches, picnic tables, etc.) along with the area of each.

b. Provide a total figure for the amount of Active Recreation Area to be provided.
c. On the plan, outline the areas to be used as Active Recreation Areas.

5. The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

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

6. There shall be provisions which ensure that this shall Clubhouse and Pool continue as Active Recreation Area specifically associated with The Grande and to be properly managed and maintained. The developer shall submit plans to combine this property with The Grande parcel or specific deed restrictions/agreements establishing such association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.

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

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

Attachments:

- Plan Sheets F-100 Cover Sheet, F-102 Site Plan, and L-100 Landscape Plan dated June 17, 2016

PUBLIC UTILITIES NOTES:

ALL UTILITIES DEDICATED TO THE CITY OF DOVER MUST BE AS-BUILT PRIOR TO DEDICATION.

WATER

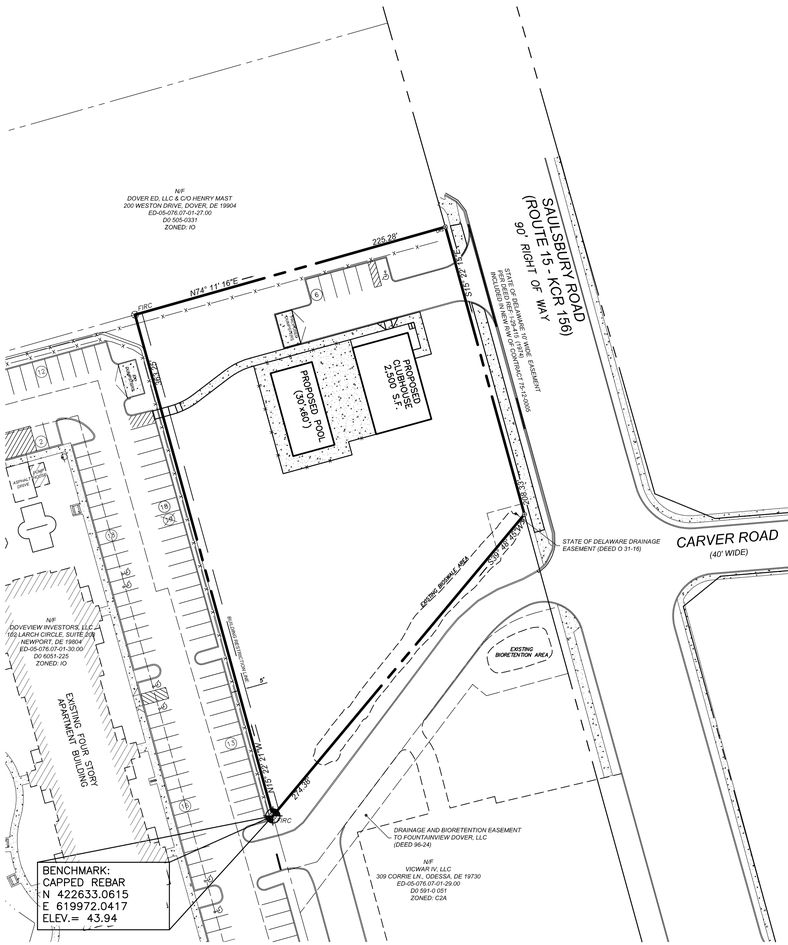
1. ALL WATER UTILITY COMPONENTS MUST MEET THE REQUIREMENTS OF THE PUBLIC WORKS WATER/WASTEWATER HANDBOOK, EFFECTIVE DATE MARCH 22, 2010.
2. HYDRANT CONNECTIONS BY THE CONTRACTOR ARE PROHIBITED. THIS METHOD MAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
3. ANY EXISTING WATER LINES NOT TO BE UTILIZED 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.
4. 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 OF 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.

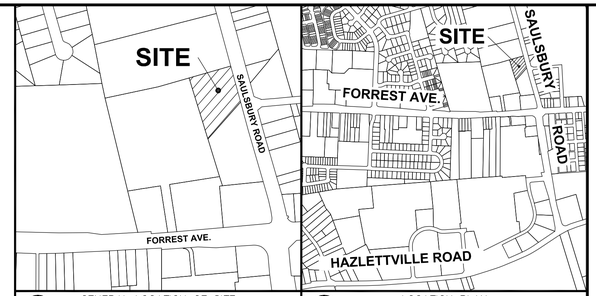
WASTEWATER

1. ALL WASTEWATER UTILITY COMPONENTS MUST MEET THE REQUIREMENTS OF THE PUBLIC WORKS WATER/WASTEWATER HANDBOOK, EFFECTIVE DATE MARCH 22, 2010.
2. 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 PUBLIC WORKS DEPARTMENT SPECIFICATIONS AND REQUIREMENTS.
3. 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 NON CONTACT 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.

GENERAL NOTES:

1. BOUNDARY, TOPOGRAPHY AND PLANIMETRIC INFORMATION SHOWN ON THIS PLAN ARE BASED ON A SURVEY PREPARED BY MERESTONE CONSULTANTS INC. ON MAY 17, 2016.
2. ALL FIRE HYDRANTS SHALL BE DEDICATED TO THE CITY OF DOVER. A 20'x20' EASEMENT MEASURED FROM THE CENTER OF THE FIRE HYDRANT IS HEREBY DEDICATED TO THE CITY OF DOVER TO PERFORM ALL NECESSARY OPERATIONS AND MAINTENANCE TO THE HYDRANTS AND THE WATER DISTRIBUTION SYSTEM.
3. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
4. NO TITLE EXAMINATION FURNISHED TO OR PERFORMED BY THE PREPARERS HEREOF. PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
5. THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (1-800-282-8555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.
6. THIS PARCEL IS NOT WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN, BASED ON FIRM MAP #10001C0166H, PANEL 166 OF 435, DATED MAY 5, 2003.
7. BECKER MORGAN GROUP CERTIFIES THAT THERE ARE NO FRESH WATER WETLANDS LOCATED WITHIN THE IMPROVED AREA.
8. THE SOILS CLASSIFICATION FOR THE SITE IS HkB – HAMBROOK SERIES – HYDROLOGIC SOIL GROUP B.
9. ALL ROADS, PARKING AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
10. ALL HANDICAPPED PARKING DEMARCATIONS, STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 AND ADA STANDARDS FOR ACCESSIBLE DESIGN.
11. THE OWNER OF THIS SITE OR HIS SUCCESSORS OR ASSIGNS SHALL BE RESPONSIBLE FOR MAINTENANCE AND INSURANCE ON THE COMMON OPEN SPACE AND STORMWATER MANAGEMENT FACILITIES.
12. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
13. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, MODIFY, OR DELETE ANY EROSION AND SEDIMENT CONTROL MEASURE, AS IT DEEMS NECESSARY.





GENERAL LOCATION OF SITE
SCALE: 1"=400'

LOCATION PLAN
SCALE: 1"=1200'

SITE DATA:

1. OWNER: 90 SAULSBURY ASSOCIATES, LLC
   ATTN: ACCOUNTING DEPARTMENT
   102 LARCH CIRCLE, SUITE 203
   WILMINGTON, DE 19804
2. TAX MAP NO.: ED-05-076.07-01-28.00-000
3. SOURCE OF TITLE: BOOK 6825 PAGE 0112
4. TOTAL SITE AREA: 64,379 S.F. (1.48± ACRES)
5. ZONING: C2A (LIMITED CENTRAL COMMERCIAL ZONE)
   CO2-1 (CORRIDOR OVERLAY ZONE)
6. EXISTING USE: VACANT (FORMERLY VFW POST)
   PROPOSED USE: COMMUNITY CENTER
7. EXISTING BUILDING AREA PRIOR TO DEMOLITION: 3,028 S.F. (3,028 S.F. GFA)
   PROPOSED BUILDING AREA: 2,500 S.F. (2,500 S.F. GFA)
   TOTAL BUILDING AREA = 2,500 S.F. (2,500 S.F. GFA)
8. PARKING SPACES REQUIRED: 1 SPACE/300 S.F. FLOOR AREA = 1/300(2,500 SF) = 9 SPACES
   PARKING SPACES PROVIDED: 6 (INCLUDES 1 H/C SPACE)
   BICYCLE PARKING REQUIRED: 1 SPACE/20 PARKING SPACES = 1/20 (6) = 1 SPACE
   BICYCLE SPACES PROVIDED: 1 SPACE BIKE RACK MINIMUM
9. PASSIVE OPEN SPACE: REQUIRED: *
   PROVIDED: *
10. IMPERVIOUS COVER: EXISTING: 12,144± S.F. (18.9%)
    PROPOSED: 12,229± S.F.(19.0%)
11. SETBACKS: C-2A ZONE
    LOT DEPTH = 100'
    FRONT YARD = 15'
    REAR YARD = 5' AT GROUND
    SIDE YARD = 25'
12. TREE REQUIREMENT: 64,379 SF / 1 TREE PER 3000 SF = 22 TREES
13. SIGNAGE: A SEPARATE CITY OF DOVER PERMIT IS REQUIRED FOR SIGNAGE AND SIGNAGE PLACEMENT IS NOT APPROVED AS PART OF THIS PLAN.
14. LIGHTING REQUIREMENT: MINIMUM 1.5 FOOTCANDLES AT GRADE
    PARKING AREA LIGHT FIXTURES WILL BE CITY OF DOVER STANDARD STRUCTURES AND WILL BE INSTALLED, OWNED AND MAINTAINED BY THE OWNER / DEVELOPER OF THE PROPERTY.
15. BUILDING HEIGHT: PERMITTED: 6 STORIES
    PROPOSED: 1 STORY
16. UTILITIES: SEWAGE DISPOSAL: CITY OF DOVER
    WATER SUPPLY: CITY OF DOVER
    NATURAL GAS: CHESAPEAKE UTILITIES
    ELECTRIC: CITY OF DOVER
    TRASH COLLECTION: PRIVATE HAULER
17. MONUMENTATION: EXISTING: 4 CAPPED REBARS
18. SURVEY BENCHMARK: NGS MONUMENT – MARKER L 34
    VERTICAL: NAVD88
    HORIZONTAL: NAD83 STATE PLANE
19. TOTAL DISTURBED AREA: 1.57± ACS.
20. FLOOD ZONE: THIS PROPERTY IS NOT LOCATED IN A 100-YEAR FLOODPLAIN, BASED ON FIRM MAP #10001C0166H, DATED MAY 5, 2003.
21. PARCEL ADDRESS: 90 SAULSBURY ROAD, DOVER, DE 19904
22. SOIL: HkB, HAMBROOK-URBAN LAND COMPLES 0 YO 5 PERCENT SLOPES

SHEET INDEX:

F-100	COVER SHEET	1 OF 10
F-101	EXISTING CONDITIONS AND DEMOLITION PLAN	2 OF 10
F-102	SITE PLAN	3 OF 10
F-103	UTILITIES PLAN	4 OF 10
F-104	GRADING PLAN	5 OF 10
F-105	SITE DETAILS	6 OF 10
ES-1	SEDIMENT AND STORMWATER MANAGEMENT PLAN	7 OF 10
ES-2	SEDIMENT AND STORMWATER MANAGEMENT DETAILS	8 OF 10
L-100	LANDSCAPE AND RECREATION PLAN	9 OF 10
L-101	SIGNAGE AND STRIPING / LIGHTING PLAN	10 OF 10

OWNERS CERTIFICATION:

WE, 90 SAULSBURY ASSOCIATES, LLC, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THAT SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

LEONARD F IACONO
MANAGING MEMBER

DATE

ENGINEERS CERTIFICATION:

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

MONIKA B. SLOAN, P.E. NO. 10215

DATE

NORTHPOINT ENGINEERING
102 LARCH CIRCLE, SUITE 203
NEWPORT, DE 19804
TEL: 302-992-9881
FAX: 302-658-0618
EMAIL: msloan@northpoint-eng.com

PLAN NORTH:

NORTH

KEY MAP:

SEAL:

PROJECT:

APPLICATION NO:
CONDITIONAL USE SITE PLAN

90 SAULSBURY ROAD

CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET:

COVER SHEET

NO. DATE REVISION

SCALE: 1" = 50'

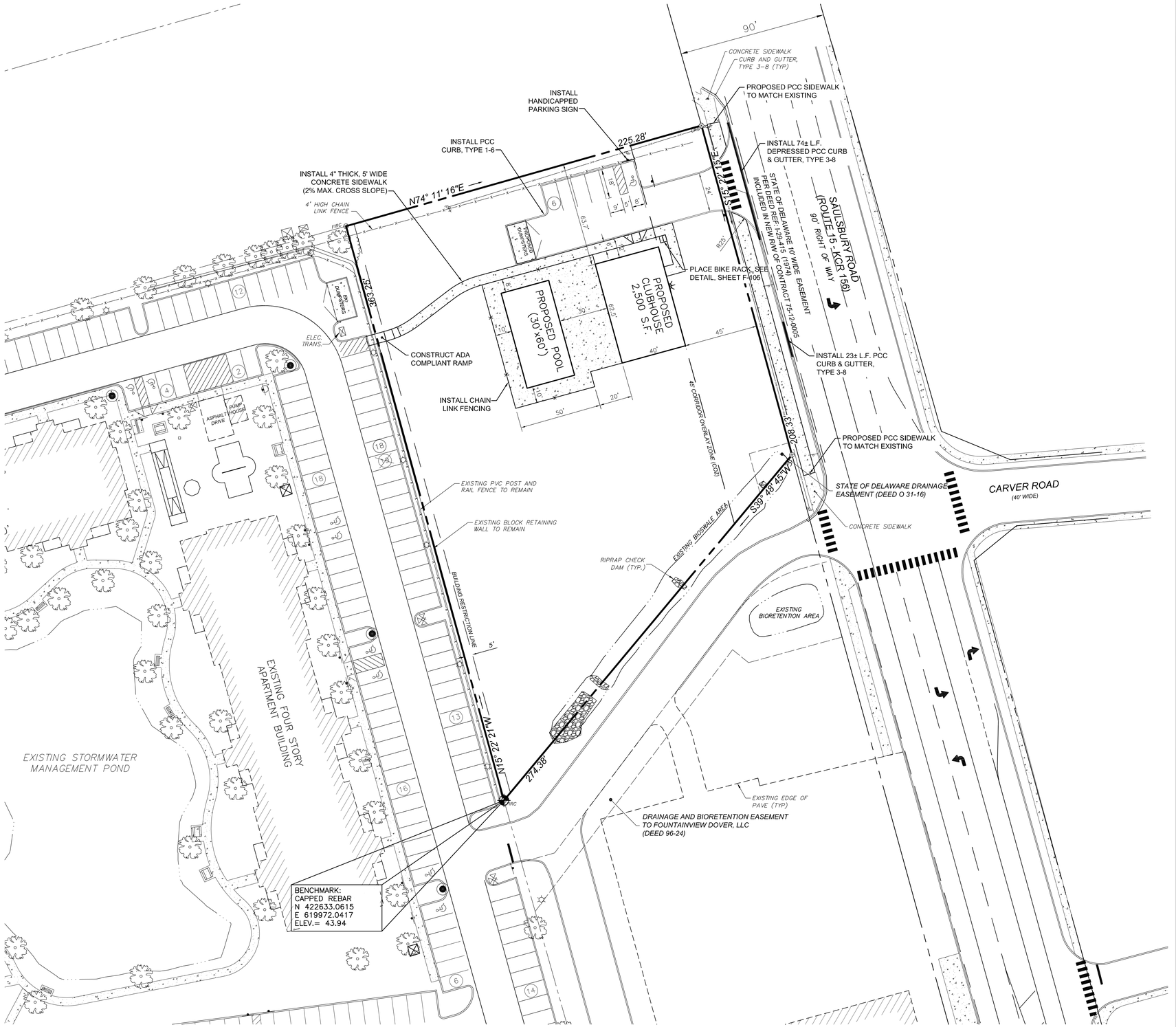
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DATE:
JUNE 17, 2016

PROJECT:
16-002

SHEET:
F-100

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LEGEND:

	EXISTING	PROPOSED
SANITARY SEWER LINE	S	S
WATER LINE	W	W
GAS LINE	G	G
OVERHEAD ELECTRIC	OHE	OHE
FENCE	X X X X X	
INDEX CONTOUR	24'	
INTERMEDIATE CONTOUR	25	
SPOT ELEVATION	430	X 391.25
STORM INLET & PIPING		
CAPPED REBAR FOUND		
UTILITY POLE		
UTILITY POLE WITH LIGHT		
WATER METER	WM	WM
WATER VALVE (MAIN)	WV	WV
WATER DIVISION VALVE		DV
FIRE HYDRANT	FH	FH
GAS SHUT-OFF VALVE (SERVICE)	GSO	GSO
GAS VALVE (MAIN)	GV	GV
SEWER CLEAN OUT	SCO	SCO
STORM MANHOLE	D	D
SANITARY MANHOLE	S	S
SIGN		

NORTHPOINT ENGINEERING
102 LARCH CIRCLE, SUITE 203
NEWPORT, DE 19804
TEL: 302-992-9881
FAX: 302-658-0618
EMAIL: msloan@northpoint-eng.com

PLAN NORTH:

NORTH

KEY MAP:

SEAL:

PROJECT:

APPLICATION NO:
CONDITIONAL USE SITE PLAN

90 SAULSBURY ROAD

CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET:

SITE PLAN

NO.	DATE	REVISION

SCALE: 1" = 30'

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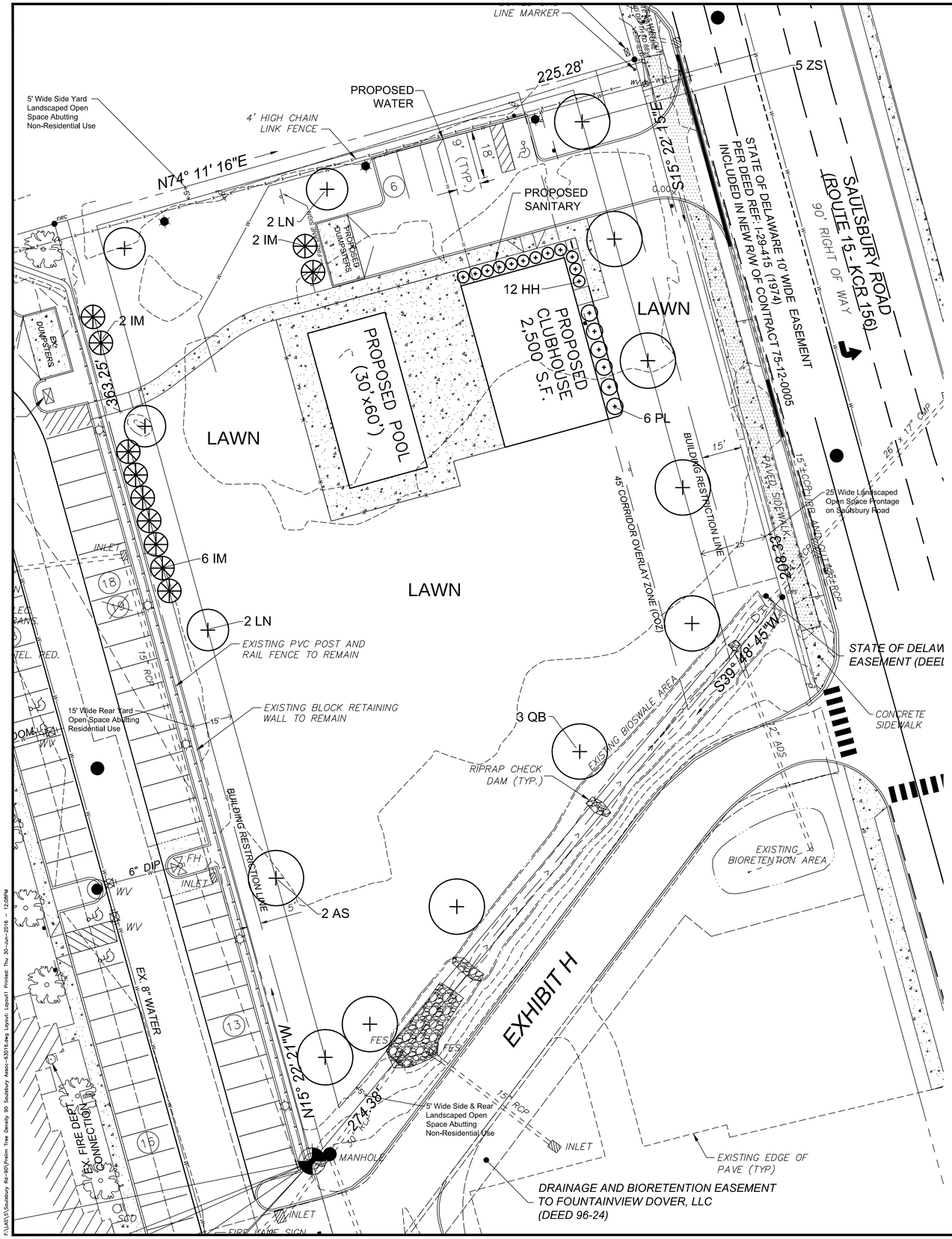
DATE:
JUNE 17, 2016

PROJECT:
16-002

SHEET:
F-102

SHEET 3 OF 10

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F:\LAS\S\Saulsbury Rd--#90\Prelim Tree Density 90 Saulsbury Assoc--6301-6.dwg Layout: Layout1 Printed: Thu 30--Jun--2016 -- 12:08PM

PLANT LIST

NOTE: In the event that there is a discrepancy between the quantity of plant material on the Plan Drawing and the quantity in the Plant List, the quantity of plant material on the plan drawing shall govern.

KEY	BOTANIC NAME	COMMON NAME	QUANTITY	SIZE	REMARKS	
AS	Acer Saccharum Green Mountain	Green Mountain Sugar Maple	2	2" Cal.	B&B	Heavy Full Vigorous
HH	Hypericum X Hidcote	St. Johns Wort	12	18"/24" #3	Container	Heavy Full Vigorous
IM	Ilex Meserveae Dragon Lady	Dragon Lady Holly	10	5/6'	B&B	Heavy Full Vigorous
LN	Lagerstroemia Indica Natchez	Natchez White Crape Myrtle	4	6/8' /Clump	B&B	Heavy Full Vigorous
PL	Prunus Laurocerasus 'Otto Luyken'	Otto Luyken Cherry Laurel	6	#5	Container	Heavy Full Vigorous
QB	Quercus Bicolor	Swamp White Oak	3	2" Cal.	B&B	Heavy Full Vigorous
ZS	Zelkova Serrata 'Village Green'	Village Green Zelkova	5	2" Cal.	B&B	Heavy Full Vigorous

TREE DENSITY NOTES

Tree Density Required = 1 Tree / 3,000 sf. of Non-Woodland Area
Site Area 64,374 / 3,000 Sf. =
22 Tree Density Trees Required - 24 Trees Provided

COZ Tree Requirements
Saulsbury Road Frontage = 208.33 Ln. Ft.
Tree Replacement = 1 Tree Per 50 Ln. Ft.
208.33 / 50 = 4.166 Required - 5 Provided

Rear & Side Property Requirements
Tree Replacement = 1 Tree Per 75 Ln. Ft.
Rear Property Line = 363.25 Ln. Ft.
363.25 / 75 = 4.84 Trees Required - 5 Provided

Side Property Line Lengths
North Side Property Length 225.28 / 75 = 3.0037 Required - 3 Provided
South Side Property Length 274.38 / 75 = 3.65 Required - 4 Provided

GENERAL PLANTING NOTES

1. All trees shall be gauranteed to survive for one full year after installation (full cost).
2. All stakes and guys shall be removed from trees and from the site at the end of the gaurantee period.
3. No tree shall be planted closer than 10' from any fire hydrant.
4. Only trees that reach a height and size at maturity of small to medium shall be planted under power lines. No tree shall be planted within 10' of underground utilities.
5. The purpose of this plan is to meet the requirements of the City of Dover Landscape Ordinance. The plan does not include specifications for drainage, soil preparation and plant quality which are necessary to ensure sucessful installation. Without these specifications, the landscape architect shall not be responsible for the results of implementing this plan. The developer or owner is advised to contact the landscape architect concerning these components.
6. The applicant is expected to maintain plantings including watering all plants anytime from April 1st to December 1st, when natural rainfall is less than 1" per week.

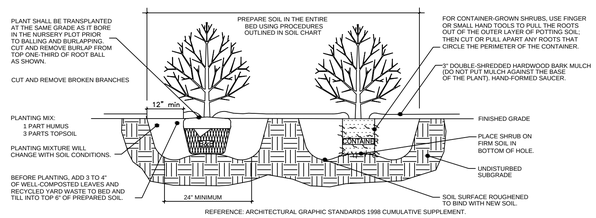
Owner: 90 Saulsbury Associates, LLC
102 Larch Circle Suite 203
Wilmington Delaware, 19804

Tax Map No. ED-05-076.07-01-28.00-00

Zoning: C2A (Unlimited Central Commercial Zone)

COZ-1 (Corridor Overlay Zone)

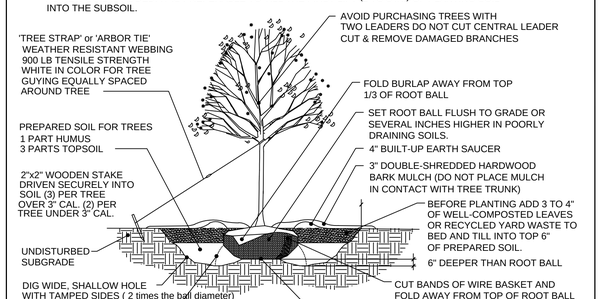
NOTE:
Apply approved pre-emergent weed control on all shrub beds prior to mulching.



REFERENCE: ARCHITECTURAL GRAPHIC STANDARDS 1998 CUMULATIVE SUPPLEMENT.

SHRUB PLANTING DETAIL
NOT TO SCALE

NOTES:
1. NO SOIL OR MULCH SHALL BE PLACED AGAINST ROOT COLLAR OF PLANT.
2. REMOVE ALL ROPE FROM TRUNK & TOP OF ROOT BALL. FOLD BURLAP BACK 1/3 FROM ROOT BALL
3. PLANTING DEPTH SHALL BE THE SAME AS GROWN IN NURSERY.
4. THOUROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
5. THE BOTTOM OF PLANTING PIT EXCAVATIONS SHOULD BE ROUGH TO AVOID MATTING OF SOIL LAYERS AS NEW SOIL IS ADDED. IT IS PREFERABLE TO TILL THE FIRST LIFT (2 TO 3 IN.) OF PLANTING SOIL INTO THE SUBSOIL.



REFERENCE: ARCHITECTURAL GRAPHIC STANDARDS 1998 CUMULATIVE SUPPLEMENT.

TREE PLANTING DETAIL
NOT TO SCALE

LANDSCAPE LEGEND

EXISTING TREE TO REMAIN

PROPOSED TREE

PROPOSED SHRUBS

STATEMENT OF ACCURACY
I, MATTHEW SPONG, HEREBY STATE THAT I AM A REGISTERED LANDSCAPE ARCHITECT IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD LANDSCAPE ARCHITECTURAL PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DATE MATTHEW T. SPONG #126-E

NORTHPOINT ENGINEERING
102 LARCH CIRCLE, SUITE 203
NEWPORT, DE 19804
TEL: 302-992-9881
FAX: 302-658-0618
EMAIL: msloan@northpoint-eng.com

PLAN NORTH:

NORTH

LANDSCAPE ARCHITECTURAL SERVICES, L.L.C.
LAND USE & PARK PLANNING ● RECREATION SCIENCES
Matthew T. Spong, R.L.A., A.S.L.A.
Trisha Nawicki, A.S.L.A.
P.O. Box 293 Dover, Delaware 19903
Phone: 302-284-4178 Fax: 302-284-9385
Email: lasmail@las-llc.net Web: las-llc.net

PROJECT #: 2016-12 COMM #: 1526 DATE: 06-28-16
Drawn By: ZC Designed By: MTS Checked By: MTS
REVISION:

PROJECT:

APPLICATION NO:
CONDITIONAL USE SITE PLAN

90 SAULSBURY ROAD

CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET:
LANDSCAPE AND TREE DENSITY PLAN

NO. DATE REVISION

SCALE: 1" = 20'

0 10 20 40

DATE:
JUNE 30, 2016

PROJECT:
16-002

SHEET:
L-100

SHEET 1 OF 1

ACTION FORM

PROCEEDING: Parks, Recreation, and Community Enhancement Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: August 1, 2016
PREPARED BY: Scott D. Koenig, P.E., City Manager & Ann Marie Townshend, AICP, Director of Planning & Community Development
SUBJECT: Proposed Land Swap – Capitol Baptist Church/Mayfair Park
REFERENCE: N/A
RELATED PROJECT: N/A
APPROVALS: Scott D. Koenig, P.E., City Manager and Donna Mitchell, CPA, City Controller
EXHIBITS: Letters dated June 22 & June 23, 2016 from from Pastor Terri H. Moore, Capitol Baptist Church
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: N/A
RECOMMENDED ACTION: Authorize the City Manager and other city staff to negotiate a proposed land swap which is mutually beneficial to the property owners and the City of Dover. This authorization will include any necessary research and legal expenses necessary to determine the terms and conditions of a potential land swap that involves the public open space known as Mayfair Park.

BACKGROUND AND ANALYSIS

The City of Dover is in receipt of correspondence from Pastor Terri H. Moore of the Capitol Baptist Church regarding a proposed land swap to facilitate improvements to both the church's property as well as the City's Mayfair park. This park has been a focal point of several community discussions in recent months. The park received funding for park improvements in 1988 through the Federal Land and Water Conservation Fund and in 2005 through the Delaware Land and Water Conservation Trust Fund. Due to this funding, any change to the park boundary would require approval by the Delaware Division of Parks and Recreation and possibly the National Park Service. Staff is requesting direction from City Council on whether or not a proposed land swap would be entertained. If this option is attractive to members of City Council, staff can direct time and resources to negotiating a formal proposal for City Council's consideration.



June 22, 2016

Dear Mr. Koenig,

I would like to thank the City of Dover for your interest in working to resolve the problems that have been occurring in Mayfair Park and the open discussions that you have been having with the community.

As you know, there has been much discussion about the concerns that the Mayfair residents have with the unwanted and illegal activity that occurs in Mayfair Park. As adjacent property owners for nearly 50 years, we have experienced first-hand many of the problems ourselves. The removal of the basketball courts was a welcomed gesture that has produced a short-term solution to some of these problems, but we believe that seeking a long-term solution would be in the best interests of all.

At the community meeting that took place on Tuesday, June 21, the suggestion was made to redesign the park. Its current layout is conducive to the activity that takes place, and it would seem that a redesign would better serve the community and reduce the unwanted activity. Understanding that Federal funds are involved with the Park which would limit the City's options, we would like to ask the City of Dover if they would be willing to consider and discuss a land swap. Capitol Baptist Church owns the nine acres adjacent to and north of the Mayfair Park property. An even (1:1) land swap would keep the square footage of the Park the same, thus staying within Federal requirements but would also redesign the park in a way that would better service the community and make it easier for the City to maintain and monitor. A land swap would also connect the church's two properties together, giving us the option to resolve the parking issues that we are facing and reduce on-street parking during our service times. At the community meeting, this seemed to be a solution that was welcomed by all.

Please let me know your thoughts on this and, if acceptable, what would be necessary for us to begin these discussions.

Again, thank you for your interest in this matter, and I look forward to hearing from you.

God bless,

Pastor Terri H. Moore
Capitol Baptist Church
401 Kesselring Avenue
Dover, DE 19904

cc: Ann Marie Townshend, AICP; Bill Hare, City Councilman; Brian Lewis, City Councilman

PREACHING CHRIST
CRUCIFIED FOR SIN,
& RISEN,
COMING AGAIN

Capitol
BAPTIST CHURCH

"...THE CHURCH OF THE LIVING GOD, THE PILLAR AND GROUND OF THE TRUTH." 1TIM. 3:15

City of Dover
RECEIVED
JUN 29 2016
CITY MANAGER/MAYOR

June 23, 2016

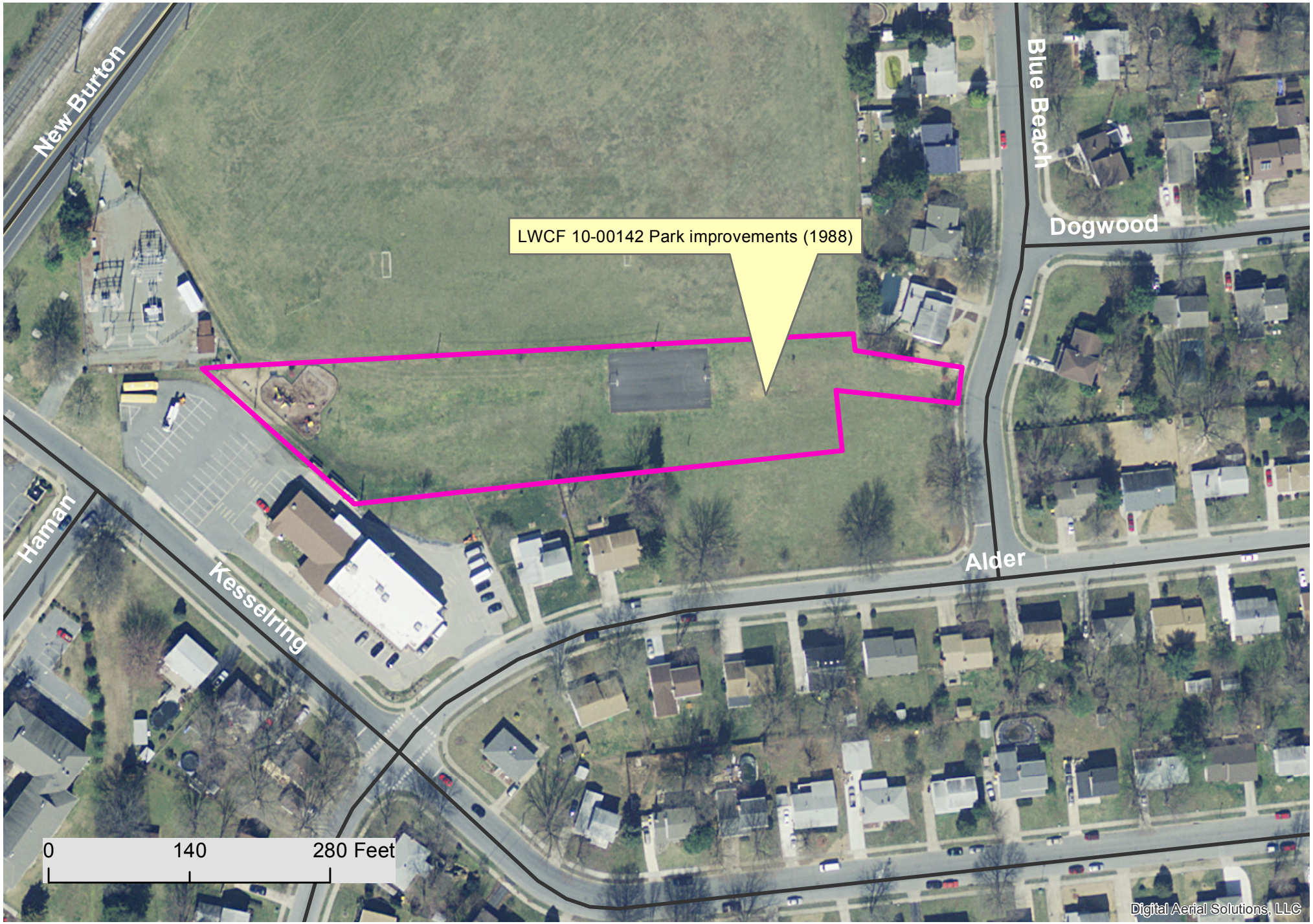
Dear Mr. Koenig,

I have enclosed a hard copy of the letter that I sent you via email concerning Mayfair Park. I thought that you might want a hard copy on letterhead for your records.

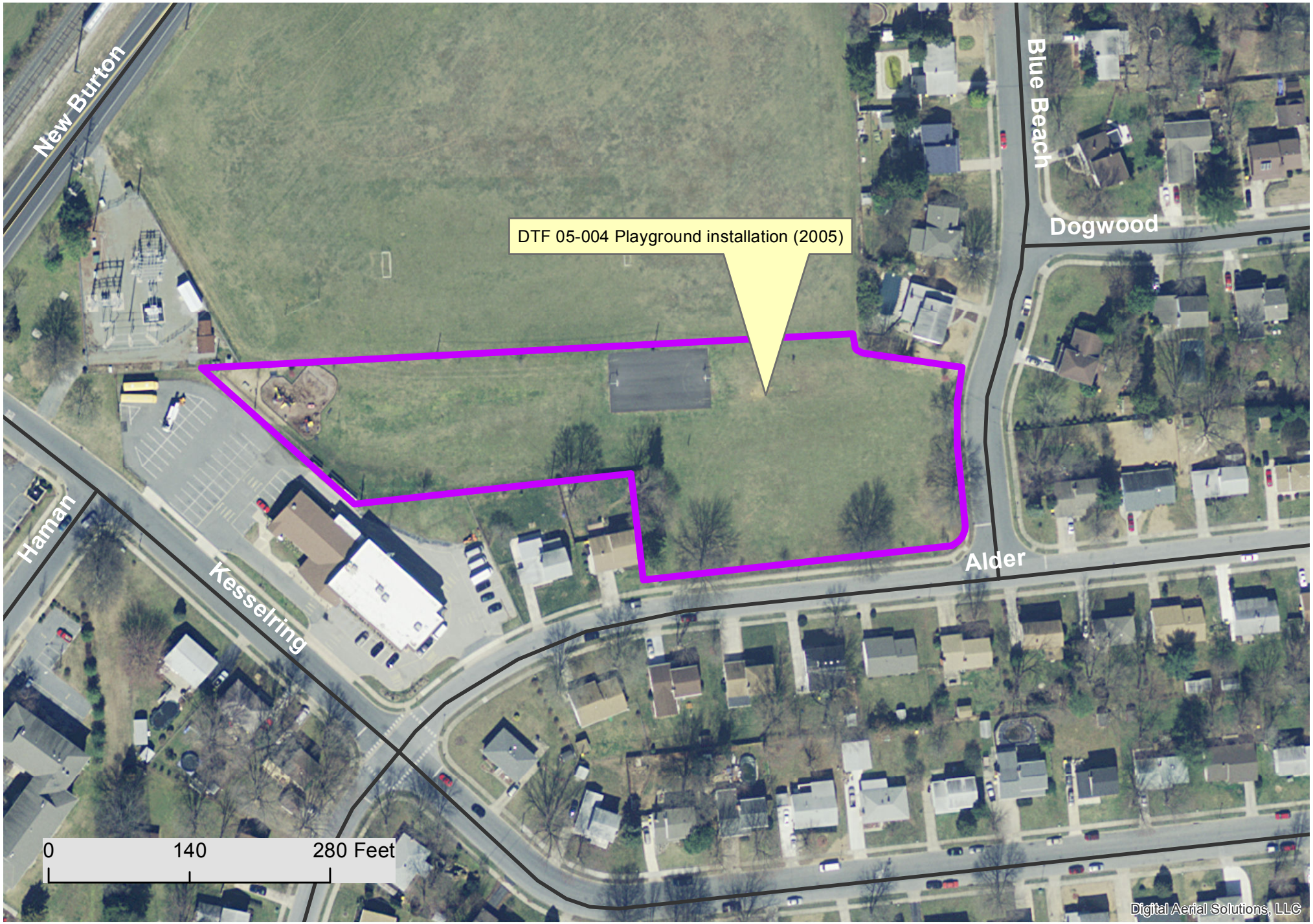
God bless,

Pastor Moore
Capitol Baptist Church
401 Kesselring Avenue
302-734-2410 (Church)
302-222-8326 (Cell)

Outdoor Recreation, Parks and Trails Program
Formerly known as Delaware Land and Water Conservation Trust Fund



Outdoor Recreation, Parks and Trails Program
Formerly known as Delaware Land and Water Conservation Trust Fund



EXCERPT - COUNCIL MEETING MINUTES OF SEPTEMBER 13, 1971

CAPITAL BAPTIST CHURCH

A request was received from the Capital Baptist Church asking the help of the City in getting the extended portion of their parking lot resurfaced. This parking lot is used by participants in recreational activities at the Mayfair playground which adjoins the Church property, the entrance to this playground being at the rear of the parking area owned by this Church. The Church has agreed to allow parking for the playground area and activities, whenever the Church is not in session. The Engineering Department of the City has estimated that the cost to blacktop this area would be approximately $2500, and to resurface it with crushed stone approximately $700 to $800. The Church is willing to contribute $300 to this project. On motion of Mr. Legates, seconded by Mr. Coyle, Council directed the City Manager to proceed with this project at the least amount of cost, with the best desired results.

S:\EXCERPTS and CERTIFICATION OF COUNCIL ACTION\09-13-1971 Council Minutes Excerpt - Capitol Baptist Church.wpd

ACTION FORM

PROCEEDING: Parks, Recreation & Community Enhancement Committee
DEPARTMENT OF ORIGIN: Parks & Recreation **DATE SUBMITTED**: 7/29/16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning & Community Development
SUBJECT: Proposed Mural – Kirkwood/Division Street Park
REFERENCE: N/A
RELATED PROJECT: Restoring Central Dover
APPROVALS: City Manager
EXHIBITS: Proposed Mural Concept
EXPENDITURE REQUIRED: $ N/A **AMOUNT BUDGETED**: $ N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: N/A
RECOMMENDED ACTIONS: Accept the proposal to allow the Restoring Central Dover Resident Engagement Work Group to install a wood panel fence as proposed and paint a mural

BACKGROUND AND ANALYSIS

The Restoring Central Dover Resident Engagement Work Group has requested that a wooden fence be installed along the east boundary of Kirkwood Street Park (at the corner of Division and Kirkwood Streets) and painted with a mural. A concept of the proposed mural is attached.

The specific request from NCALL on behalf of the Resident Engagement Mural Committee is cited below.

> *On July 13, 2016, the Resident Engagement Mural Committee met with Joshua Nobiling, a professor at Wesley College to discuss placing a mural somewhere in the central Dover area. We all agreed that the park located on Kirkwood and Division Streets would be an excellent place to erect a mural in the central Dover area. So I suggested that we start with you for permission and if you are not the individual then you could possibly direct us to the person(s) that we need to seek permission from.*
>
> *We are envisioning install a fence for the mural approximately 85 feet long which would cover the entire rear (facing Kirkwood Street) of the park and the fence would be approximately six feet high to keep people from climbing over it. We would erect our fence very close to the existing fence at the park so to prevent incidents/criminal activities from occurring behind the fence because of limited space for standing etc. We will create the mural in the art studio at Wesley and install the panels once it is complete, I am attaching a photo-shop of where we envision the mural will be located, it also has a design but it is not what the finished product will look like because we intend to get the community input. Be well and thanks for any information that you can provide.*

Before:
Existing chainlink fence, measuring approx. 85’ x 5’. To be replaced with wooden privacy fencing measuring approx. 85’ x 6’.



After:
Hypothetical rendering of a completed mural. Final design will be determined and executed through community collaboration.



Restoring Central Dover
NCALL Research, Inc.
363 Saulsbury Road
Dover, DE 19904

July 25, 2016

To: Councilman Sudler and the Parks, Recreation, and Community Enhancement Committee

Restoring Central Dover "Our Vision for Vitality," a neighborhood revitalization effort led by NCALL Research consists of a Steering Committee and 6 work groups (Resident Engagement, Safety, Youth and Adult Services, Economic Development, Housing, and Transportation Green Space and Infrastructure). Resident Engagement, comprised of local residents, is interested in erecting a mural at the Kirkwood and Division Streets Park in Dover, DE. With the assistance of Joshua Nobiling, a professional Fine Artist and the Assistant Professor of Art at Wesley College, the Resident Engagement work group would like to submit a proposal for a community driven mural in the downtown Dover area.

The Resident Engagement "Mural Committee" canvassed the downtown Dover area to identify potential locations for the mural and agreed upon the Kirkwood/Division Streets Park as one of the locations. The idea of a mural surfaced after attending the Community Leadership Institute in 2015. The idea was presented to the rest of the group who immediately were excited about the project. Community driven murals is one way to bring residents together to beautify their neighborhood and promote unity and ownership within the area.

In this packet you will find details regarding the mural such as size, how it will be decided as to what goes on the mural, and the different steps and phases. We will also reach out to the property owner of 420 W. Division Street. If you have any further questions or need any additional information, please feel free to reach out to us. In the meantime, we look forward to your response. Thank you for your time and consideration.

Best regards,

Josh Nobiling, M.F.A.
Assistant Professor of Art,
Wesley College
(309)-721-4461
Joshua.Nobiling@Wesley.edu

July 22, 2016

To Councilman Sudler and the Parks, Recreation, and Community Enhancement Committee:

My name is Josh Nobiling, I am a professional Fine Artist and the Assistant Professor of Art at Wesley College in Dover, DE. It is my honor to be working with Maggie Pleasant and Chanda Jackson of NCALL Research, Inc. to pursue the development and execution of a community mural for the Division and Kirkwood park in Dover, DE. This document is to provide you with information regarding the process involved in the creation of a public mural of this scale.

Murals help to build a strong sense of community. Philadelphia Mural Arts Founder and Director Jane Golden speaks beautifully of the value of mural painting in a community with the following quote *"While the end products—the works of public art—are always beautiful, their deeper value lies in the conversations we create, the connections we build, and the legacy of relationships we foster along the way, often with transformative results,"*

I hope that you will not hesitate to contact me to answer any and all questions you may have regarding the information in this document.

Thank you for your time.
Respectfully,

J. Nobiling

Josh Nobiling, M.F.A.

Phase I
Site Preparation



In this photo (taken 7/13/2016) can be seen the existing chain link fence as it currently stands in the Division & Kirkwood Park. The fence measures approximately 85' x 5'. Some sections of the existing fence were found to be in disrepair.

Step I:
Replace this existing fence with a wooden 'privacy' fence measuring approximately 85' x 6'. The new fence will be painted and primed properly to ensure a long life.

In addition to providing a solution to the repair needs of the existing fence, the new fence will serve as a support structure for the completed mural panels which will be mounted onto the new fence.

Notes:
It goes without saying that every proper measure will be taken in the construction of the new fence including any necessary city permits as well as contacting of utility companies before post holes are dug, i.e. 'Call Before You Dig'.

Installation of the new fence also provides a community involvement opportunity for any individuals willing to help construct the fence, and in turn learn a potentially valuable life skill.

Phase II
Mural Design Process

Because this is a community mural, any and all interested members of the community will be welcomed and encouraged to be a part of the design process. The design process will determine **specific imagery** and **themes** of the mural as well as **color schemes** and **composition**. Participants will work directly with Professor Nobiling to learn all necessary techniques and skills related to the design process. Here is how a final mural design will be determined:

Step I: 'Brainstorming'
Using the Studio Art facilities at Wesley College as our 'home base', we will conduct a series of community 'brainstorming' meetings to discover exactly what people would like to see on the completed mural. Participants will get the opportunity to draw, paint, write and verbalize any and all ideas they have during these sessions. Sessions will occur at a to be determined date, 2 - 4 sessions will be sufficient at this stage. All ideas will be recorded.

Step II: 'Refining the design'
At this stage we will begin to synthesize all of the ideas chosen from **Step I** sessions into a cohesive design. Refining will include many edits, and stylistic adjustments. Refining will continue until the participating community members reach a consensus on the final design.

Step III: 'Final Draft'
After Step II is complete, we will create one final draft of the mural design. This draft will be in the form a proportionally accurate small scale rendering of the mural design. This will be submitted to Councilman Sudler and the Parks, Recreation, and Community Enhancement Committee for approval before the execution of the mural takes place.

Notes:
While imagery will be determined 100% by participating members of the community, great care will be taken to ensure the imagery is community and family friendly, and presents no offensive or insulting imagery of any kind.

As a representative of Wesley College, it brings me great joy to have the opportunity to work with the surrounding community in this capacity. Participants will be receiving the same hands on experience and expert Fine Art instruction that I provide for my students each semester.

Phase III
Executing the Mural



Above is a digital rendering of what a completed mural would look like after completion. As noted in **Step III** of **Phase II,** the final design will be determined through community collaboration. The above image is for reference only.

After the final design has been approved, participants will learn how to transfer the design onto specially prepared mural panels. These panels will be prepared and painted at Wesley College under the supervision of Professor Nobiling.

Step I: 'Priming/Sealing'
To ensure proper paint adhesion, as well as a long life, mural panels will be triple primed and stored at Wesley College.

Step II: 'Transferring the Design'
Participants will be shown how to enlarge, and properly transfer the final design to the prepared panels.

Step III: 'Executing the Final Design!'
Participants will complete the painted design onto the prepared panels. After the painting is complete, two layers of u.v. protective varnish will be applied to ensure long lasting bright colors.

Step IV: 'Installation'
Completed mural panels will be secured to the newly installed fence.

Final Notes:
Rather than painting directly onto the fence, painting on separate panels will provide the project with additional flexibility in terms of completion time. Not only will the weather not dictate our work schedule, but panels will be able to be removed for any necessary repairs down the road.

ACTION FORM

PROCEEDING: Parks, Recreation & Community Enhancement Committee
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 7/29/16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning & Community Development
SUBJECT: Update – Residential Appeal Process and Non-Compliant/Non-Conforming Uses/Review of Physical Data
REFERENCE: N/A
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: N/A
EXPENDITURE REQUIRED: $ N/A **AMOUNT BUDGETED**: $ N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: N/A
RECOMMENDED ACTIONS: Accept the proposed phasing of discontinuing nonconforming uses in residential zones.

BACKGROUND AND ANALYSIS

As has been discussed at prior meetings of the Parks, Recreation & Community Enhancement Committee, the Planning Office is creating an inventory of all nonconforming uses in residential zones within the City. The staff has been going out using a mobile GIS application to collect data on the locations of nonconforming uses. Below is a summary of the data collection to date:

Total parcels within residential zones to check: 4333
Checked: 2287 = **53%**
Not checked: 2046 = 47%

Nonconforming uses (not permitted as either permitted or conditional uses) found so far: **113**

- 100 two family/multifamily
- 6 retail/office
- 4 manufactured homes/mobile homes
- 2 off-street parking lots
- 1 stand-alone shed
- 1 membership club not in compliance with the provisions of the *Zoning Ordinance*, Article 3, Section 1.14 (c).

Conditional uses (permitted as conditional uses, but may not have gone through the conditional use process if they predated current zoning) found so far: **124**

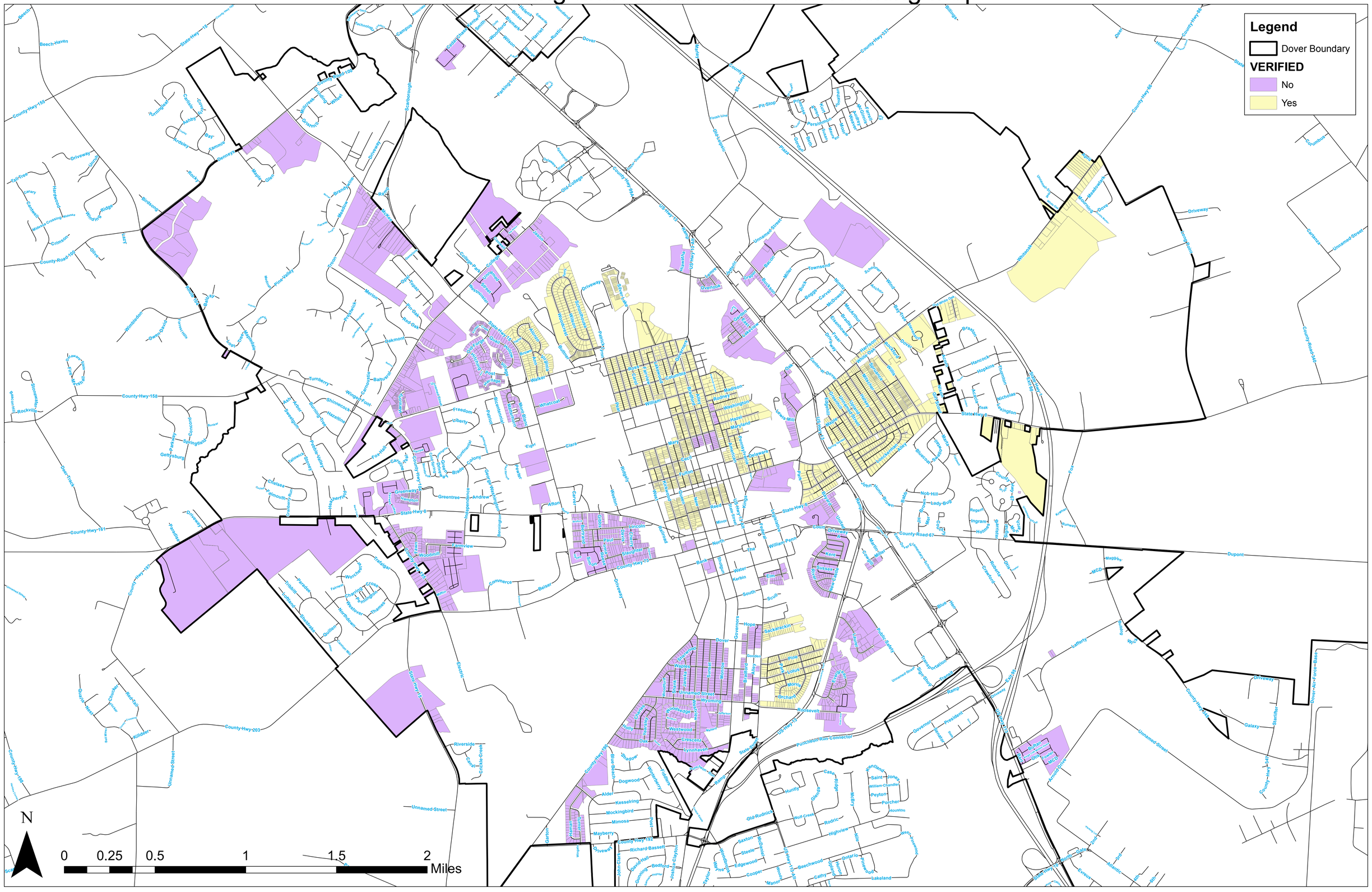
- 79 two family/multifamily
- 25 place of worship properties (note: many places of worship had multiple properties, so this is not representative of how many distinct congregations there are)
- 10 off-street parking lots
- 4 funeral homes
- 2 public utility uses
- 2 offices (conditionally permitted in RG-1 along Route 8)
- 1 daycare/preschool (this one was associated with a church; staff was unable to identify the many home daycares that exist in residential properties)

The Planning Office will continue to collect data until the remaining 2,046 parcels have been checked and we have a full inventory of nonconforming uses and conditional uses within residential zones.

For those nonconforming uses identified to date, the Planning Staff proposes the following:

- Send notice to the property owners of **nonresidential** informing them that they have a nonconforming use and that this use must be brought into conformance with the requirements of the *Zoning Ordinance* by December 31, 2016.
- Send notice to property owners of **registered vacant residential** nonconforming uses informing them that the use must be brought into conformance with the requirements of the *Zoning Ordinance* before the structure can be reoccupied.
- For occupied residential uses, staff recommends that these be phased out over a longer horizon, as they become vacant, so that residents are not displaced.
- For those uses that are allowed as conditional uses, but which may predate the requirement for conditional use approval, staff recommends no action at this time.

Nonconforming and Conditional Uses Tracking Map



Sec. 22.02.006. - Disorderly premises.

A. It shall be unlawful for any owner, owner's agent, manager, caretaker or person occupying a premises to allow, suffer or permit in any residence or upon any premises occupied by himself or herself any conduct which causes public inconvenience, annoyance, alarm to a reasonable person, or disrupts the quiet and good order of adjoining and surrounding properties including, but not limited to, engaging in fighting or in violent, tumultuous, or threatening behavior, making unreasonable noise or an offensively coarse utterance, gesture or display or addressing abusive language to any person present, obstructing vehicular traffic or pedestrian traffic, or creating a hazardous or physically offensive condition which serves no legitimate purpose. Any person who fails to obey the order of a Police Officer to dispel and disperse or otherwise discontinue the disturbing activity may be cited for an additional violation of this Section.

B. In the event that the owner, owner's agent, manager or caretaker of a house, dwelling, or premises where the violation of Subsection A hereof has occurred does not occupy or reside at the property, such individual shall be presumed to allow, suffer or permit such conduct after receiving notice that such conduct has occurred and shall be in violation of this Section if a further violation of Subsection A occurs within one hundred eighty (180) days of receiving said notice.

C. It shall be deemed that notice is properly served upon an owner, owner's agent, manager or caretaker if a copy of such notice is delivered to the owner, owner's agent, manager or caretaker personally or to the registered office of the owner, owner's agent, manager or caretaker or by leaving such notice at the usual place of abode, in the presence of a family member of suitable age and discretion who shall be informed of the contents of such notice or by certified mail addressed to the owner, owner's agent, manager or caretaker at the last known address of such owner, owner's agent, manager or caretaker or the mailing address of the owner of the subject premises as recorded on the County Assessment Records or the Residential Rental Property Registration System. After service of notice such owner, owner's agent, or manager or caretaker shall make a good faith effort to develop a plan of action with the County Law Department and the New Castle County Police Department to prevent further violation of Subsection A.

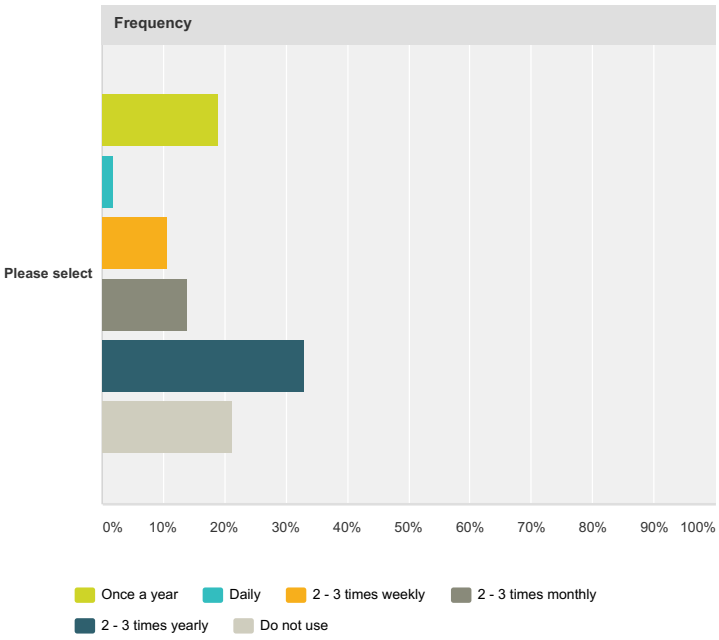
D. Any person convicted of a violation of this Section shall be fined no more than one thousand dollars ($1,000.00) for any offense but no less than one hundred dollars ($100.00) for the first offense, no less than three hundred dollars ($300.00) for the second offense, and no less than five hundred dollars ($500.00) for each subsequent like offense. In any prosecution for an offense under this Section, it shall be an affirmative defense, which must be proved by the preponderance of the evidence, that the occupant has been evicted and is no longer on the premises, or if there is pending at the time of trial an eviction action against the occupant of the premises which action is being pursued in good faith. Otherwise the fines imposed under this Subsection shall not be suspended.

E. This Section shall be enforced by the Police Department.

(Ord. No. 98-050, § 1(22-31), 5-26-1998; Ord. No. 07-101, § 1, 11-27-2007; Ord. No. 10-113, § 1(Exh. A), 1-18-2011; Ord. No. 13-021, § 1, 4-9-2013)

Q1 How often do you/household members participate in a City of Dover activity, league, trip, or program?

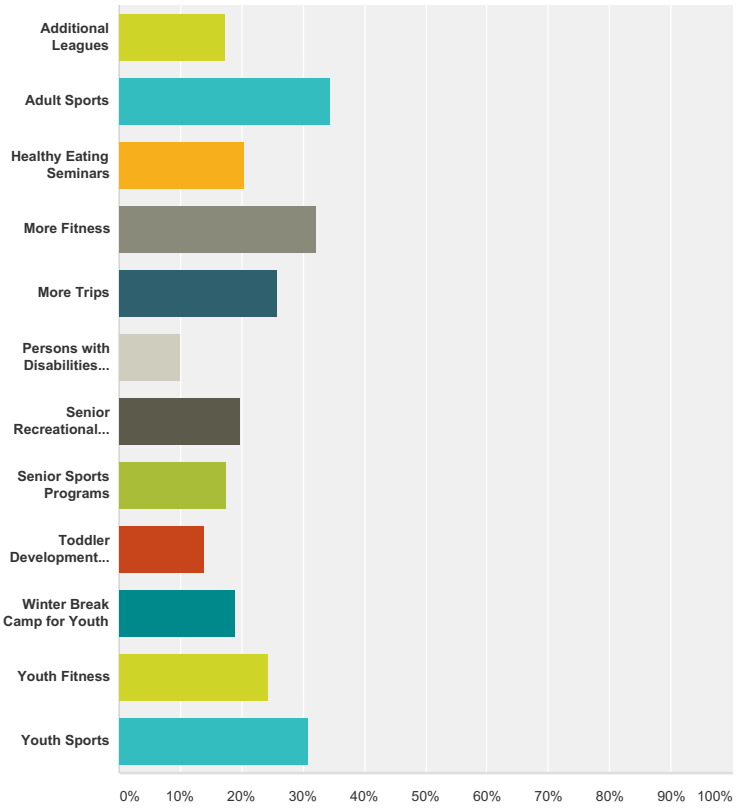
Answered: 478 Skipped: 28



Frequency							
	Once a year	Daily	2 - 3 times weekly	2 - 3 times monthly	2 - 3 times yearly	Do not use	Total
Please select	**19.04%** 91	**1.88%** 9	**10.67%** 51	**14.02%** 67	**33.05%** 158	**21.34%** 102	478

Q2 What programs are you interested in seeing added to the programming schedule?

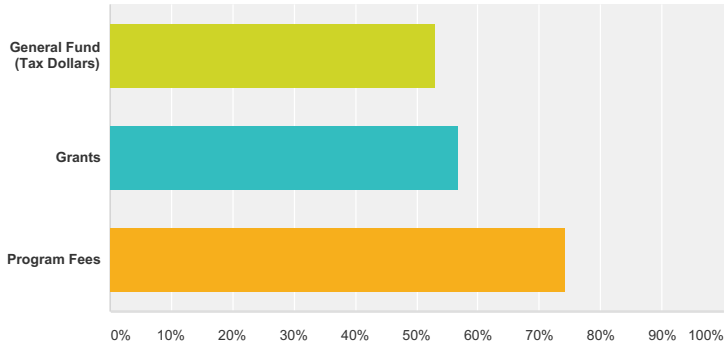
Answered: 446 Skipped: 60



Answer Choices	Responses	
Additional Leagues	17.26%	77
Adult Sports	34.53%	154
Healthy Eating Seminars	20.40%	91
More Fitness	32.06%	143
More Trips	25.78%	115
Persons with Disabilities Programs	10.09%	45
Senior Recreational Programs	19.73%	88
Senior Sports Programs	17.49%	78
Toddler Development Programs	13.90%	62
Winter Break Camp for Youth	19.06%	85
Youth Fitness	24.44%	109
Youth Sports	30.94%	138
Total Respondents: 446		

Q3 How do you feel recreational programs should be funded?

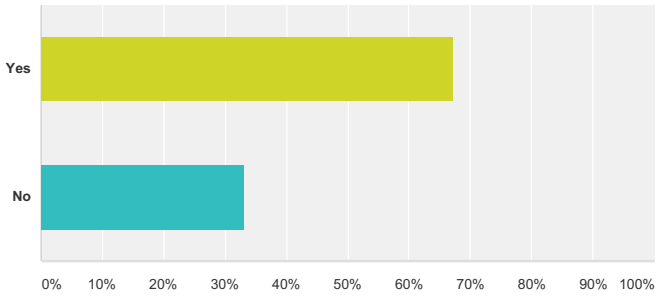
Answered: 477 Skipped: 29



Answer Choices	Responses	
General Fund (Tax Dollars)	**53.04%**	253
Grants	**56.81%**	271
Program Fees	**74.42%**	355
Total Respondents: 477		

Q4 Should City Residents (within the tax district) pay a reduced fee verses non-city residents?

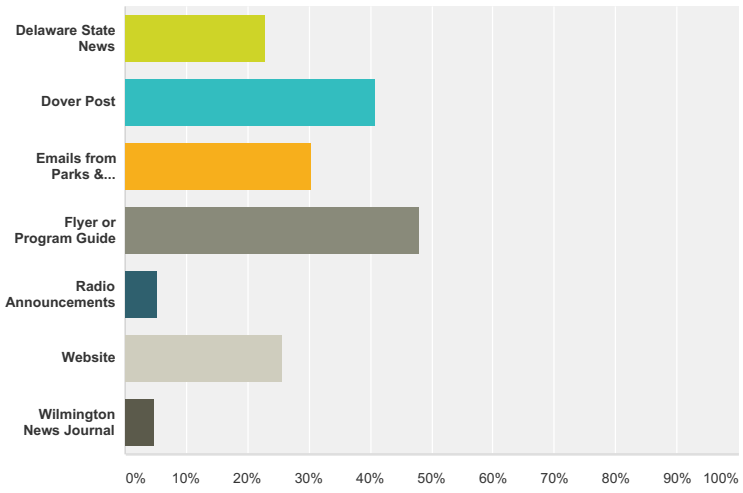
Answered: 488 Skipped: 18



Answer Choices	Responses	
Yes	**67.21%**	328
No	**33.20%**	162
Total Respondents: 488		

Q5 How do you typically hear about our programs?

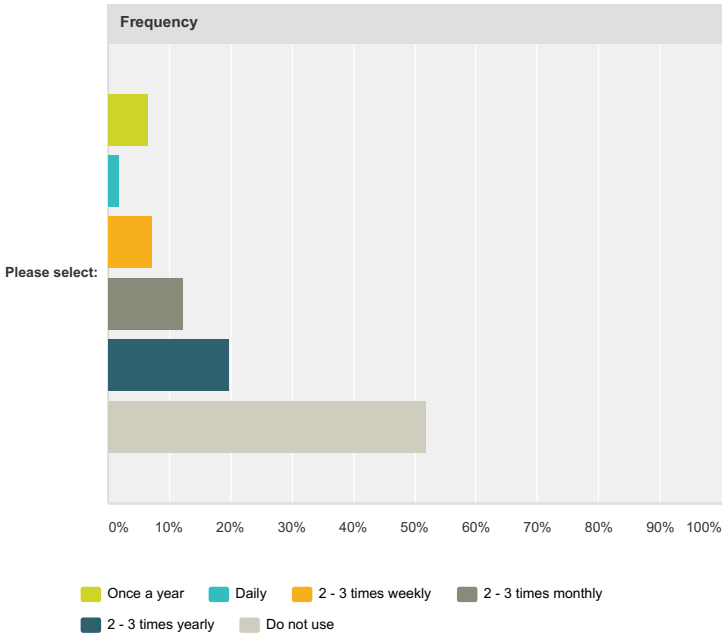
Answered: 452 Skipped: 54



Answer Choices	Responses	
Delaware State News	**23.01%**	104
Dover Post	**40.93%**	185
Emails from Parks & Recreation	**30.53%**	138
Flyer or Program Guide	**48.01%**	217
Radio Announcements	**5.31%**	24
Website	**25.66%**	116
Wilmington News Journal	**4.87%**	22
Total Respondents: 452		

Q6 How often do you/household members visit Dover Park?

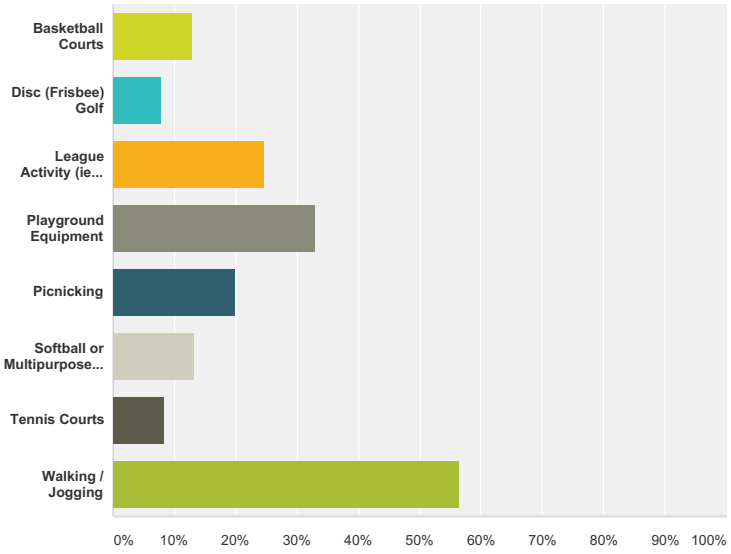
Answered: 448 Skipped: 58



Frequency							
	Once a year	Daily	2 - 3 times weekly	2 - 3 times monthly	2 - 3 times yearly	Do not use	Total
Please select:	**6.70%** 30	**1.79%** 8	**7.37%** 33	**12.28%** 55	**19.87%** 89	**52.01%** 233	448

Q7 What is the nature of your Dover Park visit?

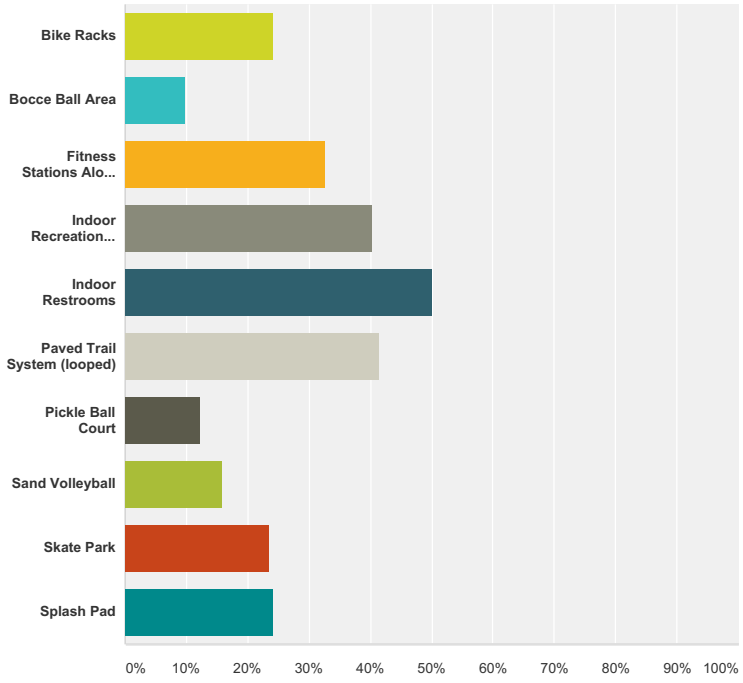
Answered: 239 Skipped: 267



Answer Choices	Responses	
Basketball Courts	**12.97%**	31
Disc (Frisbee) Golf	**7.95%**	19
League Activity (ie: Softball, Field Hockey, etc.)	**24.69%**	59
Playground Equipment	**33.05%**	79
Picnicking	**20.08%**	48
Softball or Multipurpose field	**13.39%**	32
Tennis Courts	**8.37%**	20
Walking / Jogging	**56.49%**	135
Total Respondents: 239		

Q8 What would you like to see at Dover Park?

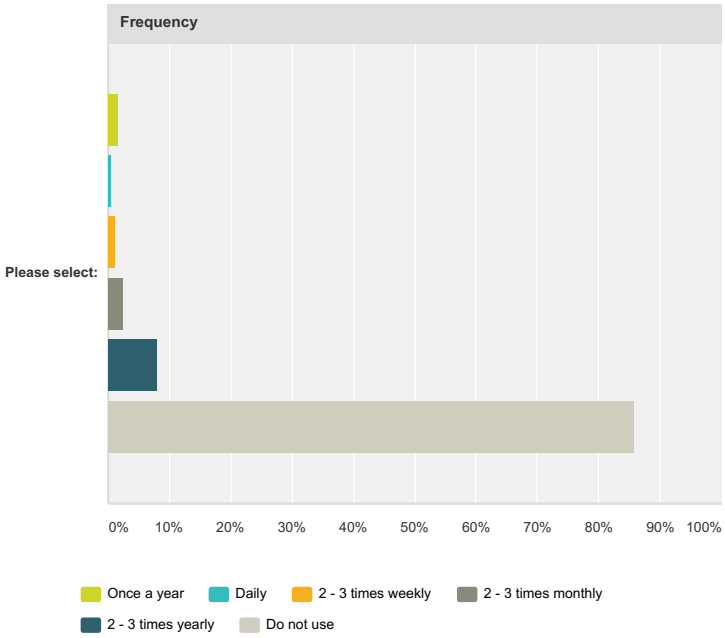
Answered: 323 Skipped: 183



Answer Choices	Responses	
Bike Racks	**24.15%**	78
Bocce Ball Area	**9.91%**	32
Fitness Stations Along Trail	**32.82%**	106
Indoor Recreation Center	**40.25%**	130
Indoor Restrooms	**50.15%**	162
Paved Trail System (looped)	**41.49%**	134
Pickle Ball Court	**12.38%**	40
Sand Volleyball	**15.79%**	51
Skate Park	**23.53%**	76
Splash Pad	**24.15%**	78
Total Respondents: 323		

Q9 How often do you/household members visit New Street park?

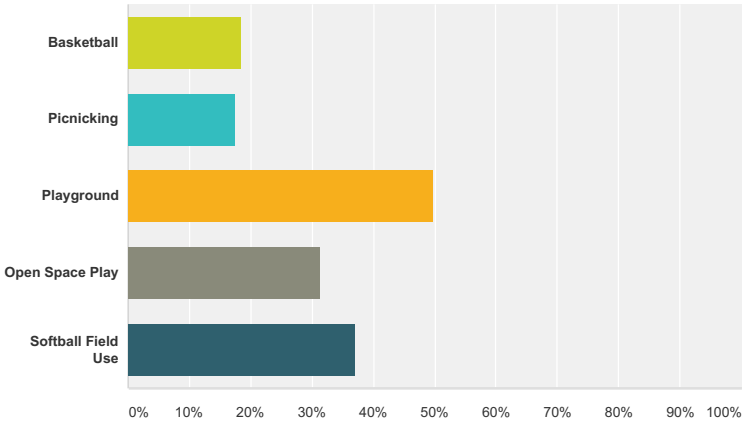
Answered: 443 Skipped: 63



Frequency							
	Once a year	Daily	2 - 3 times weekly	2 - 3 times monthly	2 - 3 times yearly	Do not use	Total
Please select:	**1.58%** 7	**0.68%** 3	**1.35%** 6	**2.48%** 11	**8.13%** 36	**85.78%** 380	443

Q10 What is the nature of your New Street Park visit?

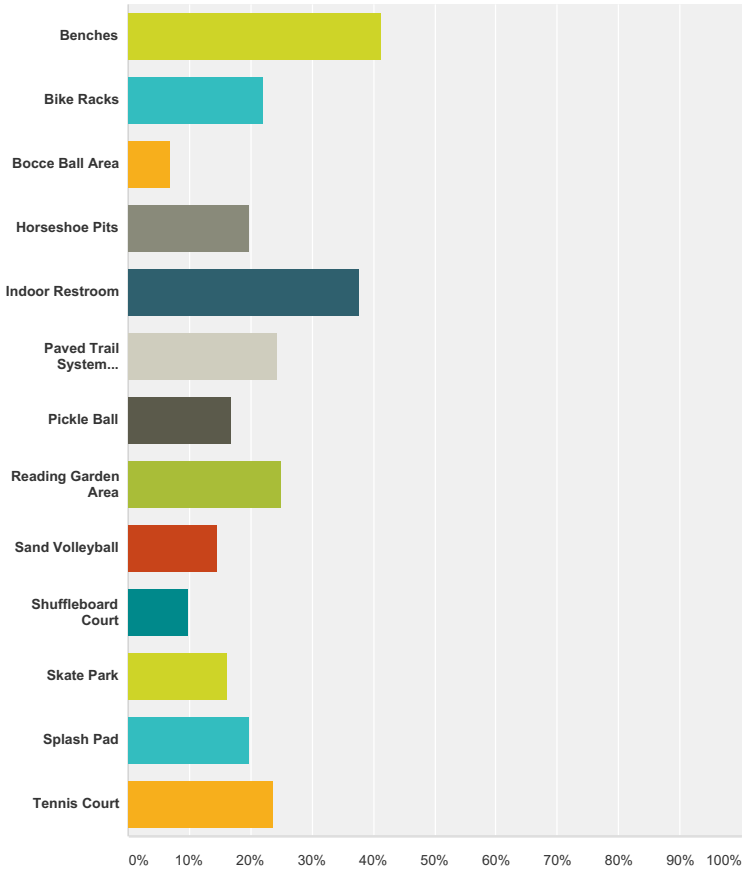
Answered: 86 Skipped: 420



Answer Choices	Responses	
Basketball	**18.60%**	16
Picnicking	**17.44%**	15
Playground	**50.00%**	43
Open Space Play	**31.40%**	27
Softball Field Use	**37.21%**	32
Total Respondents: 86		

Q11 What would you like to see at New Street Park?

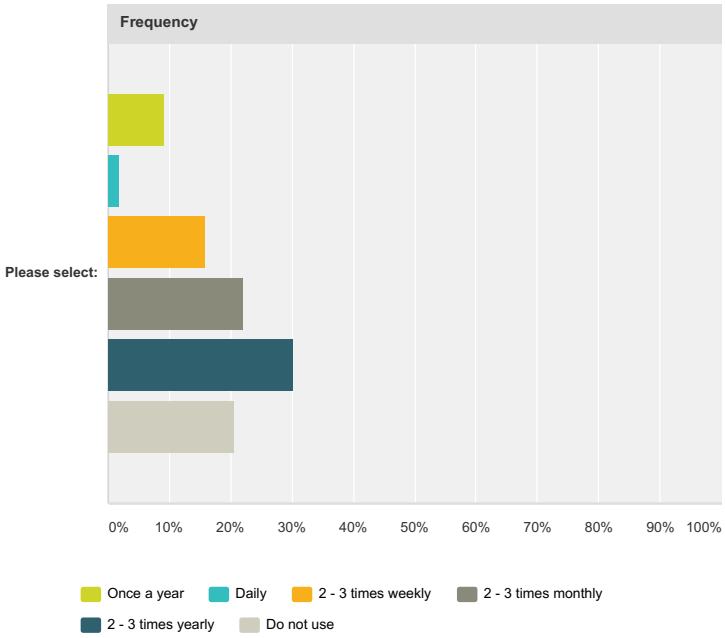
Answered: 172 Skipped: 334



Answer Choices	Responses	
Benches	**41.28%**	71
Bike Racks	**22.09%**	38
Bocce Ball Area	**6.98%**	12
Horseshoe Pits	**19.77%**	34
Indoor Restroom	**37.79%**	65
Paved Trail System w/Fitness Stations	**24.42%**	42
Pickle Ball	**16.86%**	29
Reading Garden Area	**25.00%**	43
Sand Volleyball	**14.53%**	25
Shuffleboard Court	**9.88%**	17
Skate Park	**16.28%**	28
Splash Pad	**19.77%**	34
Tennis Court	**23.84%**	41
Total Respondents: 172		

Q12 How often do you/household members visit Schutte Park?

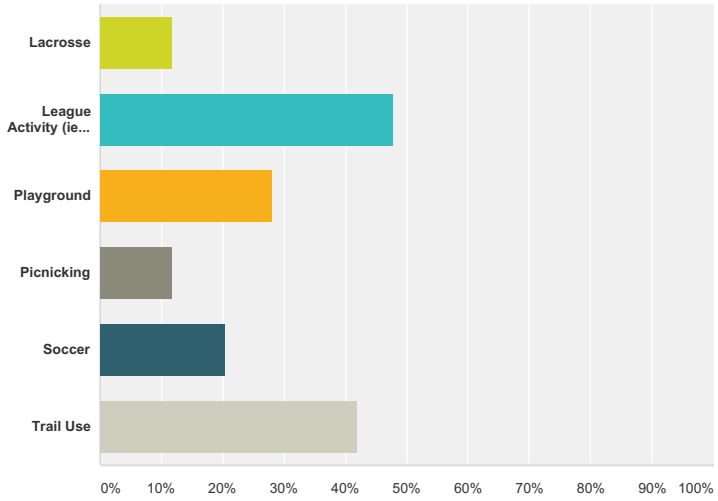
Answered: 434 Skipped: 72



Frequency							
	Once a year	Daily	2 - 3 times weekly	2 - 3 times monthly	2 - 3 times yearly	Do not use	Total
Please select:	**9.22%** 40	**1.84%** 8	**15.90%** 69	**22.12%** 96	**30.18%** 131	**20.74%** 90	 434

Q13 What is the nature of your Schutte Park visit?

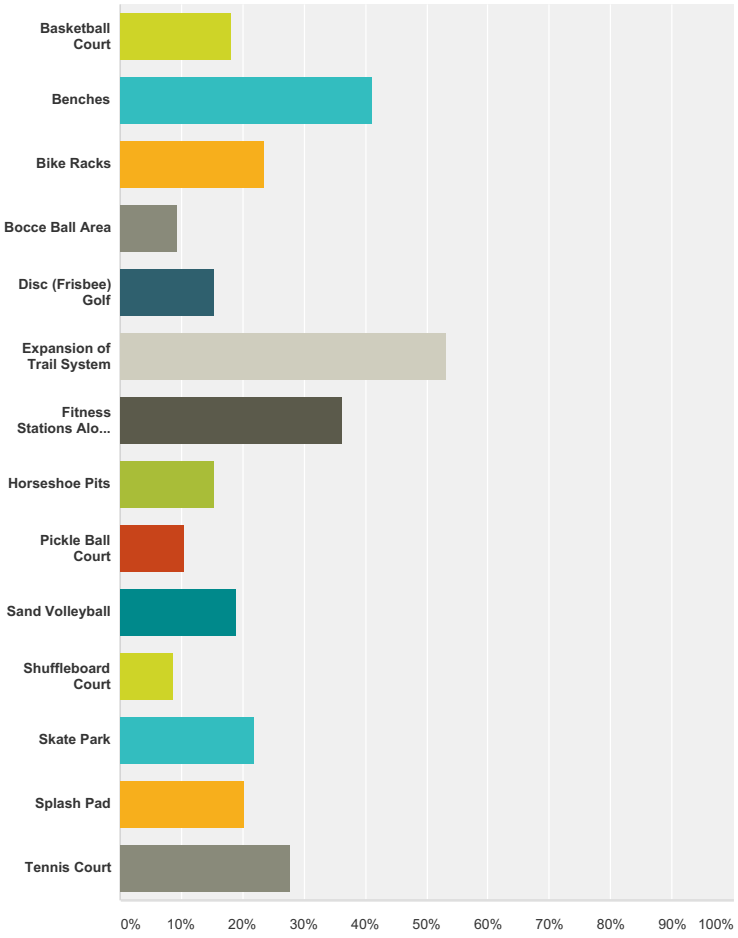
Answered: 329 Skipped: 177



Answer Choices	Responses	
Lacrosse	**11.85%**	39
League Activity (ie: Softball, Field Hockey, etc)	**47.72%**	157
Playground	**28.27%**	93
Picnicking	**11.85%**	39
Soccer	**20.36%**	67
Trail Use	**41.95%**	138
Total Respondents: 329		

Q14 What would you like to see at Schutte Park?

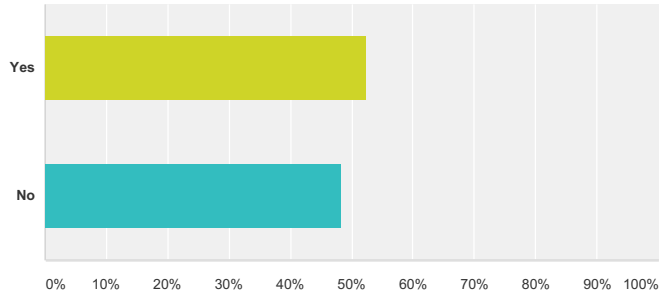
Answered: 364 Skipped: 142



Answer Choices	Responses	
Basketball Court	18.13%	66
Benches	41.21%	150
Bike Racks	23.63%	86
Bocce Ball Area	9.34%	34
Disc (Frisbee) Golf	15.38%	56
Expansion of Trail System	53.30%	194
Fitness Stations Along Trail	36.26%	132
Horseshoe Pits	15.38%	56
Pickle Ball Court	10.44%	38
Sand Volleyball	18.96%	69
Shuffleboard Court	8.79%	32
Skate Park	21.98%	80
Splash Pad	20.33%	74
Tennis Court	27.75%	101
Total Respondents: 364		

Q15 Do you visit the John W. Pitts Recreation Center (JWP)?

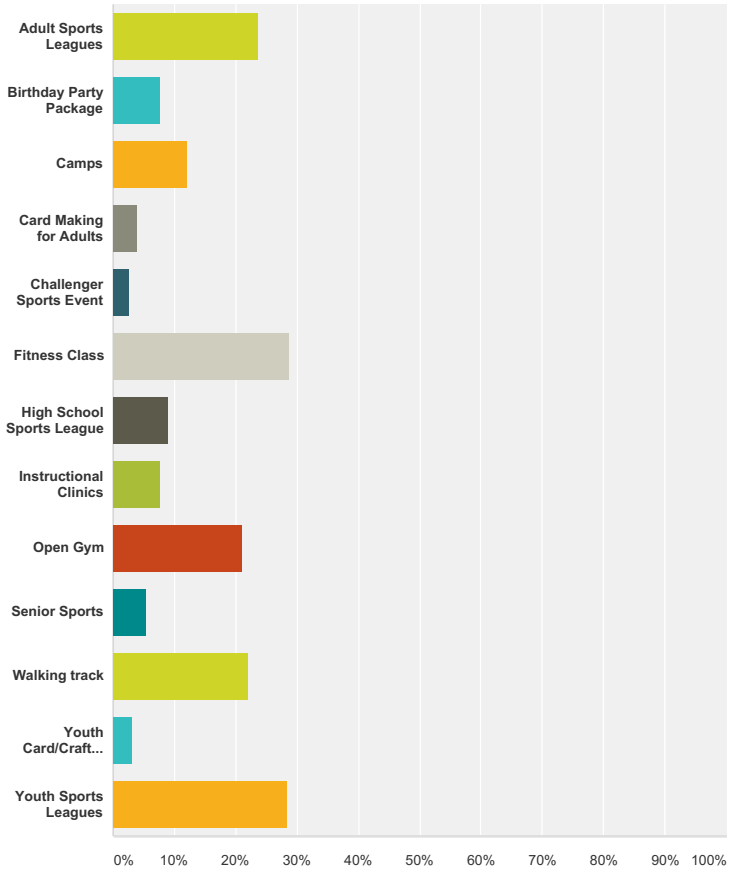
Answered: 422 Skipped: 84



Answer Choices	Responses	
Yes	**52.37%**	221
No	**48.34%**	204
Total Respondents: 422		

Q16 If Yes, to visiting the JWP, what is the nature of your visit?

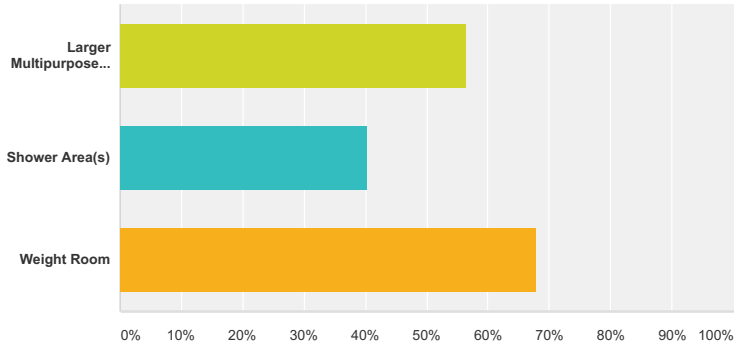
Answered: 222 Skipped: 284



Answer Choices	Responses	
Adult Sports Leagues	23.87%	53
Birthday Party Package	7.66%	17
Camps	12.16%	27
Card Making for Adults	4.05%	9
Challenger Sports Event	2.70%	6
Fitness Class	28.83%	64
High School Sports League	9.01%	20
Instructional Clinics	7.66%	17
Open Gym	21.17%	47
Senior Sports	5.41%	12
Walking track	22.07%	49
Youth Card/Craft Making	3.15%	7
Youth Sports Leagues	28.38%	63
Total Respondents: 222		

Q17 What would you like to see added to JWP?

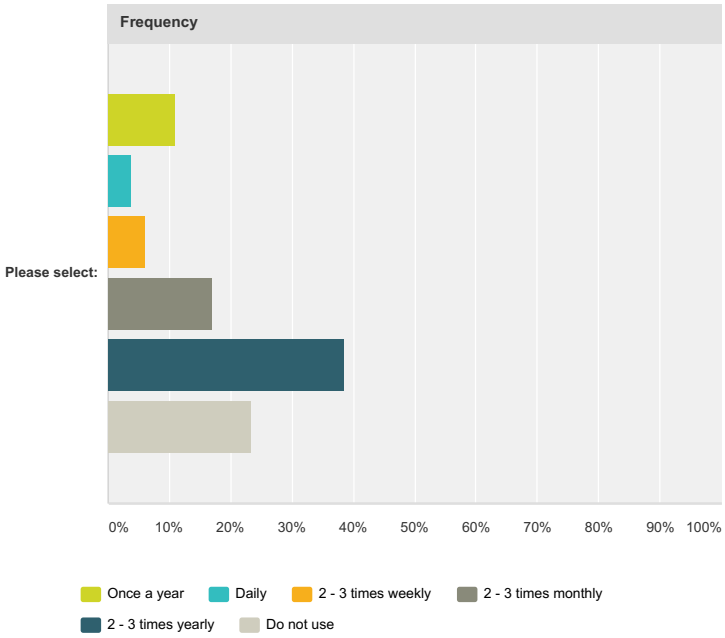
Answered: 196 Skipped: 310



Answer Choices	Responses	
Larger Multipurpose Room(s)	**56.63%**	111
Shower Area(s)	**40.31%**	79
Weight Room	**67.86%**	133
Total Respondents: 196		

Q18 How often do you/members of your household visit Silver Lake Park?

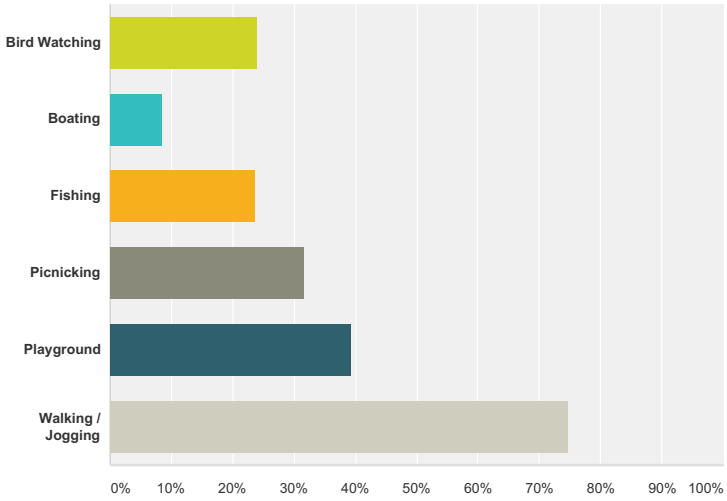
Answered: 432 Skipped: 74



Frequency							
	Once a year	Daily	2 - 3 times weekly	2 - 3 times monthly	2 - 3 times yearly	Do not use	Total
Please select:	**11.11%** 48	**3.70%** 16	**6.02%** 26	**17.13%** 74	**38.66%** 167	**23.38%** 101	432

Q19 What is the nature of your Silver Lake visit?

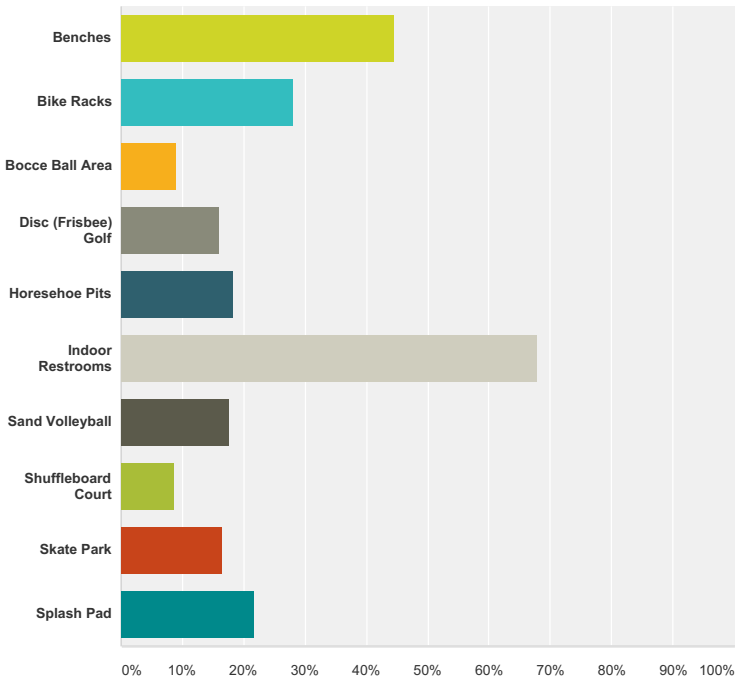
Answered: 337 Skipped: 169



Answer Choices	Responses	
Bird Watching	**24.04%**	81
Boating	**8.61%**	29
Fishing	**23.74%**	80
Picnicking	**31.75%**	107
Playground	**39.47%**	133
Walking / Jogging	**74.78%**	252
Total Respondents: 337		

Q20 What would you like to see at Silver Lake?

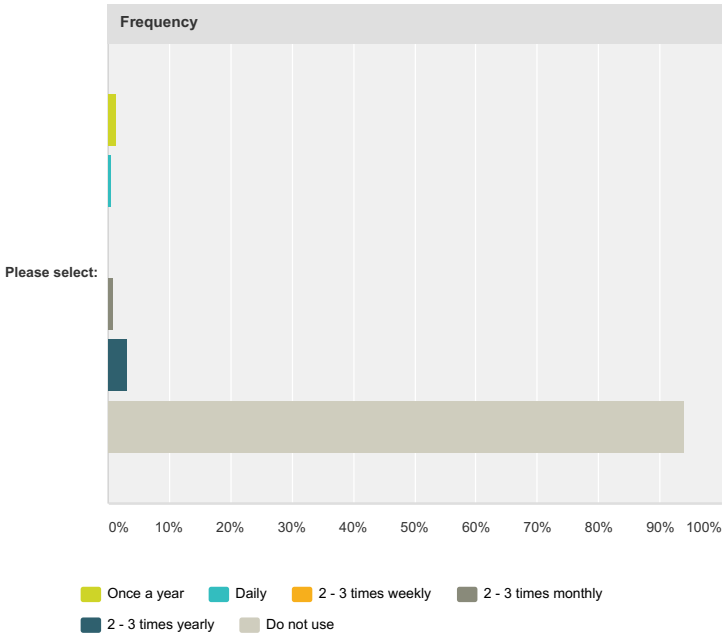
Answered: 298 Skipped: 208



Answer Choices	Responses	
Benches	**44.63%**	133
Bike Racks	**28.19%**	84
Bocce Ball Area	**9.06%**	27
Disc (Frisbee) Golf	**16.11%**	48
Horesehoe Pits	**18.46%**	55
Indoor Restrooms	**67.79%**	202
Sand Volleyball	**17.79%**	53
Shuffleboard Court	**8.72%**	26
Skate Park	**16.44%**	49
Splash Pad	**21.81%**	65
Total Respondents: 298		

Q21 How often do you/household members visit Williams Park?

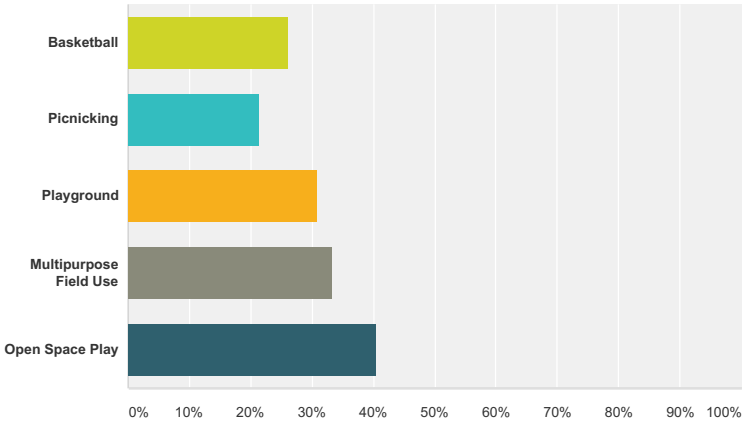
Answered: 428 Skipped: 78



Frequency							
	Once a year	Daily	2 - 3 times weekly	2 - 3 times monthly	2 - 3 times yearly	Do not use	Total
Please select:	**1.40%** 6	**0.70%** 3	**0.00%** 0	**0.93%** 4	**3.04%** 13	**93.93%** 402	428

Q22 What is the nature of your Williams Park visit?

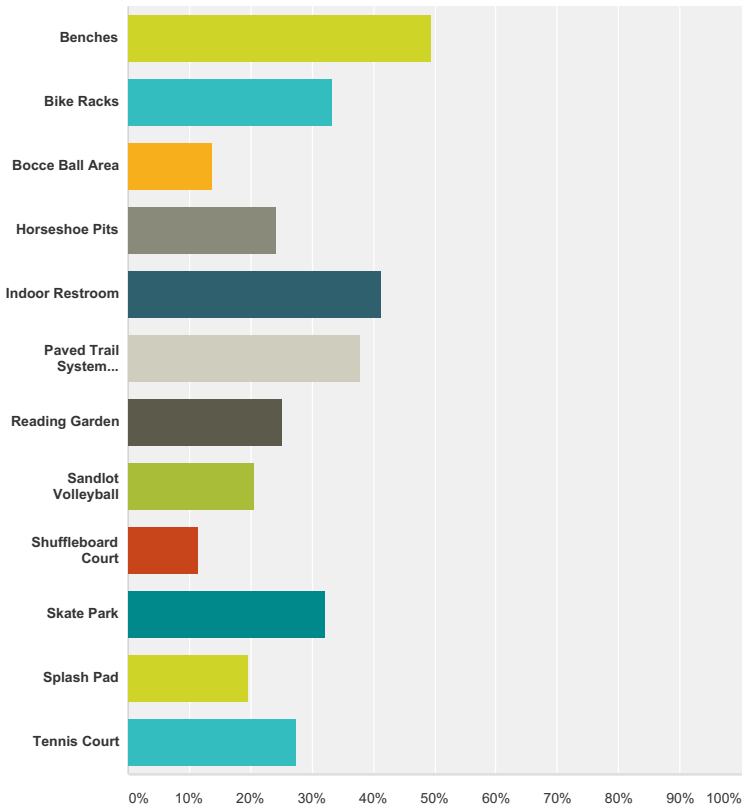
Answered: 42 Skipped: 464



Answer Choices	Responses	
Basketball	**26.19%**	11
Picnicking	**21.43%**	9
Playground	**30.95%**	13
Multipurpose Field Use	**33.33%**	14
Open Space Play	**40.48%**	17
Total Respondents: 42		

Q23 What would you like to see at Williams Park?

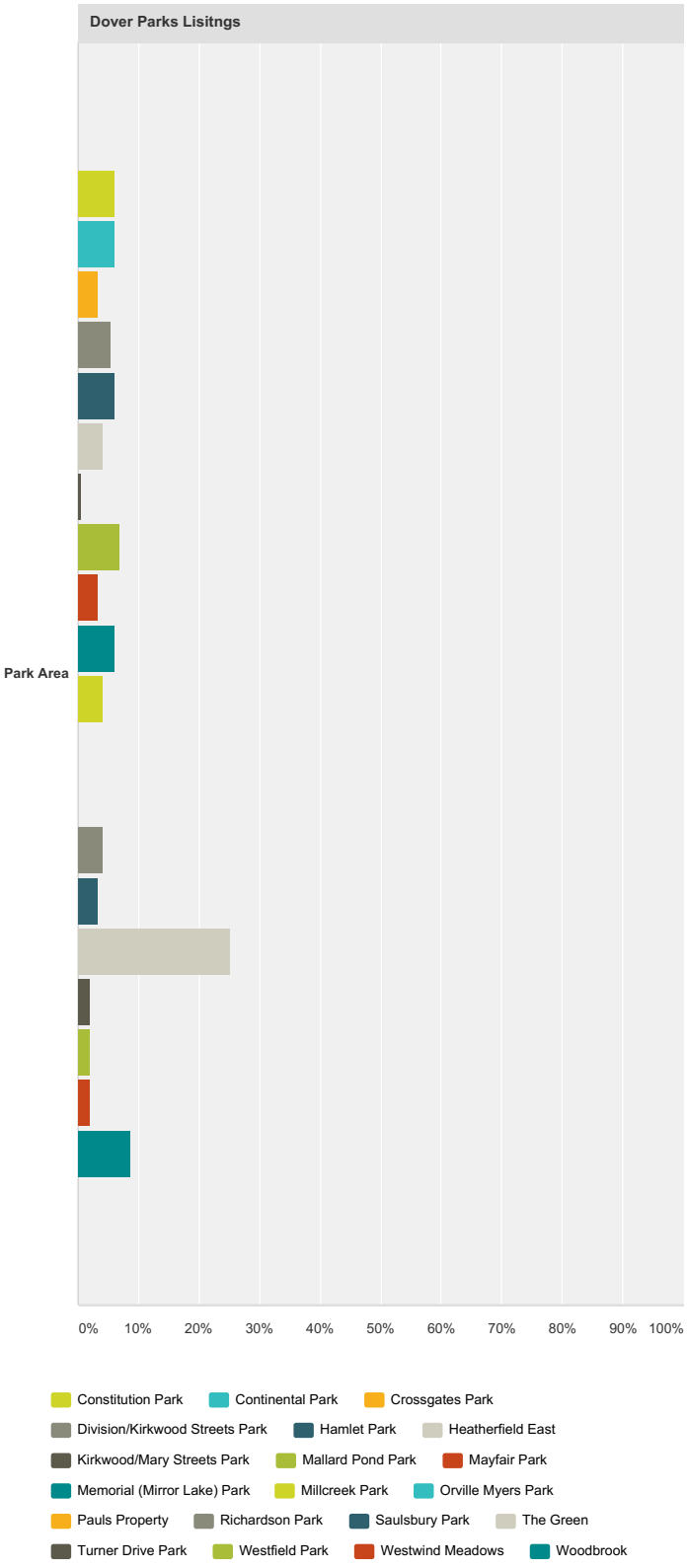
Answered: 87 Skipped: 419



Answer Choices	Responses	
Benches	**49.43%**	43
Bike Racks	**33.33%**	29
Bocce Ball Area	**13.79%**	12
Horseshoe Pits	**24.14%**	21
Indoor Restroom	**41.38%**	36
Paved Trail System w/Fitness Stations	**37.93%**	33
Reading Garden	**25.29%**	22
Sandlot Volleyball	**20.69%**	18
Shuffleboard Court	**11.49%**	10
Skate Park	**32.18%**	28
Splash Pad	**19.54%**	17
Tennis Court	**27.59%**	24
Total Respondents: 87		

Q24 Where is your neighborhood park located that you are providing feedback?

Answered: 147 Skipped: 359



Dover Parks Lisitngs

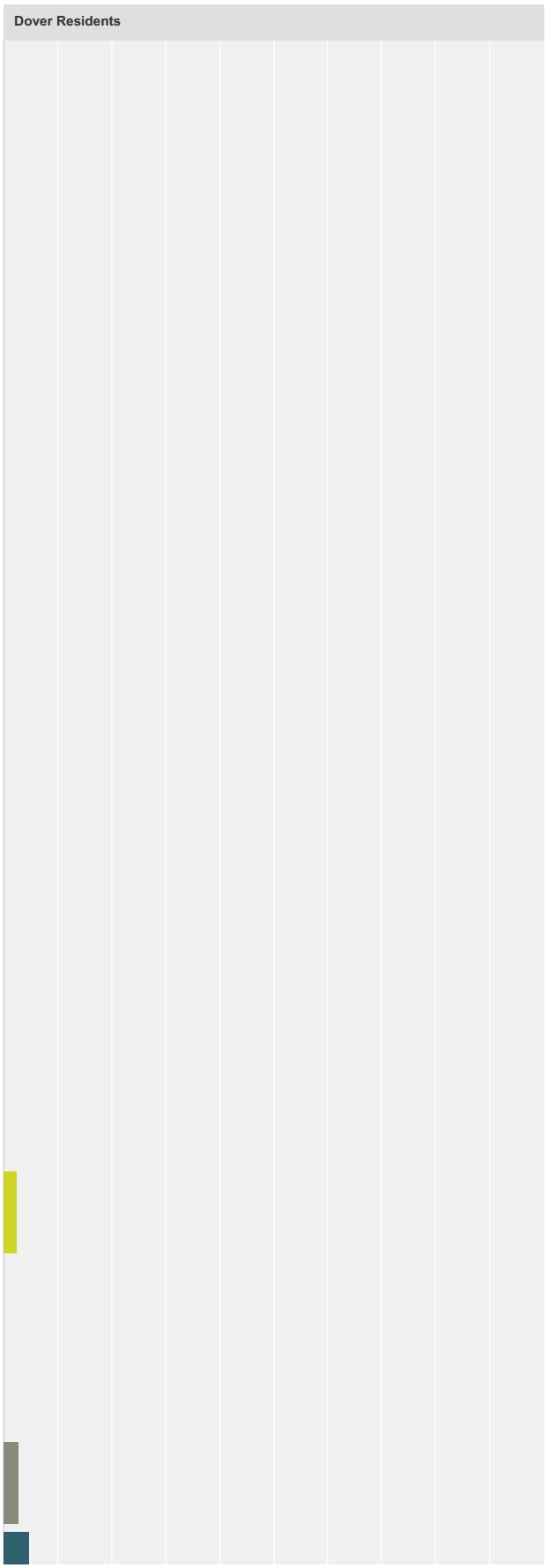
	Constitution Park	Continental Park	Crossgates Park	Division/Kirkwood Streets Park	Hamlet Park	Heatherfield East	Kirkwood/Mary Streets Park	Mallard Pond Park	Mayfair Park	Memorial (Mirror Lake) Park	Millcreek Park	Orville Myers Park	Pauls Property	Richardson Park	Sa Pa
Park Area	**6.12%** 9	**6.12%** 9	**3.40%** 5	**5.44%** 8	**6.12%** 9	**4.08%** 6	**0.68%** 1	**6.80%** 10	**3.40%** 5	**6.12%** 9	**4.08%** 6	**0.00%** 0	**0.00%** 0	**4.08%** 6	

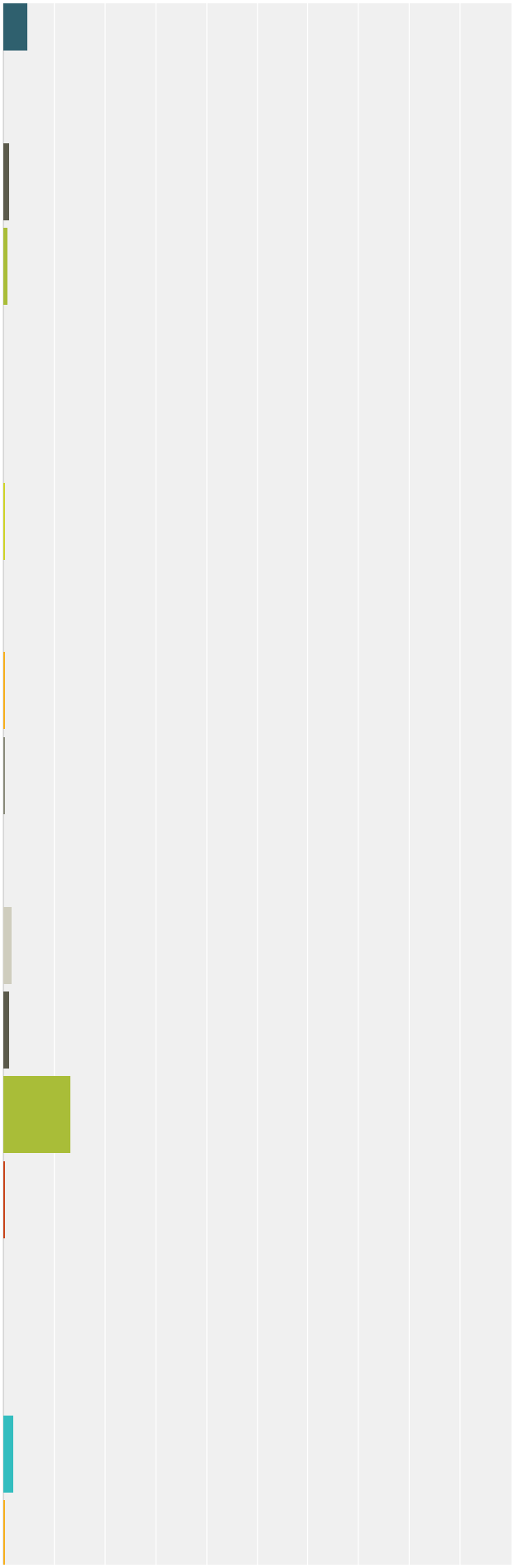
Q25 What feedback would like to offer on the park you selected?

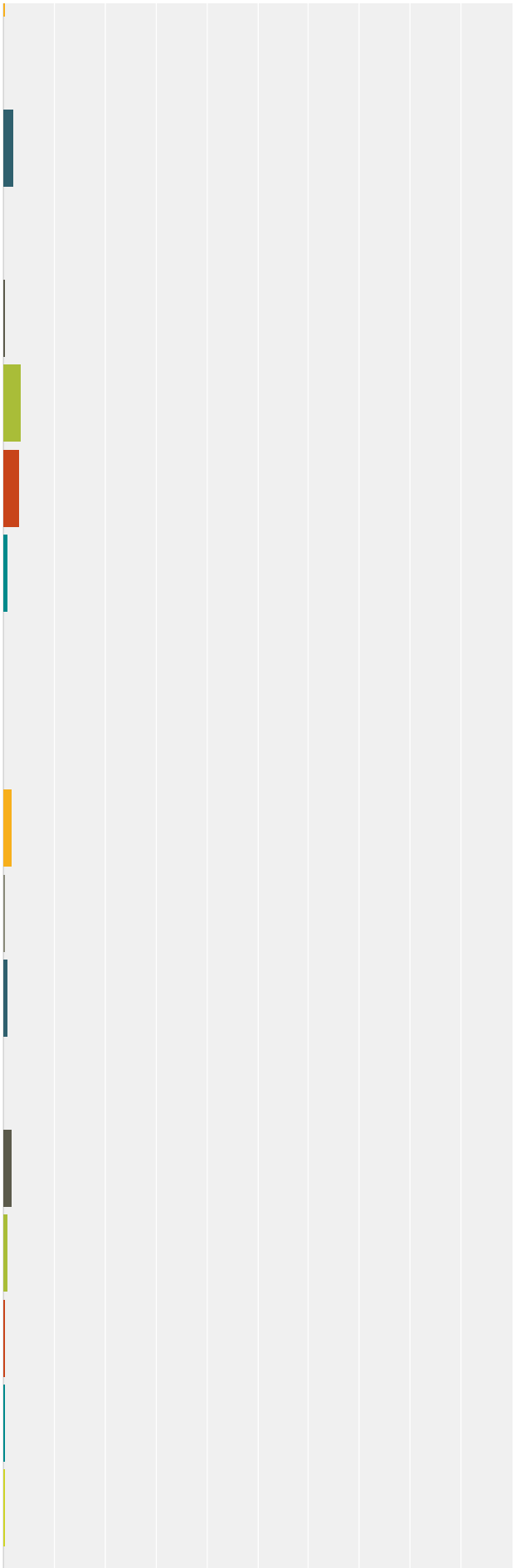
Answered: 89 Skipped: 417

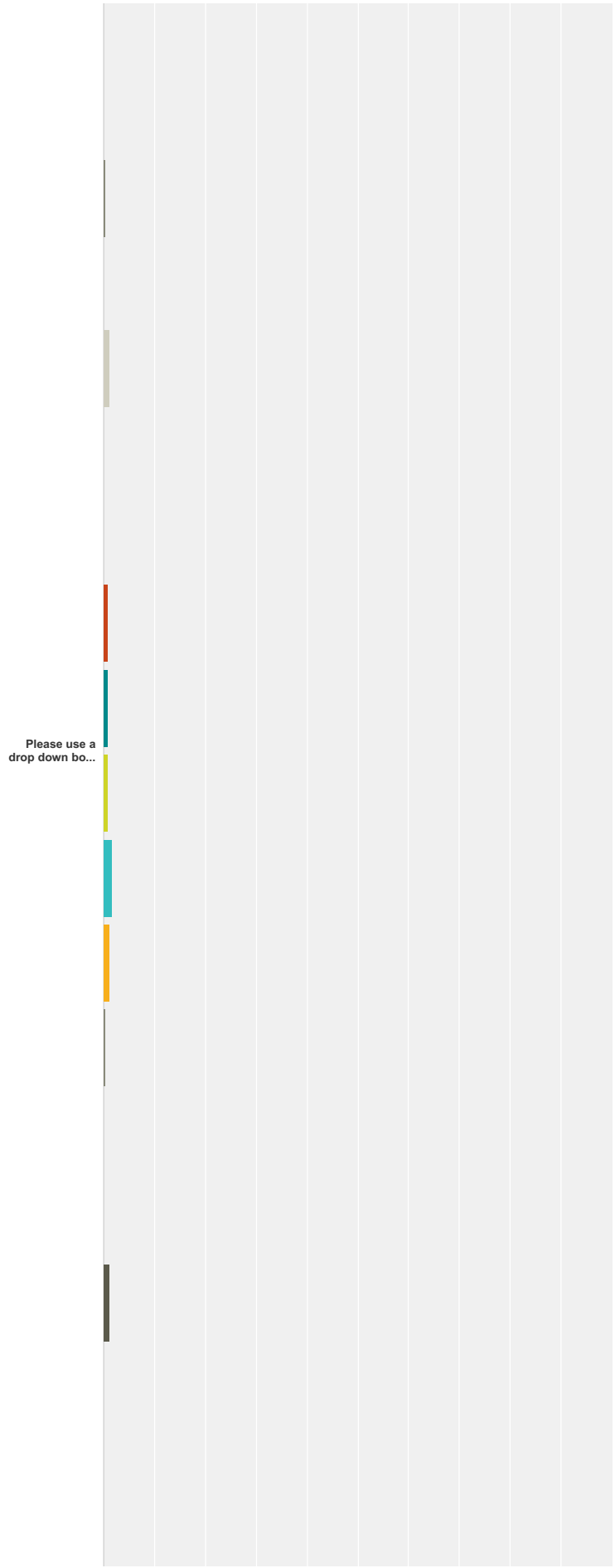
Q26 Where do you live?

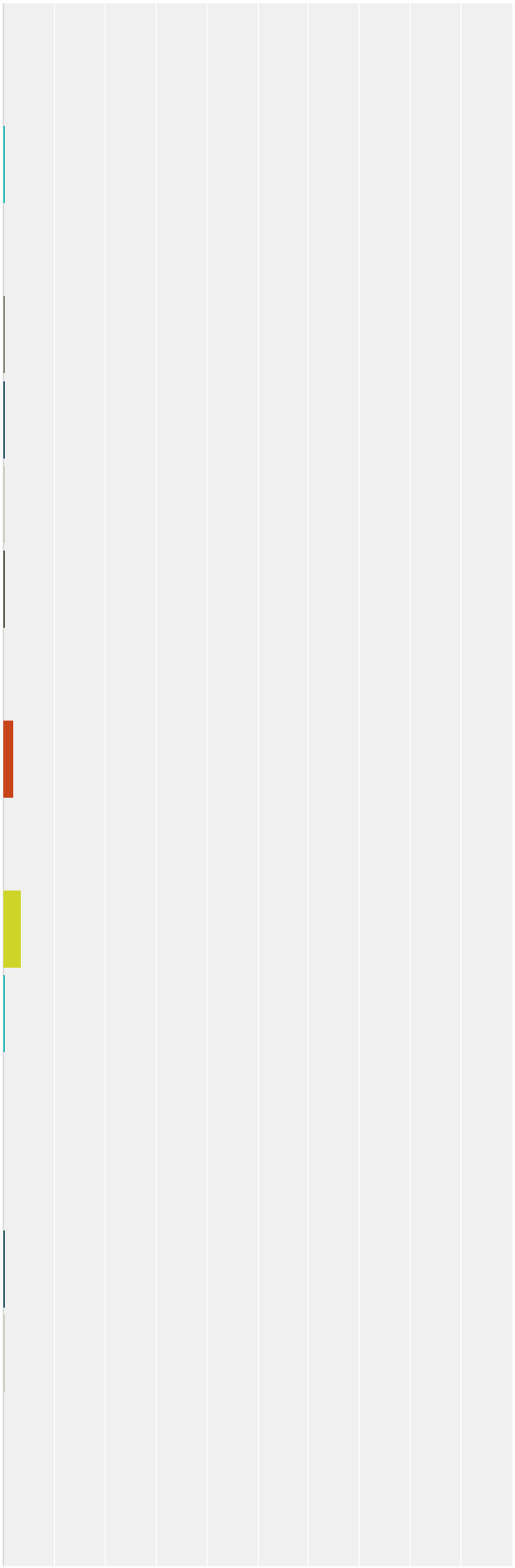
Answered: 403 Skipped: 103

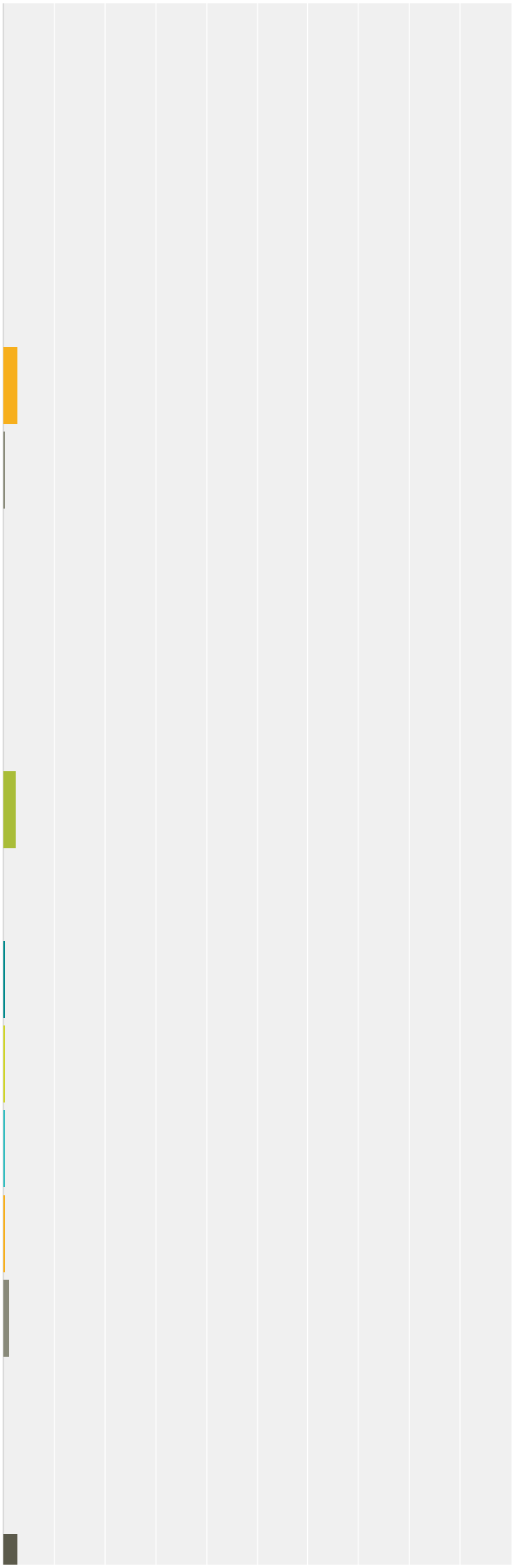


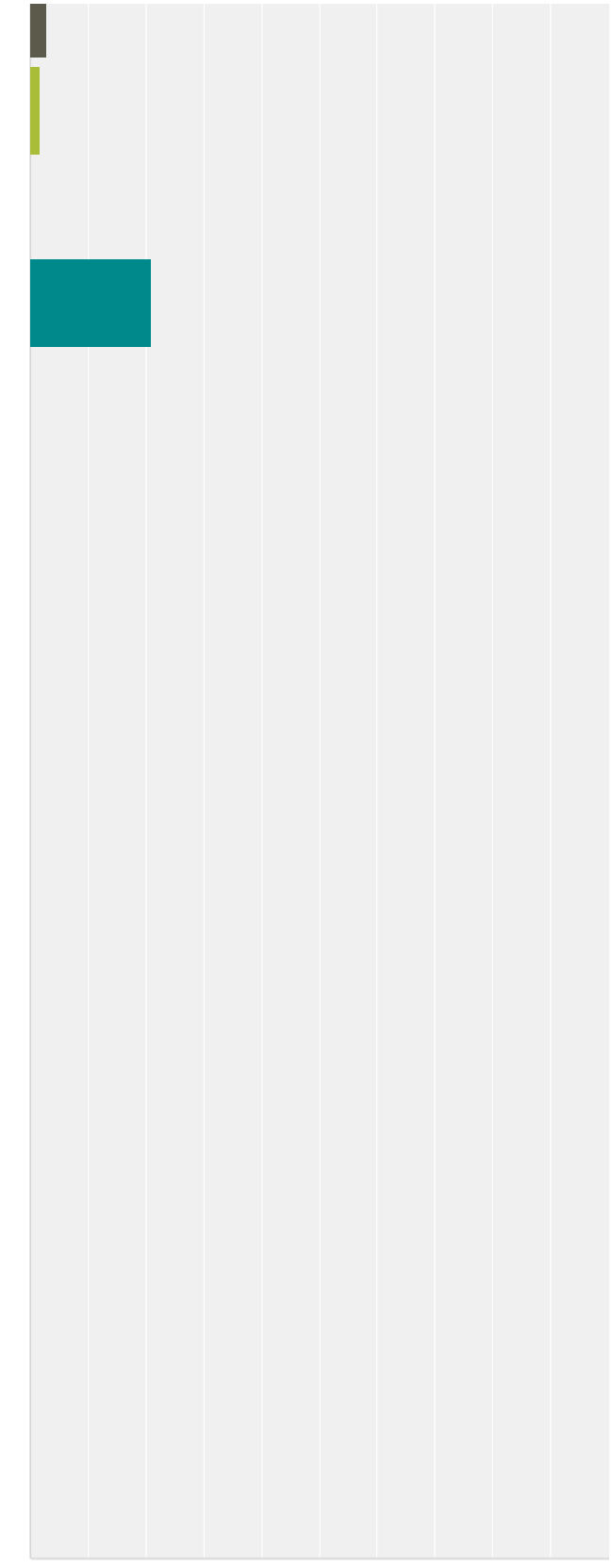




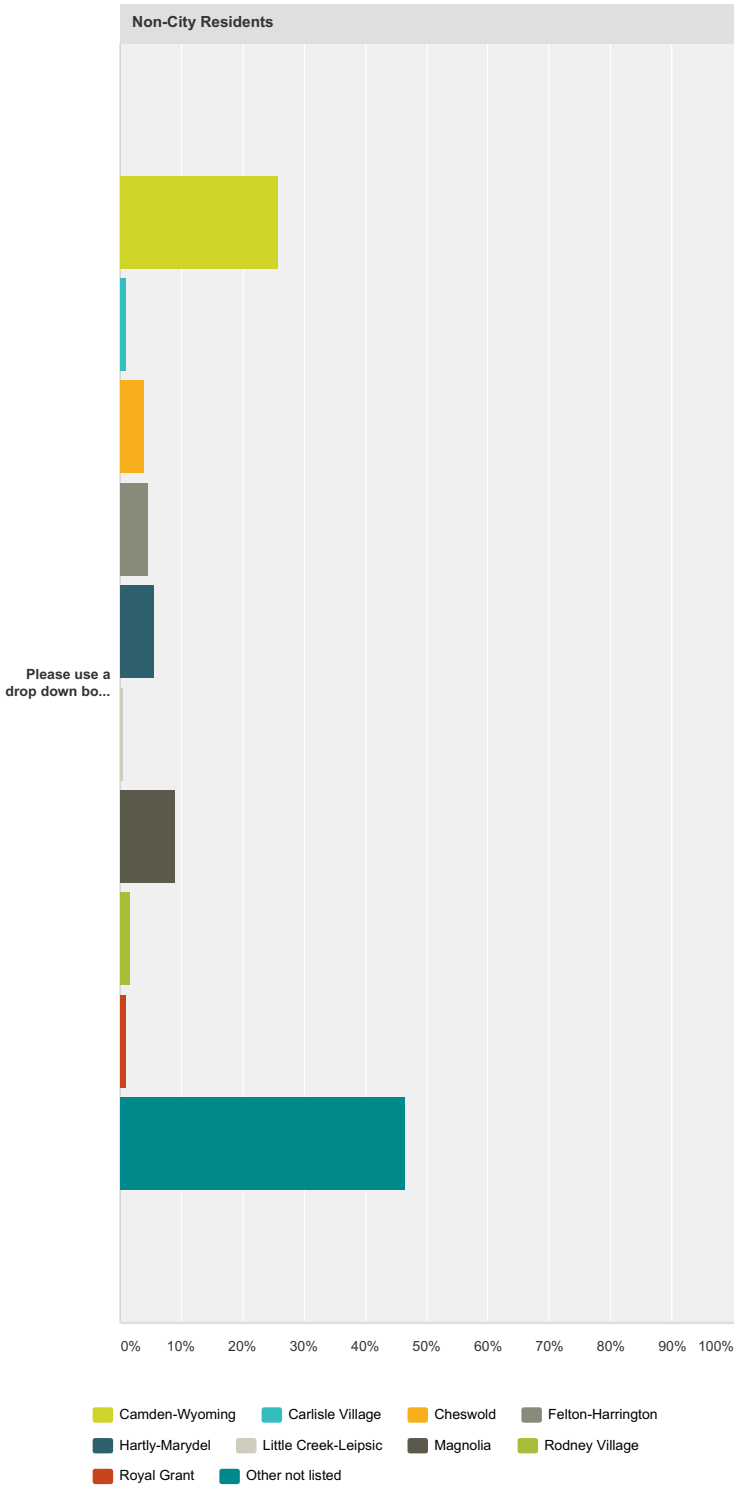

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Acorn Farms
Baltray
Barrister Place
Bay Tree
Bicentennial Village
Blue Hen Apartments
Brandywine Apartments
Cannon Mill
Capital Green
Cedar Chase Apartments
Chatham Court Apartments
Clearfield Apartments
Clearview Meadow
Country Club Apartments
Country Village Apartments
Cranberry Run
Crossgates
Downtown Dover
Dover East Mobile Home Park
East Lake Gardens
Eden Hill Farm
Edgehill
Emerald Pointe


English Village
Fairview
Farthing Woods
Four Seasons
Fox Hall
Fox Hall West
Fox Hall West Addition
Fox Meadows
Governors Square Apartments
Greens of Dover
Hampton Square
Heatherfield
Heatherfield East
Hidden Creek
Hidden Oaks
Independence Village
Kings Cliff Mobile Home Park
Lake Club Apartments
Lexington Glen
Liberty Court
Lincoln Park
Lynnhaven
Mallard Pond
Manchester Square
Maple Glen
Mapleton Square
Marsh Creek
Mayfair
Meadows at Dover
Millcreek
Morris Estate
Morris Estates 2
Northwest Dover Heights
Nottingham Meadows
Oak Shadows
Oakmont park
Oakridge
Patriot Village
Persimmon Park Place
Pine Grove Apartments
Pine Grove Farms South
Presidential Courts
Retreat
River Chase Apartments
Riverside Mobile Home Park
Schoolview
Seskinore
Sherwood
Sherwood 2
Silver Lake Overlook
Silver Lake Townhouses
Silver Mill Apartments
Simon Circle
Somerset Park
Stonebrook East
Stonebrook West
Stoney Creek
Stover
The Beeches
The Hamlet
Towne Point
Towne Point Apartments
Turnberry
University Courtyard
Village of Westover
Vondaway
Walker Woods
Wedgewood
Westfield
Westminster
White Oak Farms
White Oak Farms Apartments
Wild Meadows
Woodbrook
Woodcrest
Woodmill Apartments
Other not listed



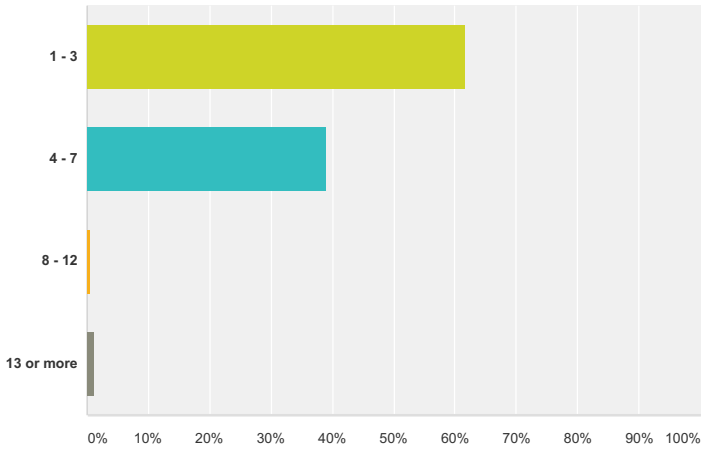
Dover Residents

	Acorn Farms	Baltray	Barrister Place	Bay Tree	Bicentennial Village	Blue Hen Apartments	Brandywine Apartments	Cannon Mill	Capital Green	Cedar Chase Apartments	Chatham Court Apartments	Clearfield Apartments	Clearview Meadow	Country Club Apartments	Country Village Apartments
Please use a drop down box to select where you live.	**2.42%** 6	**0.00%** 0	**0.00%** 0	**2.82%** 7	**4.84%** 12	**0.00%** 0	**1.21%** 3	**0.81%** 2	**0.00%** 0	**0.00%** 0	**0.40%** 1	**0.00%** 0	**0.40%** 1	**0.40%** 1	**0.00%** 0

Non-City Residents											
	Camden-Wyoming	Carlisle Village	Cheswold	Felton-Harrington	Hartly-Marydel	Little Creek-Leipsic	Magnolia	Rodney Village	Royal Grant	Other not listed	Total
Please use a drop down box to select where you live.	**25.84%** 46	**1.12%** 2	**3.93%** 7	**4.49%** 8	**5.62%** 10	**0.56%** 1	**8.99%** 16	**1.69%** 3	**1.12%** 2	**46.63%** 83	178

Q27 How many are in your household?

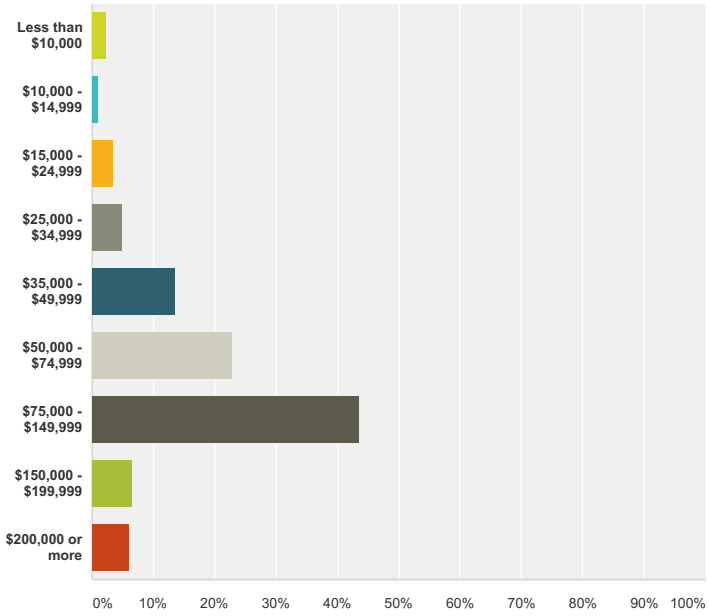
Answered: 413 Skipped: 93



Answer Choices	Responses	
1 - 3	**61.74%**	255
4 - 7	**38.98%**	161
8 - 12	**0.73%**	3
13 or more	**1.21%**	5
Total Respondents: 413		

Q28 What is your HOUSEHOLD income?

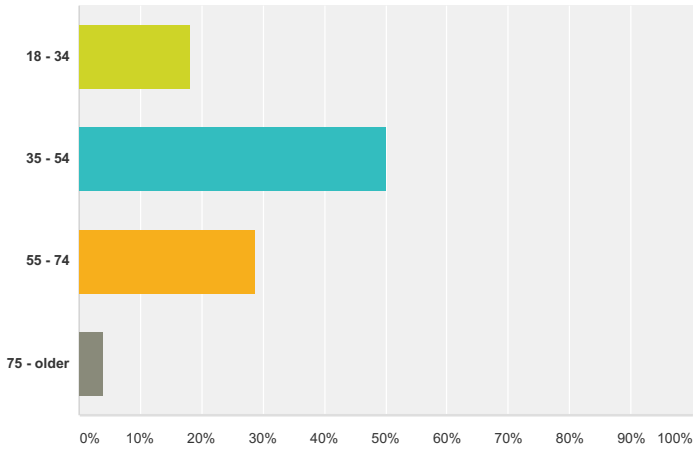
Answered: 362 Skipped: 144



Answer Choices	Responses	
Less than $10,000	**2.21%**	8
$10,000 - $14,999	**1.10%**	4
$15,000 - $24,999	**3.59%**	13
$25,000 - $34,999	**4.97%**	18
$35,000 - $49,999	**13.54%**	49
$50,000 - $74,999	**22.93%**	83
$75,000 - $149,999	**43.65%**	158
$150,000 - $199,999	**6.63%**	24
$200,000 or more	**6.08%**	22
Total Respondents: 362		

Q29 What is your age?

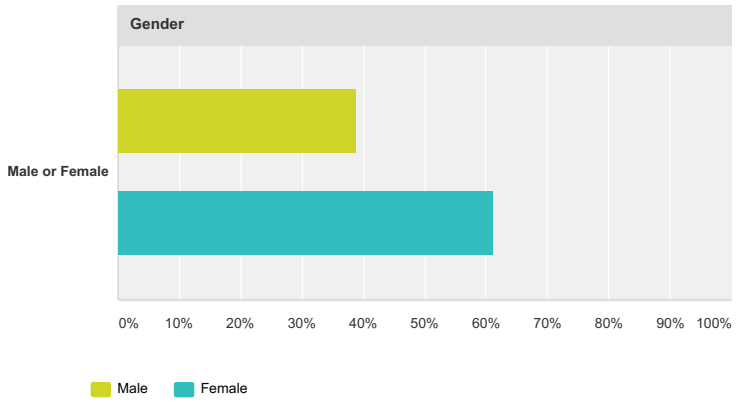
Answered: 403 Skipped: 103



Answer Choices	Responses	
18 - 34	**18.11%**	73
35 - 54	**50.12%**	202
55 - 74	**28.78%**	116
75 - older	**3.97%**	16
Total Respondents: 403		

Q30 What is your gender?

Answered: 412 Skipped: 94



Gender			
	Male	Female	Total
Male or Female	**38.83%** 160	**61.17%** 252	 412

Q31 What is your race?

Answered: 419 Skipped: 87

****

SAC

****

2014

EAST-SIDE

ASSESSMENT

REPORT

Submitted By: Mt. Zion A.M.E.Church

Roy Sudler, Jr. SAC – Chairman

SAC

****

Good Evening City Council and **Mayor Carlton Carey**,

For the Record my name is **Roy Sudler, Jr. address 353 Rita Wilma Rd. Dover, Delaware 19904** [**4th District Constituent**] and Chairman of the **Social Action Commission** and **Dover Human Relations Commission.**

I stand before you tonight, to submit to **City Council, Mayor, Dover Humans Relations Commission and Parks, Recreation and Community Enhancement Committee** over ***300 Signed Petition-Surveys,*** that without ambiguity or ambivalence not only defines the pleasure of certain **East-Side Constituents but addresses 50% of Mayor Carlton Cary's 8 Key Points of Interest dated Wednesday January 8, 2014.**

According to **Mt. Zion A.M.E. Church's 2014 Assessment Report Regarding Dover Park and Recreational Facility-Dilemma, -**

When asked question number 1.

1. Do you agree that the City of Dover Park and Recreational Facility should be demolished? [**Out of 300 Survey-Applicants**]

   [YES or NO?] **Yes=54** (or) **No=246**

2. Should the City of Dover replace the current recreational facility with a new modern facility? [Yes or NO?] **Yes=234** (or) **No=66; and**

3. Do you know which Council Person represents your district in the City Voting Process?

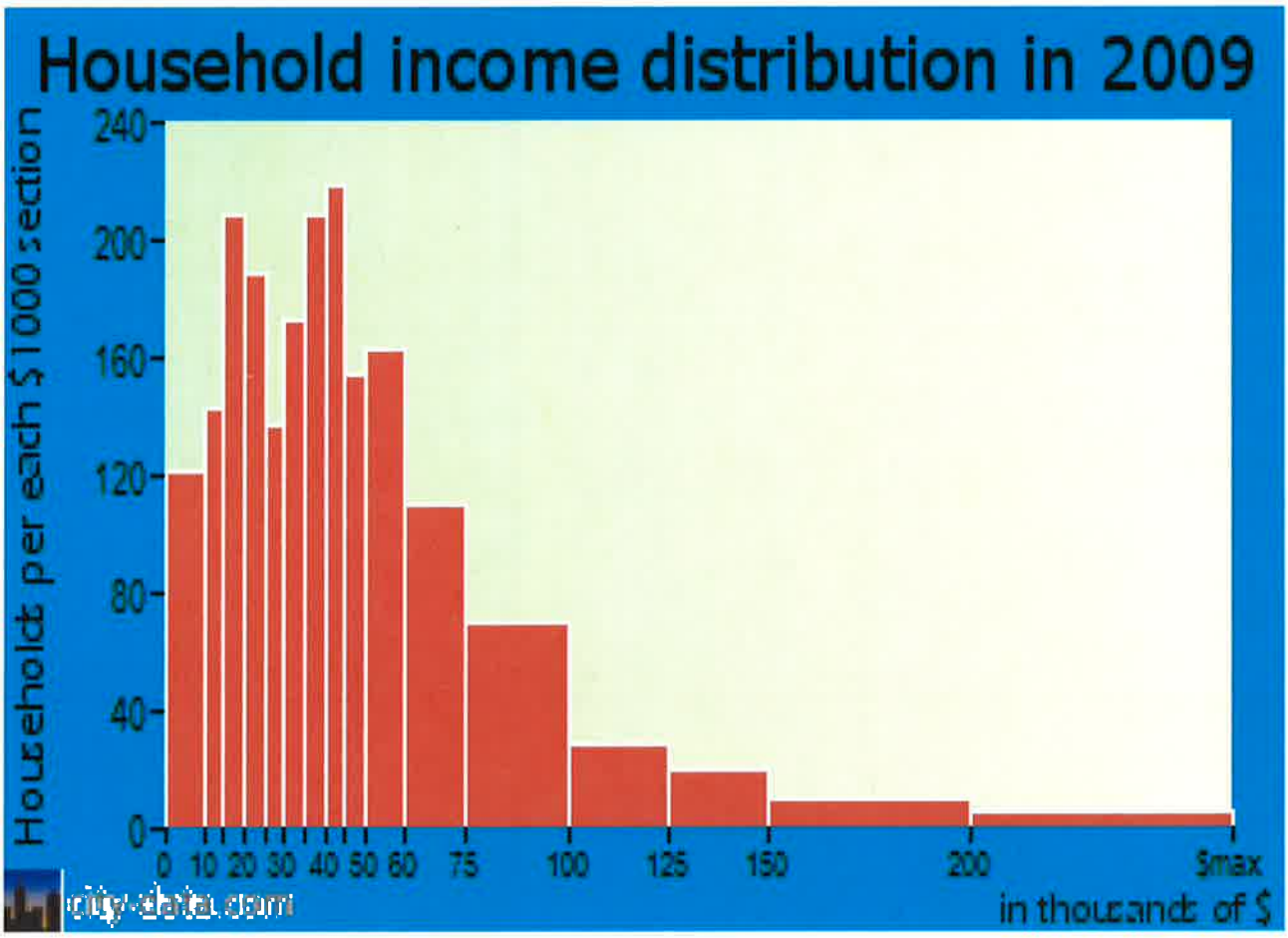
   [YES or NO?] **Yes=132** (or) **No=168**

The Social Action Commission's Goal in this process is to simply be a social witness in all matters relating to Human Relations and Christian Citizenship.

- ✓ We thank Mayor Carlton Cary and the City Council for considering an alternative study for the East-Side and thank you for the opportunity to submit **SAC'S Petition Survey-Assessment Study** and look forward to providing any additional assistance needed in the planning process for Dover Park and Recreational Facility, also known as White Oak Park. **[Thank You]**
- ✓ **[At this time are there any questions??]**

PROGRAMS MOST DESIRED BY PETITION-SURVEY PERSONS

3). Job Seeking Tips----------103 {1}



- **2014 Poverty Level** is assessed @[redacted]? for Dover, Delaware
- Consider matching the saving of low-income families to help them build assets.
- Consider offering employment and training programs for individuals with barriers to work [Such as Rehabilitated Sex Offenders]

8). Mentors for At-Risk Youth----------86 {2}



At-Risk Youth

- Consider Implementing a **Mayor's Book Club** to promote Early Literacy
- **Collaborative Integrated Programs and Partnerships** with Interfaith Communities, School Districts and Mentors to help keep our children safe and free from gang initiation that promotes a lifestyle of criminal entrepreneurship and juvenile delinquency. [**DHRC 2013**, Resolution **Titled;** Cessation of Illegal Gang Formation in Dover, Delaware]
- **Consider Establishing a New System** for updating and sustaining youth and adolescent violence prevention plans involving community input.

9). Go to School Go to College----------82 {3}



- Consider expanding out-of-school time opportunities for older youth.
- Strengthen parenting and summer job programs for youths in transition from foster care and high school to go to college.
- Develop an Afterschool Program with High Quality Standards

2). Alcohol & Drug Prevention----------81 {4}



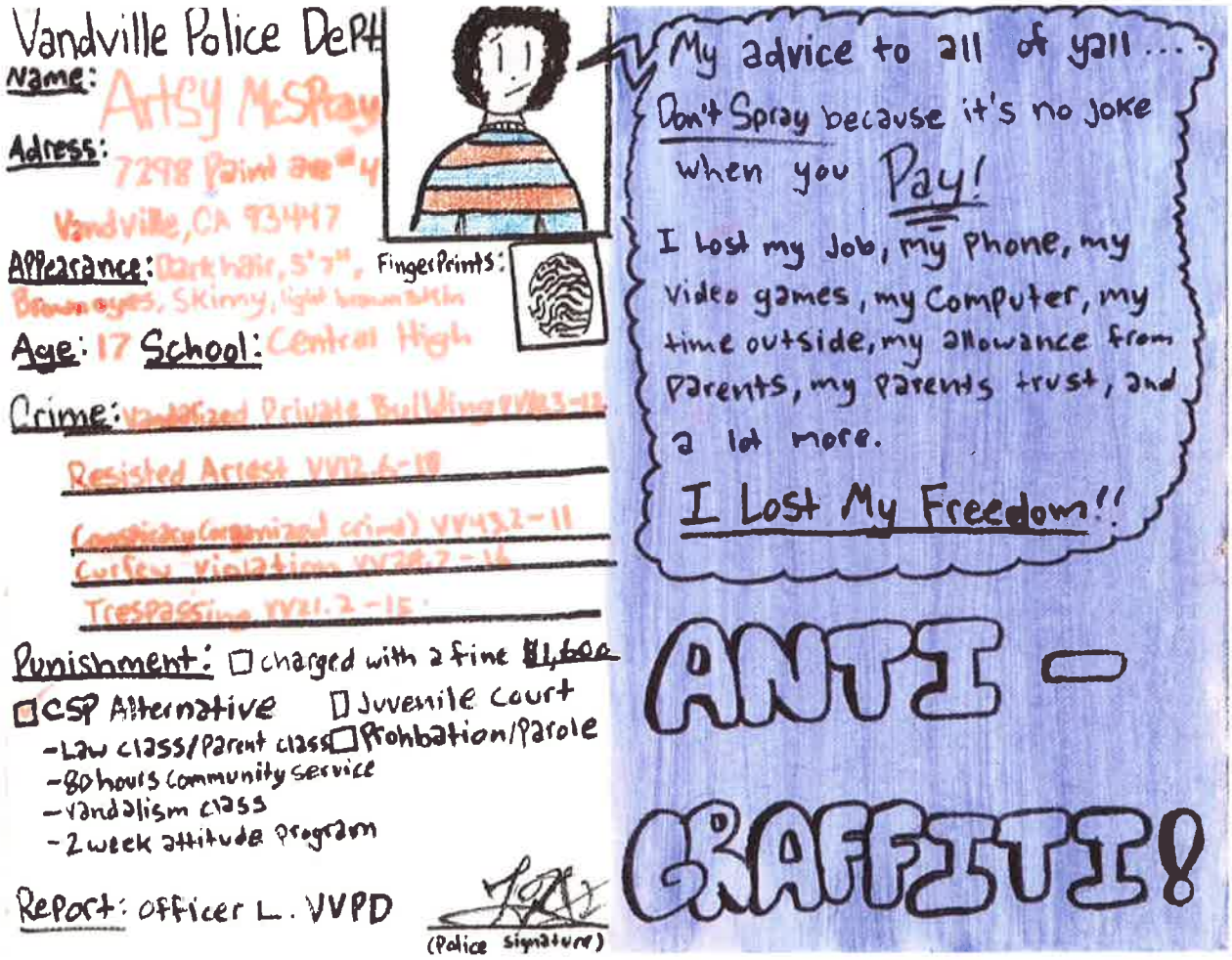
6). Teen Homelessness----------76 {5}



4). Gang Prevention----------73 {6}

Integrated Strategies'

- ✓ **A Partnership with Stakeholders and Legislators** can help eradicate youth gang crime and lifestyle, including graffiti, coercion of members, illegal trafficking in firearms, and drive-by shootings in the State of Delaware.



ACTIVITIES DESIRED BY SURVEY APPLICANTS

2). Summer Camp---------- 120 {1}

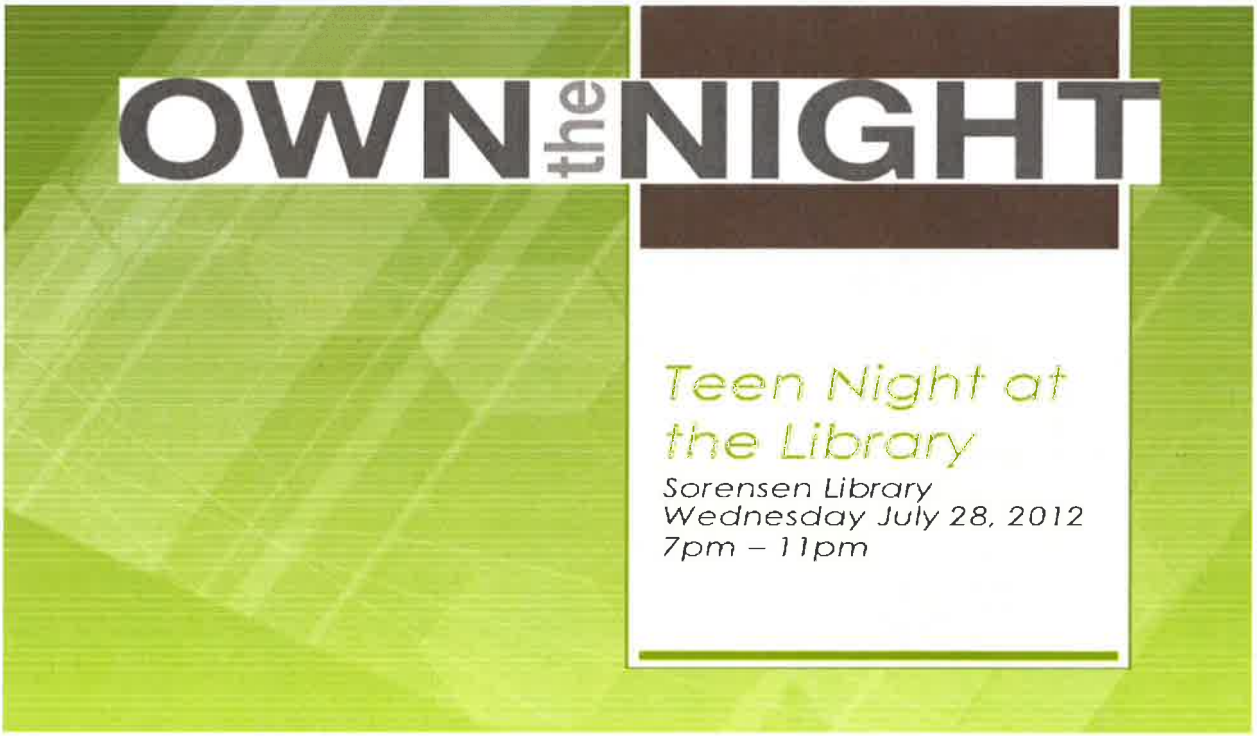


- Nature Trail and Fellowship [Possibly the future Dover City Council]



- Children Mesmerized by Climate Bees and Insects etc….

1). Teen Night----------115 {2}



Possibly Partner with City of Dover's Library?



3). Day Trips----------106 {3}





9). Fitness/ Zumba----------92 {4}



- Possible Partnership between the City of Dover and YMCA\Others etc…



11). Gymnasium----------87 {5}



- Promotes Teamwork and Diversity in Achieving a Common Goal

12). Learn To Swim----------86 {6}



- For their protection, preschool-aged children and older should be dressed in modest, swim-appropriate clothing. This includes no underwear visible for boys, and some type of top that is not see-through for girls.
- All ages should be eligible to learn how to swim

13). Martial Arts----------82 {7}



- Martial Arts Promotes Self-Control, Respect and Self-Defense Systems



- Possibly Partner with Local Martial Arts Schools in the Dover

The **Social Action Commission's Task Force of Mt. Zion A.M.E. Church Located at 101 North Queen St. Dover, Delaware 19904** has administered a *Community Petition-Survey Assessment* in the **3rd** and **4th Council District Areas** such as **Manchester Square, Baytree Apartments, Mapleton Square, Town Point Apartments, Capital Green, New Street, Simon Circle, Lincoln St. Calvary Baptist Church and Mt. Zion A.M.E. Church** as of **January 17, 2014.**

****

The **Purpose of this Research** is to articulate the needs of the **East-Side of Dover, Delaware** in an effort to provide their community with an opportunity to be included and heard in the **City's Action Plan Process** for Dover Park and Recreational Facility, also known as White oak Park.

The **Results of the Survey's Total Votes Cast** aims to help resolve the dilemma between the **Mayor** and **City Council, In addition, to monitor the spiritual and social impact of the City's Process of Action for Implementing Programs and Activities on the East-Side of Dover, Delaware.**

In Fact, 50% of the **Mayor's eight** (8) **key points of interest** regarding the ***City of Dover's Comprehensive Plan of Action*** for Dover Park is addressed and identified for the Mayor's Consideration.

PETITION SURVEY QUESTIONS & ANSWERES

****

- **The Results of the Survey's-Casts Votes**
- **1 - 300 are as follows:**

1. Do you agree that the City of Dover Park and Recreational Facility should be demolished?

[YES or NO?] **Yes=54** (or) **No=246**

2. Should the City of Dover replace the current recreational facility with a new modern facility?

[Yes or NO?] **Yes=234** (or) **No=66**

3. Do you know which Council Person represents your district in the City Voting Process?

[YES or NO?] **Yes=132** (or) **No=168**

PROGRAMS DESIRED:	**VOTES**	**PRIORITY**
1). Family Counseling----------	**69**	{8}
2). Alcohol & Drug Prevention----------	81	{4}
3). Job Seeking Tips----------	**103**	{1}
4). Gang Prevention----------	73	{6}
5). Restorative Support----------	**37**	{10}
6). Teen Homelessness----------	76	{5}
7). Domestic Violence----------	**70**	{7}
8). Mentors For At-Risk Youth----------	86	{2}
9). Go to School Go to College----------	**82**	{3}
10).Race Relations Study Circle----------	37	{10}
11).Pregnant Teen Awareness----------	**62**	{9}

Note:

1. Number **(5).** Restorative Support and number **10**). Race Relations Study Circle had the same priority rating = **10**

2. Survey-Votes Cast for All Programs Listed was assessed @ = **134** out of **300**

ACTIVITIES:	VOTES	PRIORITY
1). Teen Night	**115**	{2}
2). Summer Camp	120	{1}
3). Day Trips	**106**	{3}
4). Vocal Instructions	51	{10}
5). Dance Classes	**69**	{8}
6). Visual Arts	48	{11}
7). Multimedia Classes	**46**	{12}
8). Theatre	64	{9}
9). Fitness/ Zumba	**92**	{4}
10). Kayaking	8	{14}
11). Gymnasium	**87**	{5}
12). Learn To Swim	86	{6}
13). Martial Arts	**82**	{7}
14). Racquetball	20	{13}

Note:

- Survey-Votes Cast for All Activities Listed was assessed @ = **111** out of **300**

OTHER PROGRAMS LISTED BY SURVEY'S APPLICANTS

1. Mental Health
2. Marriage Counseling
3. Computer Programs
4. Helping Addict Teens to Clean-Up
5. Tutoring
6. Educational, Financial, Cultural, Budgeting, Marketing and Credit Investment Programs
7. Community Center for School Age Youth
8. Educational Opportunities for Young Children
9. Parenting Skills and Wide Topics throughout the Year
10. Free Meeting Facility
11. Police Gang Prevention
12. Understanding Our Political Process
13. Career and Goal Planning

OTHER ACTIVITIES LISTED BY SURVEY'S APPLICANTS

1. Introductory vocational training (masonry, carpentry, cooking, or electrical)
2. Youth Sports Team for Boys and Girls
3. Volleyball
4. Yoga
5. Pool Table
6. Boxing
7. Rehabilitate Tennis Courts
8. Racial and Cultural Activities
9. Horseback Ridding
10. A Place to live for Homeless Children
11. Mini-Gulf Course
12. Building Skills
13. Nutrition and Food Preparation
14. Teaching Team Building Skills
15. Food Aid
16. Room Rental At Fair-Cost For Social and Birthday Events
17. Go Back To Recess
18. Teen Night with Strict Safety Guidelines Well Planned and Implemented

All Survey Materials from the Tallying Process to the Actual Copies of the Original Petition-Surveys will be submitted to the Dover Human Relations Commission's Assessment Chair Dr. Phyllis Edamatsu, Parks Recreation and Enhancement Committee, City Council and the Mayor of Dover [**Mr. Carlton Cary**]

- By **January 31, 2014**.
- ✓ For **Additional Information** Please Contact **Mt. Zion A.M.E. Church** Located at 101 North Queen St. Dover, Delaware 19904[**4th Council District**]

Attention to: Roy Sudler,Jr. Social Action Commission Chairman **(302) 736.9880** and or;

Pastor Ellis B. Louden – Mt. Zion A.M.E. Church **(302) 678.9478**

MT. ZION A.M.E. CHURCH'S SOCIAL ACTION COMMISSION'S COMMUNITY SURVEY OF DOVER'S RECREATIONAL PARK PROGRAMS AND FACILITY ASSESSMENT

Name:_____ **Date:**_____.

Address_____ **District**_____.

****

1). **Do you agree that the Dover Park and Recreational Facility should be demolished?**

Yes or No

2). **Should the City of Dover replace the current recreational facility with a new modern facility?**

Yes or No

3). **Do you know which council person represents your district in the City Voting Process?**

Yes or No

4). **Circle the *programs and activities* that you are interested in being implemented at Dover's Recreational Park and Facility?** [More than one can be selected]

PROGRAMS

1). Family Counseling; 2). Alcohol and Drug Prevention 3). Job Seeking Tips

4). Gang Prevention 5). Restorative Support 6). Teen Homelessness

7). Domestic Violence 8). Mentors for At-Risk Youth 9). Go to School Go to College

10). Race Relations Study Circles 11). Pregnant Teen Awareness

Other_____.

ACTIVITIES:

1). Teen Nights 2). Summer Camp 3). Day Trips 4). Vocal Instruction

5). Dance Classes, 6). Visual Art 7). Multimedia Classes 5).Theatre

6). Fitness\ Zumba 7). Kayaking 8). Gymnasium 9). Learn to Swim

10). Martial Arts 11). Racquet Ball

Other_____.

Survey Administered By: _____**Date:**_____.

FOLLOW UP

Carey to council: time to get moving on east side recreation program

By Jeff Brown
jeff.brown@doverpost.com
@DoPoJeff

City of Dover Mayor Carleton E. Carey Sr. has told members of a City Council committee he wants to see a plan to deal with the lack of recreational activities for residents on the east side of town.

In a memorandum released to the *Dover Post* on Thursday, Carey said he feels "there should be a plan to proceed, including a timeline, to determine the future of the Dover Park off White Oak Road."

The memo, dated Dec. 19, to the Parks, Recreation and Community Enhancement Committee is the latest missive in an ongoing effort that began in July, when the committee recommended demolishing the now vacant recreation building in the park. Members of the public soon protested, with the general consensus being the city needed to provide some sort of recreational activity in the area. However, in a split vote, council sealed a demolition decision Nov. 25, only to have Carey veto it the next day. The council has not taken action to override Carey's veto.

City staff members have estimated it would cost upwards of $110,000 to renovate the existing building, which has been deteriorating ever since the city's recreation offices moved out in August 2012. In contrast, estimated costs to tear down the building have been pegged at approximately $30,000.

But there have been no plans put forward on what to do if the building is kept, or any alternatives in the event it is demolished, Carey said.

Carey's chief concern is giving area residents – particularly children – a safe and fun place to exercise, play and spend their leisure time, he said.

"The people over there are very concerned about this," Carey said. "They're concerned about having proper recreation, about having a place to go and about having good programs available.

"We have to make sure those children have something to do on weekends, after school and on summer vacation instead of being on the streets without having anything constructive to do."

Carey wrote the memo because fate of the empty building is essentially in

SEE CAREY, PAGE 10A



Dover Mayor Carleton E. Carey Sr. FILE PHOTO

CAREY

FROM PAGE 8A

limbo; with no decision on whether to keep the building or demolish it, no one can do anything.

His letter is meant to get something going, he said.

"It's not a directive," Carey said. "It's a plan to move forward, that's how I look at it."

Carey laid out eight points in the memo, including: 1) surveying area residents to find out what they want; 2) determining if the current building meets those needs; 3) if not, figuring out what type of building is needed; 4) deciding what activities could take place in the building; 5) finding a source of funding for repairing the old building or constructing a new one; 6) determining who would operate any recreational facility; and 7) setting goals to accomplish the project.

The eighth point would be to demolish the recreation center if there was a consensus to move forward but not to use the building.

Carey said he feels there is enough community support to bring an east side recreation center to fruition, adding he's spoken with neighborhood and church leaders about the idea.

"This is going to take neighborhoods working together," said one of those community organizers, Bishop Marion Lott.

"We do know we want a facility to accommodate the needs of the youth in that community," Lott said, adding the community may look to the Capital School District, Delaware State University and the Greater Dover Boys & Girls Club to recommend different types of recreational programming.

"I believe those individuals would be interested in mentoring people in the community with some projects they are doing," Lott said.

One of the more provocative ideas might be to set up recreational activities in existing vacant buildings near, but not in Dover Park. That would help alleviate the problem of constructing a new building, although funding still would be required for renovations and upgrades.

"The key thing is having a facility where we would be able to conduct programs that actually would get the attention of young people on the east side of Dover, programs that would work for them," Lott said. "You can have a really nice facility, but if you don't have something that gets their attention, you won't have any participation."

With the city facing a budget deficit over the next five years, finding a way to pay for any recreational programs may be the biggest challenge, Carey said.

"Can the city afford it? If you look at it dollars-and-cents-wise, no," he said. "But where there is a will, there is a way.

"I'm hoping some group, some organization may come forward or some grant money will become available so we can fund it," he said. "Some of these people also may be willing to pitch in and help with programs and to provide people to run those programs."

The Parks, Recreation and Community Enhancement Committee is expected to take up the subject of a recreational needs assessment at its Monday, Jan. 13 session.

The meeting will be held at 3:30 p.m. in the City Council chambers, and is open to the public.

SCOTT

FROM PAGE 5A

I can clear my conscious mind is to write them down.

Q How would you describe your works?

A For me, poetry is like painting words on paper. I'm trying to retain my readers' interest. I don't want them to see my poetry just as words descending from line to line. I want my readers to take in the metamorphosis of my poetry as well. Each work I create reflects my personality. I feel that's the way it should be. Each book has a different form and there's a different reflection about how I feel about each book.

Q You've got five books on the shelves of libraries all over the world. What's next?

A My goal is to get 20 years at my state job, and then I will move forward. I've gotten a lot of feedback from college librarians, and I'm really thrilled about that. The librarians know me, and now I want the public to know me.

For more local news, please visit www.doverpost.com

CDBG Quarterly Report
April, May and June 2016

CDBG FY15 Projects

Homeownership Assistance Program
CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the Downtown Development District (DDD) Target Area. Two (2) families have purchased properties in the DDD Target Area. This project is completed.

Dover Interfaith Mission for Housing
CDBG funds will be used to provide operations cost for the shelter. This project is completed. A total of 250 men were sheltered during the program year.

Connections Community Support Program
CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City. Rental assistance was provided for two (2) low income persons.

Milford Housing Homeowner Rehabilitation Program
CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners. Emergency home repairs were completed for five (5) low income households and homeowner rehabs were completed for three (3) low income families.

Habitat for Humanity
CDBG funds will be used to rehabilitate an existing home to provide affordable housing to a family in the Downtown Development District Target Area. Habitat purchased 111 S. Queen on November 2, 2015, renovated the property, and sold the property on December 18th to a first time homebuyer. Remainder of funding was utilized for asbestos removal for properties in the DDD Target Area that will be renovated and sold to low income families.

Peoples Place Whatcoat Homeless Shelter
CDBG funds will be utilized for minor renovations to a facility that shelters the homeless. This project is completed.

Neighborhood Stabilization Program (NSP)
Settlement assistance was provided for five (5) families who purchased affordable housing in the City of Dover and were able to assist in stabilizing our neighborhoods by purchasing properties that have been vacant for at least 90 days or foreclosed. The following properties were purchased providing NSP settlement assistance:

40 Spruance Road **155 Periwinkle Drive** **1231 Harrison Drive**

310 Crickle Creek Lane **12 Bacon Court**

Status of FY-15 Program Funds Spent - Fiscal Year 7/1/15- 6/30/16

2015 Grant Projects	Project Details	Total Grant	Funds Expended	Unencumbered Balance
Homeownership Assistance Program	Funds will be utilized for settlement assistance for properties purchased in the DDD Target Area	$60,000	$60,000	$0
Connections	Funds will be utilized for rapid re-housing/rental assistance for low income persons	$7,391	$4,952	$2,447
Dover Interfaith Mission for Housing	Funds will be used for operation cost. This project is complete.	$27,000	$27,000	$0
Milford Housing Development Corp	Funds will be utilized for emergency home repairs. Project underway	$35,262	$12,989	$22,273
Milford Housing Development Corp	Funds will be utilized for rehabbing owner occupied homes. Project underway	$52,892	$39,506	$13,393
Habitat for Humanity	Funds will be utilized to rehab a single family home for a low income family	$40,000	$37,046	$2,953
Peoples Place	Funds will be used for minor renovations. This project is complete.	$6,726	$6,726	$0
Total		$229,271	$188,219	$41,066

ACTION FORM

PROCEEDING: Utility Committee	**AGENDA ITEM**:
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 7/29/16
PREPARED BY: Sharon J. Duca, P.E., Public Works Director / City Engineer	
SUBJECT: Request for Stub Street Abandonment – Topaz Circle	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: City Manager	
EXHIBITS: Attachment A – Map	
EXPENDITURE REQUIRED: $ N/A	**AMOUNT BUDGETED**: $ N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): N/A	
TIMETABLE: N/A	

RECOMMENDED ACTIONS: The Department of Public Works recommends that the Committee recommend to City Council that they deny the request for abandonment due to emergency vehicle access to the Emerald Pointe Subdivision. If the Utility Committee and/ or City Council is in favor of proceeding with the proposed abandonment, the following actions are recommended:

1. The abandonment be conditional upon utility easements that would be recorded with the deed modifications.
2. That City Council adopt a resolution setting a public hearing regarding the proposed abandonment for September 12, 2016.

BACKGROUND AND ANALYSIS

City Council initiated the process to abandon the stub street of Topaz Circle which connects to a parcel of land south of the Emerald Pointe subdivision known as the Arbors. The City Clerk's office notified the adjacent property owners of the proposed abandonment and one property owner, Ms. Marie Ann Florendo of 402 Topaz Circle, responded that she is interested in participating in the abandonment.

The Department of Public Works does not recommend abandonment of this stub street. Per the City of Dover Code of Ordinances, specifically, Appendix A, Article VI.8, "At least two connections onto a state-maintained road or a city-maintained street are required unless the Delaware Department of Transportation or the city engineer determines that the second connection will not be permitted or is determined to be not feasible. This requirement shall pertain to: Subdivisions containing 20 or more lots, plots, sites, or parcels." As the Emerald Pointe Subdivision has more than 20 lots, this requirement is applicable. This development was approved with two (2) stub streets for future connection. The first stub street is Topaz Circle to the south. The second stub street is Opal Place. The feasibility of connecting Opal Place to another public road is extremely low, due to the wetland property it would have to cross to the west. Therefore, the only feasible connection is through Topaz Circle, which would have to be extended to College Road. Two (2) entrances to this subdivision would increase the ability for emergency and operational vehicles to access residents; therefore, staff does not support the abandonment of Topaz Circle.

Public Works staff has confirmed that the stub street is improved but undedicated. Electric utility infrastructure, water infrastructure, wastewater infrastructure and storm drainage infrastructure are located within the stub street. If it is determined by Council to abandon this street, utility easements will be required for all infrastructure.

Exhibit A

Topaz Circle
Proposed Stub Street Abandonment



0 75 150 300 Feet

N

Legend

- Dover Parcels
- Storm Sewer Inlet
- Storm Sewer Manhole
- Hydrants
- Storm Sewer Pipe
- Water Main
- Hydrant Line
- Overhead Electric Pole
- Underground Electric Lines
- Overhead Electric Lines
- Sanitary Sewer Manholes
- Sanitary Sewer Line
- Topaz_Cir_Stub

Date Printed: July 26, 2016
File: m:\gis_data\projects\tech_mxds
\jason_lyon_maps\caf_maps
\caf_topaz_cir_abandonment
Department: Public Works GIS
City of Dover, Delaware

PETITION TO ABANDON AN IMPROVED CITY STREET
Public Hearing before the
Dover City Council
August 8, 2016

Location:	Topaz Circle stub street, northeast of Aquamarine Court
Present Use:	Public Street (stub)
Proposed Use:	Not Determined
Reason for Request:	Request Initiated by City Council
File Number:	MI-16-06

Summary of the Request:

Following the Planning Commission's approval of The Arbors on March 21, 2016, members of City Council heard numerous concerns from constituents in Emerald Pointe about the Topaz Circle stub street connection to the proposed Senior Way (Map Exhibit A). The topic of interconnection between The Arbors and Emerald Pointe was placed on the Safety Advisory and Transportation Committee agenda for April 26, 2016. At this meeting, staff presented a history of The Arbors and the interconnection between The Arbors and Emerald Pointe (Exhibit B). Minutes of this meeting where residents expressed concern are also attached (Exhibit C).

Ultimately, the Safety Advisory and Transportation Committee approved a motion to look into the abandonment of the Topaz Circle stub street. This recommendation was approved by City Council on consent agenda on May 9, 2016. At the June 27, 2016 meeting of City Council, action was taken to waive portions of the process for street abandonment and to refer the proposal for abandonment of the Topaz Circle stub street to the Planning Commission for Public Hearing on July 18, 2016. A more detailed chronology of development activity was presented by Planning Staff to City Council and is included as Exhibit D.

The matter was referred to the Development Advisory Committee for a recommendation, and scheduled for a public hearing before the Planning Commission. A recommendation from Planning Commission will be considered by the following:

- Council Committee of the Whole/Utility Committee on August 9, 2016
- City Council will consider the Utility Committee report and consider a resolution setting a Public Hearing on August 22, 2016
- Public Hearing and consideration of action may be scheduled for September 12, 2016.

Recommendation of Planning Staff and Planning Commission:
The Planning Staff does not recommend the proposed abandonment. This recommendation is concurrent with the recommendations of the Department of Public Works, the City Fire Marshal, DelDOT, and the Dover/Kent Metropolitan Planning Organization (MPO). A summary of the reasons includes:

Interconnection of Streets
Appendix A: Land Subdivision Regulations, Article 6 §A.8 related to streets states:

> "The creation of interconnected streets will be encouraged wherever the commission finds that such layout will not interfere with traffic convenience and safety. The commission shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two connections onto a state-maintained road or a city-maintained street are required unless the Delaware Department of Transportation or the city engineer determines that the second connection will not be permitted or is determined to be nonfeasible. This requirement shall pertain to:
> (a) Subdivisions containing 20 or more lots, plots, sites, or parcels.
> (b) Site developments containing 150 or more dwelling units."

- The Emerald Pointe subdivision plan as approved by the Planning Commission in 2002 included the provision of stub streets (including at Topaz Circle connecting with the adjacent property to the south now known as The Arbors) extending to vacant adjacent properties for the purpose of future connection.
- A cross access easement on the adjacent property now known as The Arbors was established to line up with the Topaz Circle stub street and provide access to College Road. The right-of-way establishing Senior Way was recorded June 26, 2009.
- Such interconnectivity, recommended by the Planning Commission, was consistently proposed in various plans through the years between the two properties as outlined in Exhibits B and D.

Emergency and Public Service Access
- Eliminating the interconnection could reduce emergency response times to Emerald Pointe.
- Interconnected access provides access redundancy if there are emergencies at the entrances to either of the adjacent properties (Emerald Pointe, The Arbors).
- Elimination of the proposed interconnection may create an obligation upon the property owner of The Arbors to make modifications to a recently approved Site Development Plan which has already received Conditional Approval by the Planning Commission.
- Elimination of interconnection and access to adjacent public rights-of-way reduces operational efficiency of other City services such as utility provision, trash collection, school bus routing, and others.

Transportation & Traffic
- Single points of subdivision entry and exit can create traffic bottlenecks at those points. The proposed interconnection allows for an additional point of access to and from the Emerald Pointe subdivision from another arterial road.

- The proposed access to College Road may reduce the number of trips taken by residents through the intersection of McKee Road and College Road, which may divert some traffic from the intersection and improve the efficiency of the intersection for the general public.
- The proposed interconnectivity may reduce travel times and distances to certain destinations and services.
- The proposed interconnectivity may increase the viability of non-vehicle trips by increasing the access and reducing the distance to local services.

Following a public hearing on July 18, 2016 where no members of the public spoke with regards to the abandonment proposal, the Planning Commission voted unanimously (8-0) to recommend that City Council deny the request to abandon the Topaz Circle stub street. An excerpt of the draft Planning Commission minutes are attached for reference.

Advisory Comments:

1. Planning Staff advises that if City Council decides in favor of abandonment of the Topaz Circle stub street, additional details following such abandonment have not yet to be determined. These include:
    a. The establishment of utility easements and associated access easements.
    b. The process for transferring property or adjusting adjacent property lot lines.
    c. Planning Staff recommends provisions for pedestrian and bicycle connectivity between Emerald Pointe and The Arbors to allow access to and from College Road.
    d. Physical modifications to the Topaz Circle stub street which may include resurfacing, installing/removing curbing, landscaping, signage, etc.
    e. Identification of responsible party for implementation of physical changes in the subject area.
    f. Appropriate Record Plan documents to reflect the status and ownership of the subject area.

2. Abandonment of public streets and alleys does not constitute approval for physical alteration of such streets and alleys. Any modification or ground-disturbing activity must be reviewed through the appropriate site plan process and receive all requisite approvals by regulatory agencies.

GUIDE TO ATTACHMENTS

Exhibit	Description/Author
A	Zoning Map Exhibit, with aerial photo (Staff)
B	DAC Agency comments
C	Presentation: "The Arbors: Review of Interconnection with Emerald Pointe" Presented before Council Committee of the Whole meeting of April 26, 2016 (Staff)
D	Excerpt of Minutes of Council Committee of the Whole, related to proposed interconnection between The Arbors Senior Garden Apartments and Emerald Pointe, April 26, 2016 (City Clerk)
E	Summary Chronology of Development Activity for 1051 College Road, City Council packet for meeting of June 27, 2016 (Staff)
F	Excerpt from draft minutes of the July 18, 2016 Planning Commission Meeting

City of Dover
Department of Planning & Inspections

Attachment A: Zoning Exhibit

Application No.: MI-16-06



Title: Abandonment of Topaz Circle stub street
Address: Emerald Pointe subdivision
Zoning: R-8 (One Family Residence Zone)
Date: 5-19-16

Legend

- Project Area
- Dover Parcels
- Zoning
- Dover Boundary

N
W E
S

0 250 500 1,000 Feet

CITY OF DOVER Electric & Public Works Departments

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JUNE 29, 2016

APPLICATION: **ABANDONMENT OF TOPAZ CIRCLE STUB STREET AT EMERALD POINTE**

FILE #: **MI-16-06**

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

1. Per the City Code of Ordinances, each subdivision requires two (2) connections to existing streets. Topaz Circle stub street would provide the second connection to a street. Emerald Pointe does have another stub street (Opal Place) but the likelihood of connection is minimal, due to the nature of the land it would enter. Two (2) entrances to this subdivision would increase the ability for emergency and operational vehicles to access residents; therefore, staff does not support the abandonment of Topaz Circle.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

1. **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-16-06

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 07/06/16

CITY OF DOVER FIRE MARSHAL

APPLICATION: Abandonment of Topaz Circle Stub Street at Emerald Pointe Revised

FILE #: MI-16-06 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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

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

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

- The Arbors roadway may need a cul-de-sac to provide a proper turn around for emergency apparatus if approved
- Eliminating the interconnection could reduce the emergency apparatus response time to Emerald Point
- Eliminating the interconnection could cause an access issues at the Arbors and/or Emerald Point if there is an emergency at the entrance to either development

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2012 NFPA Life Safety Code (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
2012 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: June 29, 2016

D E L D O T

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APPLICATION: Abandonment of Topaz Circle Stub Street at Emerald Pointe

FILE#: MI-16-06 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:

Though Topaz Circle and Senior Way are not State owned/ maintained roads, DelDOT strongly supports the interconnection of the two streets and is opposed to the abandonment of the stub street connection of Topaz Circle. If you refer to DelDOT's Development Coordination Manual section 3.5.1 Connectivity – Purpose and Scope, you will see that this site is an ideal candidate for interconnection and it will greatly benefit the existing and proposed communities. The benefits that will be recognized by the interconnection will include but are not limited to:

- Alternative routes to local destinations to provide redundancy during road closures.
- Opportunities for community interaction by eliminating barriers between developments.
- Alternative modes choices (driving, transit, bicycling or walking)
- Improved access to community facilities and shopping centers
- A reduction in travel times and vehicle miles traveled for trips to local and regional destinations

- Reduced emergency response times because of more direct access or fire, police and EMS vehicles
- More effective use of municipal resources for municipal service delivery (utility routing, sanitation vehicles, school bus routing, etc.)

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 6/1/2016

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Abandonment of Topaz Circle Stub Street at Emerald Point

FILE #: M-16-06 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 6/20/2016

Project Review

M-16-06 Abandonment of Topaz Circle Stub Street at Emerald Point

The MPO certainly supports the City of Dover's requirement for a second means of egress from a significant subdivision. In this instance at Emerald Point, the second egress was delayed until the development of an intermediate property that had frontage on an alternative street. The current and main entrance is on McKee Road, a two lane road with a bypass lane to avoid turning vehicles with Average Annual Daily Traffic (AADT) of 19,236. The second, alternative access will be to College Road near the intersection with McKee Road that has an AADT of 8,852 and would allow west bound users to avoid the road with more than twice the traffic and the intersection that becomes congested during certain periods of the day. It offers eastbound users a less congested alternative as well.

It is the MPO's recommendation that the second means of egress for Emerald Point be retained.

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

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
June 2016

APPLICATION: Abandonment of Topaz Circle Stub Street at Emerald Point

FILE #: MI-16-06

REVIEWING AGENCY: *Kent Conservation District*

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

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the stub abandonment for the above mentioned application.

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 and approved to the Kent Conversation District.

Exhibit C: Presentation

THE ARBORS

Review of Interconnection with Emerald Point

Chronology of The Arbors and Emerald Point

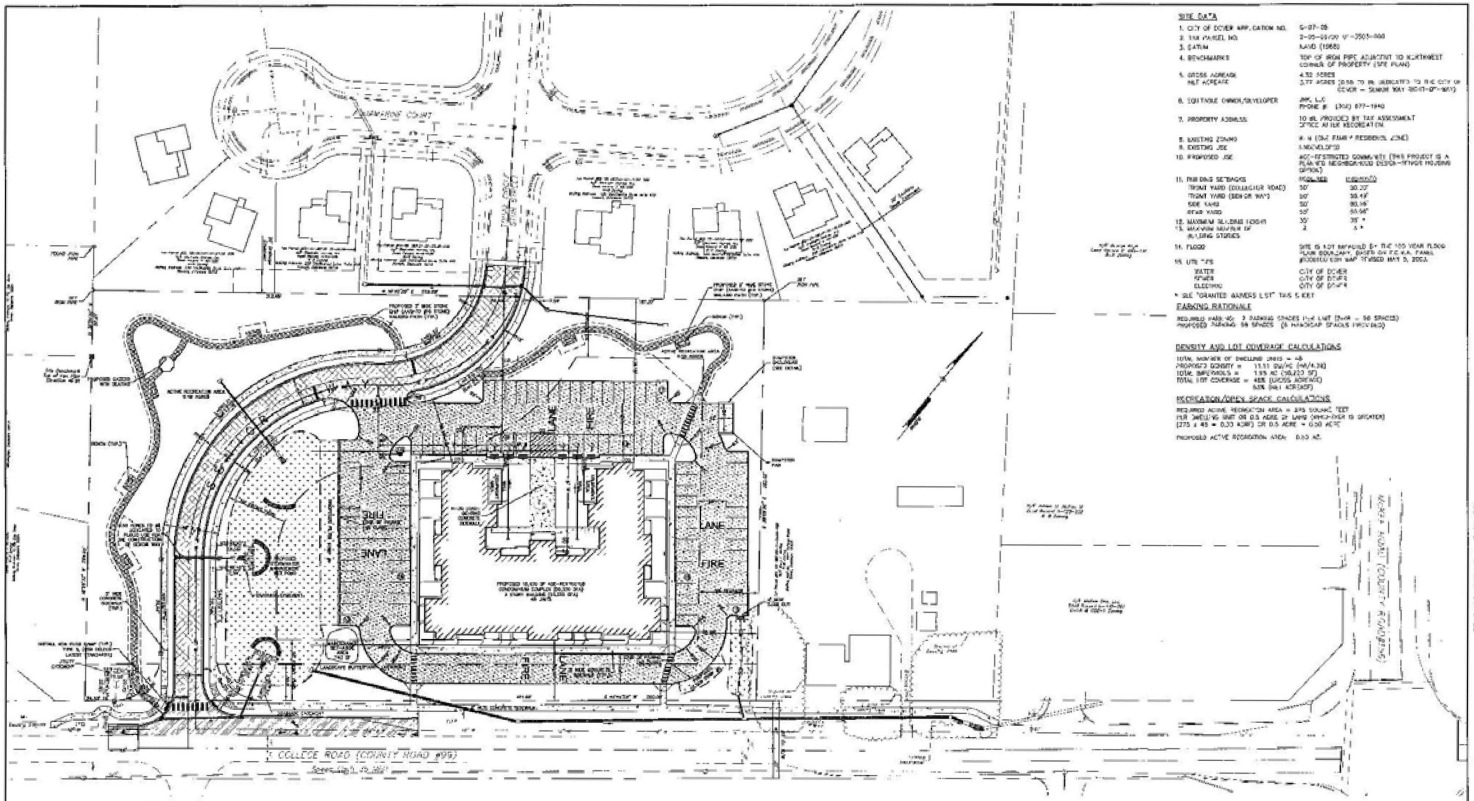
- 2002 Emerald Point Subdivision approved
  - *107 Single Family Detached Dwellings*
  - *Stub street from Topaz Circle to property to the south (The Arbors)*
- 2004 Minor Subdivision of McKee Property
  - *DelDOT requests 60 ft. cross access easement from subject property to Emerald Point*
  - *Public Works also requested a cross access easement*
  - *Cross access approved by Planning Commission and on the final recorded plan*
- 2005 College Road Garden Apartments
  - *Reviewed as Planned Neighborhood Design – Senior Citizen Housing Option*
  - *Site Plan approved by Planning Commission but expired in 2007*

Chronology of The Arbors and Emerald Point

- 2007 The Arbors – Planned Neighborhood Design Senior Citizen Housing Option
  - *Approved by Planning Commission*
  - *Received Final Site Plan Approval*
  - *Expired due to no commencement of construction (August 2009)*
- 2009 Record Plan Established Right-of-Way for Senior Way, which connects with Topaz Circle Stub Street
  - *This connection provides the second access to a public street as required by the* Land Subdivision Regulations
- 2009-10 Rezoning of Lands of JNK, LLC from R-8 to RG-2
- 2010 Conditional Use Site Plan for The Arbors Condominiums (48 units)
  - *Original proposal to have access only through Emerald Point*
  - *Staff recommendation and Planning Commission requirement to construct Senior Way, connecting Topaz Circle and College Road*
  - *Plan expired prior to finalization*

The Arbors – Current Plan

- The Arbors land plan consistent with prior submissions
- Approved by Planning Commission on March 21, 2016
- Includes interconnection with Topaz Circle stub street



SITE DATA

1. CITY OF DOVER APPLICATION NO.	S-07-28
2. TAX PARCEL NO.	2-05-09100 01-2501-000
3. DATUM	NAVD (1988)
4. BENCHMARKS	TOP OF IRON PIPE ADJACENT TO NORTHWEST CORNER OF PROPERTY (SITE PLAN)
5. GROSS ACREAGE NET ACREAGE	4.32 ACRES 3.77 ACRES (0.55 TO BE DEDICATED TO THE CITY OF DOVER – SENIOR WAY RIGHT-OF-WAY)
6. EQUITABLE OWNER/DEVELOPER	JMC, LLC PHONE #: (302) 677-1940
7. PROPERTY ADDRESS	10 BEL PRIDDEE ST TAX ASSESSMENT OFFICE AT 84 RECREATION
8. EXISTING ZONING	R-8 (ONE FAMILY RESIDENTIAL ZONE)
9. EXISTING USE	UNDEVELOPED
10. PROPOSED USE	AGE-RESTRICTED COMMUNITY (THIS PROJECT IS A PLANNED NEIGHBORHOOD DESIGN—MINOR HOUSING OPTION)

11. PROPOSED SETBACKS	REQUIRED	PROVIDED
FRONT YARD (COLLEGE ROAD)	50'	90.20'
FRONT YARD (SENIOR WAY)	20'	38.49'
SIDE YARD	30'	80.16'
REAR YARD	30'	69.94'
12. MAXIMUM BUILDING HEIGHT	35'	28' *
13. MAXIMUM NUMBER OF BUILDING STORIES	2	3 *

14. FLOOD — SITE IS NOT IMPACTED BY THE 100 YEAR FLOOD PLAIN EQUIVALENT, BASED ON F.E.M.A. PANEL #10001C 0291 MAP REVISED MAY 5, 2003.

15. UTILITIES

WATER	CITY OF DOVER
SEWER	CITY OF DOVER
ELECTRIC	CITY OF DOVER

* SEE "GRANTED WAIVERS LIST" THIS SHEET

PARKING RATIONALE

REQUIRED PARKING: 2 PARKING SPACES PER UNIT (DWR – 96 SPACES)
PROPOSED PARKING: 96 SPACES (8 HANDICAP SPACES PROVIDED)

DENSITY AND LOT COVERAGE CALCULATIONS

TOTAL NUMBER OF DWELLING UNITS = 48
PROPOSED DENSITY = 11.51 DU/AC (48/4.36)
TOTAL IMPERVIOUS = 1.95 AC (84,923 SF)
TOTAL LOT COVERAGE = 45% (GROSS ACREAGE)
50% (NET ACREAGE)

RECREATION/OPEN SPACE CALCULATIONS

REQUIRED ACTIVE RECREATION AREA = 875 SQUARE FEET
PER DWELLING UNIT OR 0.5 ACRE (IF LAND OWNER-TYPE IS GREATER)
(275 x 48 = 0.30 ACRE) OR 0.5 ACRE = 0.50 ACRE

PROPOSED ACTIVE RECREATION AREA: 0.53 AC.

THE PURPOSE OF THIS PLAN IS TO BE GRANTED APPROVAL TO CONSTRUCT ONE (1) FORTY-EIGHT (48) UNIT AGE-RESTRICTED CONDOMINIUM AS PART OF THE PLANNED NEIGHBORHOOD DESIGN—SENIOR HOUSING OPTION.

OWNER CERTIFICATION

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

Anton Ashburn — 4/16/09
ANTOINE ASHBURN, PRESIDENT — DATE
JMC, LLC

ENGINEER CERTIFICATION

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

05-22-09
DOUGLAS G. HARRY, P.E. — DATE
PENNONI ASSOCIATES INC.

GENERAL NOTES:

1. DATE OF FIELD SURVEY – BOUNDARY (7-11-05); TOPO (12-18-06). SURVEY WAS CONDUCTED BY SCOTT ENGINEERING, INC.
2. GRAPHIC INFORMATION FOR EMERALD POINTE SUBDIVISION TAKEN FROM CONSTRUCTION PLANS FOR EMERALD POINTE PREPARED BY KARINS AND ASSOCIATES CONSULTING ENGINEERS, DATED DECEMBER 19, 2003.
3. PROPERTY MAY BE SUBJECT TO RESTRICTIONS AND EASEMENTS DESCRIBED IN DEED RESTRICTIONS OR AS FOUND IN SUBSEQUENT TITLE SEARCH.
4. SURFACE UTILITIES SHOWN ARE BASED UPON FIELD OBSERVATION AND ENGINEERING JUDGMENT WITH REGARDS TO CONNECTION POINTS AND ALIGNMENTS. VERIFICATION SHOULD BE MADE IN THE FIELD FOR DESIGN PURPOSES.
5. ANY PROPOSED SITE OR BUILDING IDENTIFICATION SIGN SHALL REQUIRE A SIGN PERMIT FROM THE CITY OF DOVER PRIOR TO PLACEMENT OF ANY SUCH SIGN.
6. FIRE LANES TO BE MARKED PER DELAWARE STATE FIRE PREVENTION REGULATIONS.
7. ANY PROPOSED GAS FIRED HVAC EQUIPMENT MUST BE EQUIPPED WITH REMOTELY LOCATED EMERGENCY CUT OFF SWITCHES.
8. ADDRESS NUMBERS OF AT LEAST 12 INCHES IN HEIGHT MUST BE PLACED ON THE STREET SIDE OF THE BUILDING VISIBLE FROM THE STREET.
9. ANY NATURAL OR LP GAS BOTTLES, METERS, VALVES, REGULATORS, ETC. MUST HAVE IMPACT PROTECTION.
10. FIRE DEPARTMENT CONNECTION (SIAMESE) TO BE LOCATED WITHIN 50 FEET OF THE MAIN ENTRANCE, WHICH SHALL ALSO BE LOCATED WITH 300 FEET OF A FIRE HYDRANT.
11. A BUILDING SPRINKLER SYSTEM IS REQUIRED AND THE SYSTEM SHALL BE MONITORED. ALL PORTIONS OF THE FIRST FLOOR SHALL BE WITHIN 600 FEET OF A FIRE HYDRANT.
12. A BUILDING FIRE ALARM SYSTEM IS REQUIRED AND SHALL BE MONITORED.
13. A HOUR DUR IS REQUIRED FOR THIS PROJECT.
14. ELEVATOR CARS SHALL MEET THE ASSIGN DIMENSIONS SET FORTH IN THE DELAWARE STATE FIRE PREVENTION CODE.
15. PRODUCT TO BE DEMOLISHED PER THE APPROVED SITE PLAN. CITY OF DOVER FIRE DEPARTMENT REQUESTS THAT AN 8½ X 11 COPY OF THE FLOOR PLAN AND SITE PLAN BE SUBMITTED TO STATION 1, ATTENTION FIRE CHIEF, PRIOR TO THE ISSUANCE OF OCCUPANCY BEING ISSUED.
16. OUTSIDE HVAC EQUIPMENT SHALL BE DESIGNED TO MINIMIZE THE IMPACT ON ADJACENT PROPERTY OWNERS. ADEQUATELY SCREENED FROM PUBLIC VIEW AND THE OVERALL VISIBLE IMPACT ON THE STREETSCAPE.
17. ACTIVE OPEN SPACE WILL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION ESTABLISHED FOR THE PROPERTY.
18. IT IS REQUIRED AS PART OF THIS SUBMISSION AND IF SHALL BE STATED IN THE DEED RESTRICTIONS AND COVENANTS THAT THE HEAD OF EACH HOUSEHOLD IN THIS DEVELOPMENT SHALL BE FIFTY FIVE (55) YEARS OF AGE OR OLDER.
19. A 7' UTILITY EASEMENT SHALL BE PROVIDED ALONG ALL PROPERTY LINES. THE APPROVED PLAN NEEDS TO BE MODIFIED ACCORDINGLY. SIDEWALK AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DETAILED NECESSARY BY THE KENT CONSERVATION DISTRICT.
20. THE KENT CONSERVATION DISTRICT RESERVES THE RIGHT TO ENTER PRIVATE PROPERTY FOR PURPOSES OF PERIODIC SITE INSPECTION.
21. THE FUTURE CONDOMINIUM ASSOCIATION WILL BE RESPONSIBLE FOR LONG TERM S.W. MAINTENANCE. UNTIL THE TIME WHEN THE CONDOMINIUM ASSOCIATION ASSUMES RESPONSIBILITY, SITE MAINTENANCE AS I WE ONE RESPONSIBILITY OF THE OWNER.
22. HYDRANT CONNECTIONS BY THE CONTRACTOR ARE PROHIBITED. THIS METERED WAY NOT BE UTILIZED DURING ANY PHASE OF THE PROJECT.
23. ONLY FIELD OR REMOVE EXISTING TREES WHERE REQUIRED TO CONSTRUCT IMPROVEMENTS IN THE COLLEGE ROAD RIGHT-OF-WAY.

GRANTED WAIVERS LIST:

AT ITS MEETING OF AUGUST 20, 2007, THE CITY OF DOVER PLANNING COMMISSION ACTED ON THE SENIOR C WAIVER REQUESTS OF THE APPLICANT. THE DECISION ON EACH OF THE WAIVERS IS AS FOLLOWS:

1. PERMISSIBLE ITS ARTICLE 5, SECTION 5.5.3.A.(1), THE PLANNING COMMISSION APPROVED THE WAIVER TO REDUCE THE REQUIRED ARTERIAL STREET BUFFER ALONG THE ROAD FRONTAGE OF COLLEGE ROAD.
2. PURSUANT TO ARTICLE 4, SECTION 4.3.3.(A)(8), THE PLANNING COMMISSION APPROVED THE WAIVER TO ALLOW PARKING WITH IN THE FRONT YARD SETBACK.
3. THE PLANNING COMMISSION GRANTED APPROVAL FOR SEVERAL ALTERNATIVE DESIGN STANDARDS OF THE PND AS PER ARTICLE 3 SECTION 3.4.3.(A) OF THE ZONING ORDINANCE. THE PLANNING COMMISSION GRANTED RELIEF TO THE FOLLOWING:
   A. AN INCREASE IN BUILDING HEIGHT TO 28 FEET;
   B. AN INCREASE IN THE MAXIMUM NUMBER OF STORIES PERMITTED FROM TWO (2) STORIES TO THREE (3) STORIES, AND
   C. AN INCREASE IN THE NUMBER OF UNITS PER BUILDING PERMITTED FROM TWENTY-FOUR (24) TO FORTY-EIGHT (48) UNITS.
4. THE PLANNING COMMISSION RECOMMENDED APPROVAL TO THE CITY OF DOVER CITY COUNCIL ON THE FOLLOWING WAIVER REQUESTS FROM THE LAND SUBDIVISION REGULATIONS. THE COMMITTEE RECOMMENDED APPROVAL ON SEPTEMBER 10, 2007, AND CITY COUNCIL GRANTED FINAL APPROVAL ON SEPTEMBER 24, 2007, FOR THE WAIVERS OF THE LAND SUBDIVISION REGULATIONS:
   A. REDUCTION IN THE HORIZONTAL CURVE RADIUS FROM 150 FEET TO 100 FEET.
   B. REDUCTION OF THE STREET RIGHT-OF-WAY FROM 33 1/3" TO 46 FEET.

APPROVED
This plan reflects conformity with all applicable conditions of approval specified by the City of Dover Planning Commission at the meeting of _____
Chairman
Secretary

GRAPHIC SCALE
0 30 60 90 120
(IN FEET)
1 inch = 60 ft.

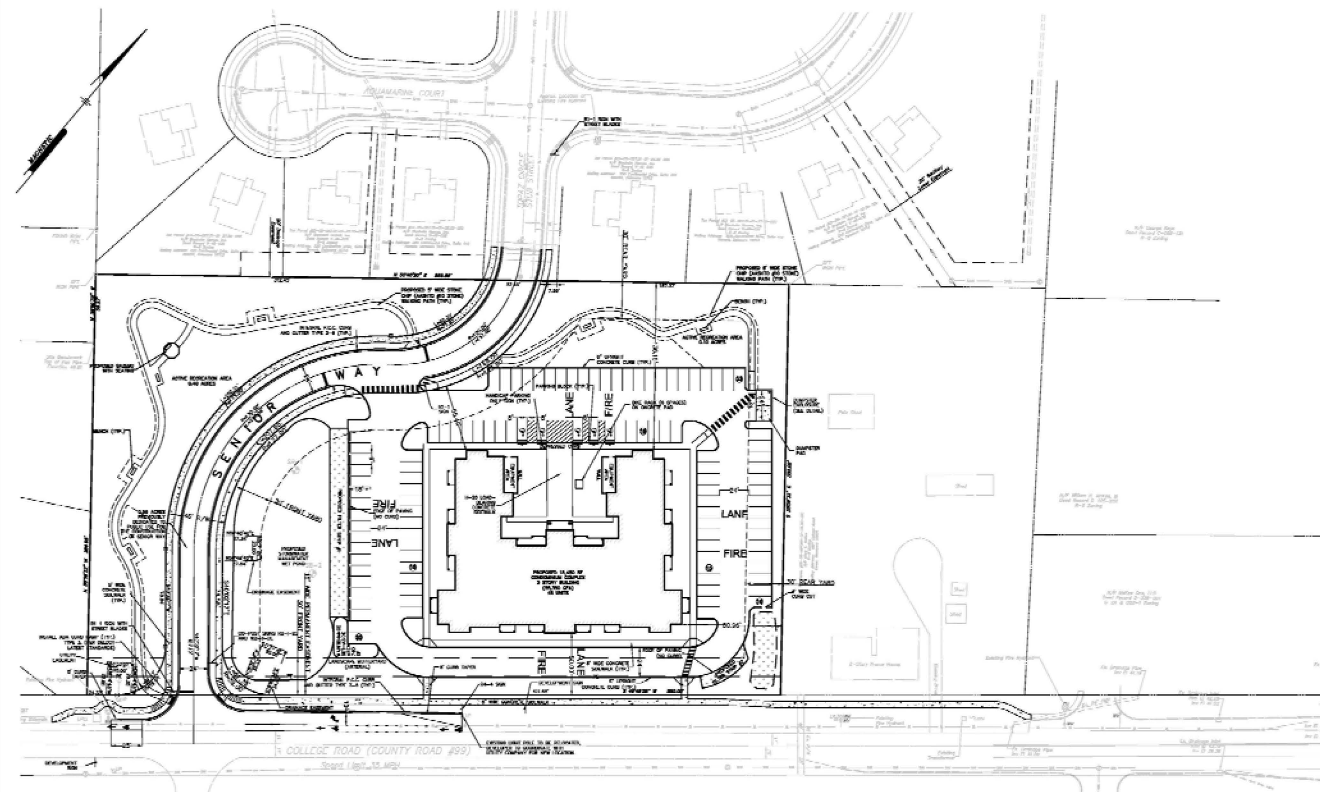
Pennoni Associates Inc. — Engineers • Surveyors • Planners • Landscape Architects
46 Stanford Road — Suite 203 — Mullica Hill, New Jersey 08062
Tel (302) 855-4402 — Fax (856) 494-2993

Pennoni

NO.	DATE	REVISION	BY
1	4-3-09	PER NCD COMMENTS 3/19/09	LJR
2	04-22-09	PER SCDD COMMENTS	EJR

THE ARBORS SENIOR CONDOMINIUMS
PLANNED NEIGHBORHOOD DESIGN – SENIOR CITIZEN HOUSING OPTION
EAST DOVER HUNDRED
CITY OF DOVER, KENT COUNTY, DELAWARE
SITE PLAN
ASHBURN HOMES INCORPORATED
ATTN: ANTOINE ASHBURN
874 A WALKER ROAD
DOVER, DELAWARE, 19904
Final Plan

TAX MAP NO.	2-05-09100 01-2501-000
BOOK MAP NO.	SHEET 2 OF 14
SCALE	1"=40'
DESIGN BY	JGA
DATE	02-06-09
DRAWING	309
DRAWING NO.	C1001



SITE DATA

CITY OF DOVER APPLICATION NUMBER	X-XX-XX
TAX PARCEL NUMBER	2-05-06700-01-3503-000
DATUM	NAVD 88
BENCHMARK	TOP OF IRON PIPE ADJACENT TO NORTHWEST CORNER OF PROPERTY (SEE PLAN)
ACREAGE	3.77
PROPERTY OWNER	SHREE GANESH, LLC
PROPERTY ADDRESS	1501 COLLEGE ROAD DOVER, DELAWARE 19904
ZONING	RG-2 (GENERAL RESIDENCE ZONE)
EXISTING USE	VACANT
PROPOSED USE	GARDEN APARTMENTS (48 UNITS)
UTILITIES	WATER – CITY OF DOVER SEWER – CITY OF DOVER ELECTRIC – CITY OF DOVER
FLOODPLAIN	OUTSIDE (PER FEMA FIRM PANEL #10001C0169H, EFFECTIVE DATE MAY 5, 2003)
WETLANDS	NONE

ZONING REQUIREMENTS

	REQUIRED	PROPOSED
MINIMUM LOT AREA/DWELLING UNIT	1,700 S.F.	3,421 S.F.
MINIMUM LOT WIDTH	100 FT.	580 FT.
MINIMUM LOT DEPTH	125 FT.	332.02 FT.
MINIMUM FRONT YARD	30 FT.	50 FT.
MINIMUM SIDE YARD	25 FT.	N/A
MINIMUM TOTAL BOTH SIDE YARDS	50 FT.	N/A
MINIMUM REAR YARD	30 FT.	136.15 FT.
MAXIMUM BUILDING HEIGHT	40 FT.	38 FT.
MAXIMUM NUMBER OF STORIES	3	3
MAXIMUM BUILDING LENGTH	220 FT.	147 FT.
MAXIMUM LOT COVERAGE	60%	54%

IMPERVIOUS CALCULATIONS

BUILDING FOOTPRINT	18,450 S.F.
OTHER IMPERVIOUS SURFACE	69,300 S.F.
TOTAL IMPERVIOUS SURFACE	2.02 AC. (54%)

PARKING RATIONALE

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

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

OWNER CERTIFICATION

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

MANISH PATEL
SHREE GANESH, LLC — DATE

ENGINEER CERTIFICATION

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

DOUGLAS D. BARRY, P.E.
TRM ASSOCIATES — DATE

GENERAL NOTES

1. DATE OF FIELD SURVEY – BOUNDARY (7-1-04); TOPO (12-18-04). SURVEY WAS CONDUCTED BY SCOTT ENGINEERING INC.
2. GRAPHIC INFORMATION FOR EMERALD POINTE SUBDIVISION TAKEN FROM CONSTRUCTION PLANS FOR EMERALD POINTE PREPARED BY KARINS AND ASSOCIATES CONSULTING ENGINEERS, DATED DECEMBER 31, 2003.
3. PROPERTY MAY BE SUBJECT TO RESTRICTIONS AND EASEMENTS DESCRIBED IN DEED RESTRICTIONS OR AS FOUND IN SUBSEQUENT TITLE SEARCH.
4. SURFACE UTILITIES SHOWN ARE BASED UPON FIELD OBSERVATION AND ENGINEERING JUDGMENT WITH REGARDS TO CONNECTION POINTS AND ALIGNMENTS. VERIFICATION SHOULD BE MADE IN THE FIELD.
5. ANY PROPOSED SITE OR BUILDING IDENTIFICATION SIGN SHALL REQUIRE A SIGN PERMIT FROM THE CITY OF DOVER PRIOR TO PLACEMENT OF ANY SUCH SIGN.
6. FIRE LANES TO BE MARKED PER DELAWARE STATE FIRE PREVENTION REGULATIONS.
7. ANY PROPOSED GAS FIRED HVAC EQUIPMENT MUST BE EQUIPPED WITH REMOTELY LOCATED EMERGENCY CUT-OFF SWITCHES.
8. ADDRESS NUMBERS OF AT LEAST 12 INCHES IN HEIGHT MUST BE PLACED ON THE STREET SIDE OF THE BUILDING VISIBLE FROM THE STREET.
9. ANY NATURAL OR LP GAS BOTTLES, METERS, VALVES, REGULATORS, ETC. MUST HAVE IMPACT PROTECTION.
10. FIRE DEPARTMENT CONNECTION (STANDPIPE) TO BE LOCATED WITHIN 50 FEET OF THE MAIN ENTRANCE, WHICH SHALL ALSO BE LOCATED WITH 300 FEET OF A FIRE HYDRANT.
11. A BUILDING SPRINKLER SYSTEM IS REQUIRED AND THE SYSTEM SHALL BE MONITORED. ALL PORTIONS OF THE FIRST FLOOR SHALL BE WITHIN 600 FEET OF A FIRE HYDRANT.
12. A BUILDING FIRE ALARM SYSTEM IS REQUIRED AND SHALL BE MONITORED.
13. A KNOX BOX IS REQUIRED FOR THIS PROJECT.

GENERAL NOTES (CONTINUED)

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

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

ACTIVE RECREATION AREA CALCULATIONS

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

NO.	DATE	REVISIONS	BY	CHECKED

SHREE GANESH, LLC

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

SITE PLAN

TRM ASSOCIATES

DOUGLAS D. BARRY, P.E.
PROFESSIONAL ENGINEER
DE LIC. No. 13160

DATE: 02/05/16

SP-1

SHEET: 2 OF 9

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Ms. Susan Hessler, 120 Cobblestone Lane, stated that she had attended two (2) of the community meetings and there was not an overwhelming majority that wanted anything done, except for some sort of speed control, whether it was a lighted fixture such as that now on Bicentennial. She expressed concern, if a roundabout were installed, that instead of going through the circle, people would come out onto Colony Drive, go through the light at Meetinghouse Lane and Colony Drive, and then divert onto Bicentennial Boulevard to cut over to Walker Road, and traffic would just be redirected. Ms. Hessler felt that this would create more of an excessive traffic pattern through the neighborhood.

Mr. Hosfelt stated his view that, historically, people had not circumvented the current roundabout on Mifflin Road to go through Woodmill to Route 8.

Based on the size and dimensions of the roundabouts, Ms. Hessler did not think they could be compared. She indicated that people cut through Colony Drive now, and she felt the mindset would be that if people want to get to Walker Road, they would go down to Bicentennial Boulevard and go right or left on Walker Road.

Mr. Sudler questioned how concerns regarding parking at Continental Park would be addressed if the park was used for recreation. He questioned if there would be parking allowed for a time frame or if those who park there would be ticketed.

Mr. Hosfelt stated his belief that there were no signs on the roadway that restrict parking at this time and parking would remain open.

Mr. Sudler moved to recommend acceptance of the recommendation of DelDOT and the working group for the roundabout, seconded by Mr. Neil and unanimously carried.

Traffic Concerns - Proposed Interconnection Between The Arbors Senior Garden Apartments and Emerald Pointe

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a presentation entitled "The Arbors - Review of Interconnection with Emerald Pointe*"* ***(Attachment #2)***. She explained that, in 2002, the Planning Commission approved the subdivision now known as Emerald Pointe with 107 single-family detached homes. That plan included two (2) stub streets; one (1) extending west to a vacant property between Emerald Pointe and Hidden Oaks, and another extending from Topaz Circle to the south, to the subject property of The Arbors.

Mrs. Townshend advised that, in 2004, there was a minor subdivision of the McKee Property, which resulted in the parcel that was again the subject of The Arbors. At that time, the Delaware Department of Transportation (DelDOT) and the Public Works Department requested a 60-foot cross access easement from the McKee property to Emerald Pointe to line up with the stub street. This easement was approved by the Planning Commission and was on the final recorded plan for that minor subdivision.

Mrs. Townshend indicated that a project called "College Road Garden Apartments" came forward in 2005 and was reviewed as a Planned Neighborhood Design - Senior Citizen Housing option. The site plan was approved by the Planning Commission, but it expired in 2007, before it went to final plan, or construction was begun. She stated that in 2007, The Arbors came forward again as a Planned Neighborhood Design - Senior Citizen Housing, which was essentially the same plan that had expired previously with a few small changes. Mrs. Townshend explained that this project was approved by the Planning Commission and received final site plan approvals from all agencies; however, construction never commenced and the plan expired in 2009. Prior to the expiration of the site plan, the right of way that establishes Senior Way was recorded. She noted that, in 2009 and early 2010, the property was rezoned from R-8 (One-Family Residence Zone), to RG-2 (General Residence Zone), and the previous plans were brought forward as senior apartments, since apartments became a permitted use.

Mrs. Townshend informed members that, in 2010, there was another conditional use site plan application for the Arbors, with essentially the same building layout, which had minor tweaks to the parking and other layout on the site. She noted that this was for a 48-unit apartment building, and that every iteration for the property had been for 48 units. Mrs. Townshend stated that the original proposal would have had all traffic coming through Emerald Pointe, and there would be no access to College Road; however, Planning Department and DelDOT staff expressed concern about this. She noted that the Planning Commission ultimately required the construction of Senior Way, which would include access to College Road, and the connection to the Topaz Circle stub street. Mrs. Townshend indicated that this plan expired again, prior to getting all of the approvals and being finalized.

Mrs. Townshend advised members that the current land plan submission for The Arbors was consistent with the prior submission, but had some changes to the parking layout. It was approved by the Planning Commission on March 21, 2016, and included the interconnection with the Topaz Circle stub street. Mrs. Townshend reviewed the 2007 site plan for The Arbors Planned Neighborhood Design - Senior Citizen Option on Page 5 of the presentation, and reminded members that this project went to final plan approval, but was not constructed. She explained that the active recreation area on the west side of Senior Way showed a multi-use path for the residents of the development, and the connection to Topaz Circle was part of the plan. Mrs. Townshend then reviewed the land plan for the Arbors that was approved by the Planning Commission on Page 6. She indicated that, for the most part, this plan remained unchanged from the 2007 plan, noting that parking would be tweaked and the connections to Topaz Circle and College Road would be retained. Mrs. Townshend advised members that there were concerns regarding how the connections would affect traffic through Emerald Pointe, in particular at the location where Emerald Pointe connects with McKee Road. Mrs. Townshend stated that, in terms of the history and prior approvals of Emerald Pointe, and the prior iterations of The Arbors property interconnection had always been part of the plan approval.

Mr. Hosfelt commented that he travels this road back and forth to work each day, and it was not uncommon to sit through the light at College and McKee Roads for three (3) or four (4) cycles before getting through. He questioned if DelDOT could help with this.

Mr. Marc Cote, Assistant Director, Planning Development Coordination, DelDOT stated that the intersection of McKee and College Roads was eventually planned to be part of the Dover Transportation Improvement District that DelDOT was working with the City on; however, this was in the infancy stages and there were no planned improvements at the intersection at this time. Mr. Cote advised that the interconnection was there to provide the residents of the community another access point to College Road so they do not have to travel through the intersection. He stated that the senior housing generates only a little over 160 trips per day, so not much traffic would be using it, and the interconnection is there mainly for the community to use.

Mr. Hosfelt invited those present who wished to speak to come forward.

Mr. Thomas Disabatino, 346 Topaz Circle, Emerald Pointe, informed members that when he found out about the plan he was immediately concerned, due to the traffic at McKee and College Road. He stated that traffic stacks up from College Road all the way to the entrance and beyond of Emerald Pointe when heading in the direction of Kraft Foods. Mr. DiSabatino feared that Emerald Pointe will just become a pass-through to College Road at those times when the traffic is heavy. In addition, he indicated that when trying to make a left turn from College Road to McKee Road headed toward Delaware Technical and Community College, the left turn cycle allows only five (5) to six (6) cars through; therefore, he felt that people would use Senior Way, go through Emerald Pointe, and take their chances on trying to make a left turn at the Emerald Pointe entrance, which he indicated was already a dangerous proposition. Mr. Disabatino reiterated the major concern that this would become a pass-through for those trying to avoid the intersection, noting that he did not know the date when the improvements would be made.

Mr. Hosfelt indicated that the improvements would take years.

Mr. Dan Maher, 16 Inverness Court, Woodlands of Fox Hall, expressed his desire to raise the same issues that he raised before the Planning Commission. He stated that the distance from the entrance of Fox Hall on College Road to the intersection is roughly 0.3 miles and this area contains two (2) churches, a private residence, and a building development that empty onto College Road. Mr. Maher advised that the Arbors development would be the fourth development between the Woodlands of Fox Hall, Hidden Acres, the Arbors, and a little shopping center. He stated that those who are four (4) or five (5) cars back in the intersection during the day are stuck and cannot get to the left or right turn lane. Mr. Maher felt that having additional cars there would make that matter considerably worse. He did not understand where the projection of 160 trips came from, noting that there would be 48 units, each one with a car going in and out, and he felt the intersection would be a disaster. Mr. Maher expressed concern that the Arbors would be built before improvements are made and that it would make a bad situation worse. Referring to the discussion earlier in the meeting regarding Independence Boulevard, he questioned how many cars were traversing College Road if there were 6,000 per day on Independence Boulevard.

Mr. David Pokrajac, 6 Tanzanite Court, agreed with other members of the public. He stated that two (2) years ago in March he was living at the Courtyards when there was an accident at night. The police were chasing someone in an all-terrain vehicle who entered the neighborhood, causing havoc

and waking up Mr. Pokrajac and his neighbor. He noted this happened before this became a through traffic road and questioned what would happen if the interconnection came to fruition. Mr. Pokrajac noted that earlier in the meeting members discussed measures to improve the traffic situation on Independence Boulevard, which had become a through-traffic road, and now they were proposing to open a through-traffic road. He questioned if they would propose to build a roundabout in one (1) to ten (10) years to prevent traffic accidents, noting that there was no space in the neighborhood for a roundabout. Mr. Pokrajac stated that kids play basketball and baseball on the streets in the neighborhood and run and ride bicycles there. He questioned if there was a desire for kids to be healthy and able to defend our country if needed or to be on Facebook all the time and have spinal injuries.

Ms. LaKeesha Christian, 207 Topaz Circle, advised members that her family had been living in the neighborhood for approximately seven (7) to eight (8) years. She referenced the concerns stated earlier in the meeting of residents living in and around Bicentennial Village, who felt they had lost the peacefulness of their neighborhood with all the traffic constantly going through. Ms. Christian noted that 6,000 cars was a lot of traffic going through and she did not want her neighborhood to experience this. She stated that they have a small community, know each other, and know the cars that travel in and out of the neighborhood. Ms. Christian feels very safe and secure there, her children play there, and she feels comfortable letting them go outside, run around the house, and go down to the park, knowing that they will be safe, and her neighbors will be looking out for them. She stated that she would lose all of that comfort if members agree to let a street cut through from one end to another. She stated her understanding that the purpose of the proposal was to help people to get in and out of the new residential area better, but expressed concern for those who are already living there and dealing with traffic when coming out. Ms. Christian noted that there is no light in front of Emerald Pointe and no approval for a light, so it would take longer to get out of the neighborhood. In addition to the safety concerns, she noted that there would be 48 additional units, which would mean 100 extra cars if people have two (2) cars. Ms. Christian reiterated that she would like her children to be safe and did not think it fair to lose that just to add a new development to the community.

Mr. Mark Reaves, 10 Tanzanite Court, President, Emerald Pointe Homeowners Association, stated his concern that this development had come up numerous times under multiple names, and each time it had expired. He stated that they had no idea of ownership of this project, the owner had not come forward to the residents of the community, and there had been no discussion with the community regarding what was going on with the project. Mr. Reaves noted that Mr. Cote had casually stated that this was a through put to McKee Road on the other side. Mr. Reaves reiterated others' comments that this was a neighborhood, and the road comes directly through a residential area. He indicated that, currently, one (1) vehicle can pass through the street, and drivers must pull over to the side to pass. Mr. Reaves felt it infeasible for cars to pass each other coming through.

Mr. Reaves stated that if the Arbors development moves forward, there should be a "Do Not Enter" indication so others would not be entering his neighborhood, if there is some type of pass-through street. This would facilitate emergency vehicles reaching Emerald Pointe as they would not have to go all the way around and come down McKee Road to get into his community, which would be

a benefit. However, Mr. Reaves felt that normal traffic should come in and out on College Road. He expressed his opinion that there should be discussion with DelDOT, noting that they had sent letters to DelDOT since late 2013 and early 2014 about getting some type of traffic light, such as a flashing yellow or flashing red light, but had been ignored for two (2) years. Mr. Reaves explained that residents must sometimes wait 15 minutes to get out of their neighborhood to go to work. He stated that there had been two (2) or three (3) fatalities. They had lost their neighborhood entrance signs which had not been replaced, although they had asked DelDOT for them numerous times for over two-and-a-half years, but had gotten the run-around. Mr. Reaves felt that if anything were to come before the City in regard to the interconnection, there had to be discussion with the neighborhood. He also commented that there were safety concerns due to numerous young children, expressing the desire to avoid an Amber Alert situation.

Mayor Christiansen stated that Mr. Reaves was correct, noting that he and Council President Slavin had made two (2) requests for traffic studies to be initiated at the entrance to Emerald Pointe, at the request of the residents, and also at the request of the residents of The Meadows. He informed members that he had observed in the morning that it was "Death Wish 2000" coming out of Emerald Pointe and The Meadows. Mayor Christiansen said he did not know if this had any bearing on whether or not there would be a through street. He questioned if staff had received information from DelDOT in regard to traffic counts. Mayor Christiansen stated his belief that, with the completion of the West Dover Connector that runs through the south of the City, the traffic situation on McKee Road and Scarborough Road, and at the entrance and exit to Emerald Pointe, would be exacerbated. Mayor Christiansen indicated that he would like to see those traffic studies in hand for the City to make an intelligent decision on which direction the City would go.

Mrs. Townshend advised that she was not aware of any studies. She indicated that she could follow up with the DelDOT traffic section, especially if there had been fatalities. If a study had not been done, Mrs. Townshend indicated that staff could work with DelDOT on this. [Sent to AMT]

Mr. Cote stated that he would follow up with DelDOT's traffic study section to see what the results were of the requests; however, based on his experience, there was not enough traffic out of Emerald Pointe to warrant a signal.

Mr. Reaves suggested a signal at the intersection of McKee and Scarborough Roads, noting that this would break up the traffic pattern. Responding, Mr. Cote advised that warrants must be satisfied in order to place traffic signals, and even if a warrant is met, this does not necessarily mean that DelDOT would install a signal, just that the location is eligible for one. He reiterated his doubt that a warrant would be met. Mr. Cote noted that the residents were concerned about getting out onto McKee Road; however, he stated that an interconnection would allow them the opportunity to exit onto College Road. He explained that McKee Road has about 15,800 vehicles per day, whereas College Road has almost half that volume with 8,300 vehicles. Mr. Cote indicated that it would be much easier to get out onto College Road, which would provide the opportunity to bypass the intersection completely, when traveling westbound on College Road.

As a resident who lives and works off State College Road, and who grew up on State College Road, Mr. Sudler concurred with the majority of the residents who had voiced their opinion tonight. He stated that he would not vote in favor of the interconnection.

Mr. Scott Koenig, City Manager, stated that he recalled receiving an email from Mr. Mark Luszcz, Assistant Chief Traffic Engineer, regarding the intersection of McKee Road modified to Scarborough Road. It was Mr. Koenig's belief that DelDOT had done a traffic study and recommended that a signal be constructed at that location when the budget allows.

In regard to community planning, Mr. Koenig stated that interconnectivity is a component of the City's Subdivision Code and staff had been working on this with design engineers, developers, and existing developments for more than 25 years. He explained that communities such as Bicentennial Village, Presidential Courts, The Green, Deerfield, Woodmill, and Woodmill Apartments are interconnected by roads. Mr. Koenig explained that roads were constructed all the way to the boundaries of these subdivisions. He noted that Emerald Pointe, Hidden Oaks, the Village of Cannon Mill, and the Village of Westover all have stub roads constructed to the boundaries to attain interconnectivity for school buses, emergency vehicles, vehicular traffic, and general day-to-day activities of a community. Mr. Koenig indicated that staff had fought for many years for cross-access agreements and cross-access construction to facilitate interconnections between various types of developments to alleviate additional traffic on main roads and main intersections. He advised that State growth patterns are pushing development to the communities. Mr. Koenig noted that traffic volumes in the City would continue to go up as Dover grows and becomes more urbanized and this was a reality for which staff had been planning for more than two (2) decades. He stated that transportation systems, transportation planning, utilities, etc., are part of the community fabric. Acknowledging that he understood that there are negatives to interconnectivity, Mr. Koenig noted that there are also positives that the City assumed would happen when developments and construction were planned and authorized. He explained that if Council decides not to approve the interconnection, there would be a subdivision with 150 units that has one (1) connection to the road for emergency vehicles to get in or out.

Mr. Koenig advised that votes by Council and the Planning Commission regarding interconnectivity had not always been unanimous because it is difficult when portions of the community say they do not want it. Some residents who bought lots in a subdivision become upset because roads may actually be connected to other developments. Mr. Koenig expressed his opinion that staff had done a good job of laying the foundation for interconnections because they are important to the community.

Mr. Reaves stated that the community was planned in 2005 or 2006, and he felt the interconnectivity should have happened when they started building the neighborhood. He indicated that a road could have been put through to College Road at that time, noting that it was now coming as a surprise to residents. He expressed his belief that residents did not disagree with interconnectivity; however, they had a problem with traffic flow coming through the neighborhood. Mr. Reaves felt that this should be considered strongly, noting that emergency vehicles coming in from College Road would be welcome; however, studies were incomplete regarding traffic coming in through the other

neighborhood. He indicated that currently there were 107 houses, and children in the neighborhood had grown, and were now driving. Mr. Reaves stated that households that used to have one (1) or two (2) vehicles now had four (4), and all of this traffic was trying to exit at the same time. He stated that DelDOT had denied their request for any type of alleviation for traffic exiting out onto Scarborough/McKee Road. Mr. Reaves indicated that they had asked for the center lane to be extended to allow drivers to pass and get to the center lane and then merge in to the traffic, noting that this lane ends before their development. Mr. Reaves informed members that they had asked for a flashing red or yellow light. All of these things were requested over the past two (2) years and were denied. He stated, if the project goes forward and more cars are added to the flow, nothing had been suggested to alleviate problems getting out of the development, and he reiterated that there have been three (3) fatalities.

Mrs. Townshend pointed out that the subdivision site plan had been approved with the interconnection. The Planning Commission had acted, and this matter was not being brought to the Committee or Council for approval. She indicated that if Council determines that they want to look at how this could be eliminated, there would be ways to consider this; however, approval was not on the current agenda.

Mr. Hosfelt questioned the process if there was a desire to take action. Responding, Mrs. Townshend explained that she provided information to Mr. William Pepper, Deputy City Solicitor, who evaluated the various codes and stated that Council would have the purview to abandon the right of way of the stub street in Emerald Pointe. Mrs. Townshend advised that if this was something that Council wants to do, it would be initiated. This matter would have to go through the Development Advisory Committee process and through the Planning Commission, with a recommendation, so this would not be a simple motion, but a process that would have to go forward to effect a change.

Mr. Sudler moved to look into the process of abandoning the stub street that was recommended by the Planning Commission in Emerald Pointe, seconded by Mr. Hare.

Mr. Hare stated his belief that there was plenty of time on this issue, noting that the project had not yet been developed or built. He suggested reviewing it for access for emergency vehicles or school buses. Mr. Hare pointed out that there are other developments, such as Hidden Acres, that have only one (1) way in and out. He felt that if the development is built and there are issues and problems, they could be addressed in two (2) or three (3) years, as problems were being addressed in Bicentennial Village.

Ms. Rose Shields, 339 Topaz Circle, stated that when she purchased her property, she asked about this section and was told not to worry about it. She expressed concern about the two (2) houses on either side with traffic going through.

Mr. Sudler stated that he did not oppose interconnection; however, he opposed it at the location discussed at the present moment. He felt that with further input from the community and further

planning, a happy medium would be found. He noted that the Village of Westover had one (1) way in and out and they had been fine.

Mr. Hutchison felt, based on the comments made by neighbors this evening, that members had an opportunity and responsibility to review this matter further to make sure that everyone is on the same page, and understands the issue. He also felt that there was a responsibility to address the concerns, due to public safety.

Mr. Hosfelt advised that he lives in Fox Hall West, where residents suffer every day with interconnection from Westfield cutting through the neighborhood to get to Kenton Road more quickly. He stated that he receives complaints from his neighbors, understood the concerns it causes, and could only imagine what this would cause for the development of Emerald Pointe. Mr. Hosfelt noted that representatives from DelDOT had indicated there would be 8,500 vehicles going back and forth each day. He believed that growth and speeds would become greater. Based on Captain Mark Spicer's comments earlier in the evening, Mr. Hosfelt felt that accidents would increase and expressed the desire to learn from the discussions earlier in the evening in regard to Bicentennial Village.

Mr. Keller stated that he lives in Fox Hall and that any more traffic on College Road would be a mess. He stated that he travels two (2) to three (3) times per day from Oakmont Road to College Road.

The motion to recommend looking into the process of abandoning the stub street that was recommended by the Planning Commission in Emerald Pointe unanimously carried.

Mr. Marion Wright, 118 Topaz Circle, expressed concern about the traffic problems they had experienced, noting that there had been two (2) or three (3) fatalities at the intersection where residents exit. He indicated that when he is exiting to the left or right and he sees a car turning the corner, he thinks he has adequate time to exit; however, the next thing he knows, the car is on top of him, going about 60 or 65 miles per hour. Mr. Wright advised that he and his wife see people flying on their way to work and home at night. He felt this was a dangerous problem that might be reduced if there were stop or speed limit signs. Mr. Wright stated that when making a left-hand turn, he must pull up because he is afraid that someone will hit him from behind instead of going around. Mr. Wright advised members that cars in back cannot see the curve in the road. He felt that bringing a policeman to this location from time to time to warn people about high speeds would probably help, and hopefully there would be no more fatalities.

Review of Position Description/Requirements - City Fire Marshal (Inspector III)
Due to time constraints, this item was deferred.

Mr. Hutchison moved for adjournment of the Safety Advisory and Transportation Committee meeting, seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 7:14 p.m.

Chronology of Development Activity for Property at 1051 College Road, Dover, DE
Tax Parcel: ED-05-067.00-01-35.03-000

2002 Emerald Point Subdivision (SB-02-01F)

- Development review for property to the north of property at 1051 College Road.
- Residential Subdivision of 107 single family detached dwelling units.
    - Subdivision entrance from McKee Road leading to internal street network of two major streets with several other cul-de-sac streets and two streets showing interconnectivity to adjacent parcels.
    - During the land planning process for the residential subdivision of Emerald Pointe a 'stub street' from Topaz Circle was planned to provide for access to a then vacant tract of land on College Road and to provide the continuation of the traffic circulation network in the general area. Opal Place is also a 'stub street' to another adjacent vacant lot north of Hidden Oaks.
    - Utility network (water and sewer services) located within the right-of-way are stubbed to the property line.
- July 3, 2002 Development Advisory Committee Review
- August 19, 2002 Planning Commission Review of Conceptual Subdivision Plan and granted approval to concept plan and recommended approval of waiver to reduce paved street width from 38 feet to 32 feet in the subdivision.
- September 9, 2002 Utility Committee Recommends approval of waiver to reduce the paved width of the streets from 38 feet to 32 feet with the right-of-way remaining at 60 feet. Accepted by City Council on September 23, 2002.
- October 10, 2002 Development Advisory Committee Review
- October 25, 2002 Planning Commission Review of Preliminary Subdivision Plan and grants conditional plan approval including waiver to reduce paved street width from 38 feet to 32 feet and noting that future interconnection from the subdivision to adjacent properties will be subject to review processes.
    - The subdivision streets of Topaz Avenue (Circle) and Opal Place are designed to provide the opportunity for interconnection to adjacent parcels should they be developed in the future.
    - DelDOT recommends relocation of the future connection that extends Topaz Avenue (Circle) to College Road since its it too close to the intersection of Saulsbury/McKee Road; the recommendation is to move the connection further west.
- March 19, 2004 Final Plan Approval granted to Subdivision Final Record Plat by Planning Office.
    - Includes Entrance Plan approval by DelDOT on March 6, 2003. Commercial Entrance Permit issued October 6, 2003 for subdivision entrance to McKee Road
- Construction of Emerald Point Phase 1 begins June 2004 and construction of Emerald Point Phase II begins February 2006.

2004 **Lands of Mary E. McKee: Minor Subdivision Plan (SB-04-06)**

- Application filed August 4, 2004: Property at 1021 W. State College Road (6.1163 acres) is proposed for subdivision into two parcels as Parcel A of 4.0345 acres and the residual of 2.0818 acres. Initial parcel identified as Tax Parcel Ed-05-067.00-01-35.00-000. (Parcel A becomes The Arbors site.) Property is zoned R-8.
    - The Property had filed applications in June 2004 for amendment to the Comprehensive Plan and seeking rezoning of the property to CPO. The requests were denied by the Planning Commission and then withdrawn by the applicant. (MI-04-07 and Z-04-07).
- September 9, 2004 Development Advisory Committee Review.
    - City Public Works Office requested cross access easement language to allow access from College Road to the proposed stub of Topaz Circle in Emerald Point subdivision.
    - DelDOT requests 60 ft. cross access easement across property from property to the north (for continuation of street network from Emerald Point project). Specific location to be determined in the future.
- September 20, 2004 Planning Commission Public Hearing and Review: Action to approve subdivision with condition.
    - Planning Commission required that the location and width of the perpetual cross access from the adjacent property on the north (Emerald Pointe Subdivision) across the subject property to College Road will be determined in conjunction with the Site Plan approval process for development of the subject property.
    - The adjacent property on the north (Emerald Point) includes a right-of-way for a public street which currently terminates at the adjoining property line.
- October 29, 2004 Final Record Plan Approval granted to Subdivision Plan. Record Plan includes Note: "This plan hereby provides a 24 feet wide perpetual cross access easement from College Road to the proposed stub street of Topaz Circle to be construction in Emerald Point Subdivision. The exact location of the easement to be determined at the time of development of Parcel A."

2005 **College Road Garden Apartments: Planned Neighborhood Design - Senior Housing Option (C-05-01)**

- The project was reviewed under the provisions of the Planned Neighborhood Design – Senior Citizen Housing Option in order to construct 52 units in two apartment style buildings and with a garage building. Project included entrance to College Road and a connection of a drive aisle to Topaz Circle.
- April 7, 2005 Development Advisory Committee Review
- April 18, 2005 Planning Commission Public Hearing and Review: took action to table application seeking additional information on building details, project density, traffic circulation, and the recreation area.

- April 21, 2005 Active Recreation Area Plan reviewed by PRCE.
- May 6, 2005 Revised Plan submitted that revised unit count to 48 dwelling units, revised traffic circulation, etc.
- May 16, 2005 Planning Commission Review: Action to grant approval with conditions
- 2005-2006 Review of several Check Prints as project moved toward Final Plan
- May 15, 2006 Planning Commission grants a one-year extension of plan approval.
- May 30, 2007 Plan expires; plan not finalized.

2007 **The Arbors: Planned Neighborhood Design – Senior Housing Option (C-07-05)**

- The Conditional Use Site Plan project was reviewed under the provisions of the Planned Neighborhood Design – Senior Citizen Housing Option in order to construction an apartment style building of 48 units.
- June 7, 2007 Development Advisory Committee Review
- June 18, 2017 Planning Commission Public Hearing and Review: took action to table application seeking further discussions of the traffic distribution and circulation for the site and the potential extension of Topaz Circle to College Road as a public street.
- August 9, 2007 Development Advisory Committee Review of Revised Plan
- August 20, 2007 Planning Commission Public Hearing & Review: Action to grant approval with conditions and including recommendations of approval for street waivers on horizontal curve radius and reduction of street right-of-way from 60 feet to 46 feet for creation of public street.
- September 9, 2007 Utility Committee Review of street waivers recommending approval to City Council.
- August 18, 2008 Planning Commission grants a one-year extension of plan approval.
- February 17, 2009 Planning Commission informational review of plan design revisions.
- June 22, 2009 Record Plan approval granted.
- June 26, 2009 Record Plan recorded to establish right-of-way of Senior Way as a public street that divided the parcel into two areas.
- July 13, 2009 Final Plan Approval granted to Conditional Use Site Plan.
- August 31, 2009 C-07-05 Plan approval expires as construction was not commenced.

2009 **Record Plan for Senior Way**

- June 26, 2009 Record Plan recorded establishing the right-of-way for Senior Way as associated with C-07-05. Record Plan was completed and recorded to establish the street right-of-way (width of 46 feet) for Senior Way as a public street and divided the property into two areas.
    - The street known as Senior Way (the continuation of the Topaz Circle "Stub Street") as a public street to interconnect with College Road.
    - In addition, the street interconnection provides a distinct second

entrance to both The Arbors and to Emerald Pointe Subdivision as now required with the revised *Land Subdivision Regulations* pertaining to streets.
    - Record Plan establishing public street right-of-way remains in place; no requirement for plan expungement in *Land Subdivision Regulations*.

2009-2010 Rezoning of Lands of JNK, LLC at 1051 College Road: Rezoning to RG-2 (Z-09-05)

- Rezoning request (Z-09-05) for the property at 1051 College Road (Lands of JNK, LLC) from R-8 (One Family Residence Zone) to RG-2 (General Residence Zone). RG-2 allows multiple dwellings.
- March 15, 2010 Planning Commission Public Hearing and Review: Recommends approval of rezoning to RG-2.
- April 12, 2010 City Council approved the rezoning to RG-2.

2010 The Arbors Condominiums (C-10-02)

- April 22, 2010 Application Filed: Conditional Use Site Development Plan C-10-02 proposed The Arbors Condominiums as an apartment building with forty-eight (48) units. The proposed use is considered a multiple dwelling.
    - The Application proposed access to The Arbors from McKee Road only by traveling through Emerald Point via the Topaz Circle stub street to two entrance/exit points (no public street construction proposed). An emergency access only connection to College Road was proposed.
- July 8, 2010 Development Advisory Committee Review
    - Planning Staff recommends redesign of the site layout to implement construction of Senior Way (the continuation of the Topaz Circle stub street) to interconnect with College Road and to also provide access from the street to The Arbors. Similar comments also provided by Public Works Office, Fire Marshal's Office, and Dover/Kent County MPO.
- July 12, 2010 Review of Active Recreation Area Plan by PRCE Committee
- July 19, 2010 Planning Commission Public Hearing but postponed action on Application C-10-02 seeking additional information on unit types and streets/interconnectivity.
- August 16, 2010 Planning Commission Review continued: granted approval of C-10-02 with conditions.
    - Condition of approval includes the requirement to construct a public street from College Road and connecting to Emerald Point at Topaz Circle. This public street is to be constructed in the existing right-of-way for Senior Way. Access to The Arbors would be from this new public street.
- July 18, 2011 Planning Commission grants a one-year extension of plan approval.
- August 20, 2012 Planning Commission grants a second one-year extension of plan approval.
- August 31, 2013 Plan expired. Plan not finalized; no construction authorized.

2016 The Arbors Senior Garden Apartments (S-16-07)

- February 5, 2016 Application filed: Site Plan (S-16-07) to permit construction of a 48-unit senior garden apartment complex consists of a proposed three-story 55,350 S.F. residential building and associated site improvements.
    - Includes construction of an improved public street (Senior Way) on existing right-of-way connecting College Road and Topaz Circle. The parcel exists as two discontinuous areas on either side of the right-of-way. The entrance to The Arbors is from Senior Way.
    - The owner of record is Shree Ganesh LLC
- March 2 and 6, 2016 Development Advisory Committee Meetings & Review
- March 15, 2016 Review of Active Recreation Plan by PRCE-COW
- March 21, 2016 Planning Commission Public Hearing and Review: Action to grant conditional approval of Site Plan S-16-07

CITY OF DOVER PLANNING COMMISSION
July 18, 2016
Excerpt from Meeting Minutes - Draft

MI-16-06 Abandonment of Topaz Circle Stub Street at Emerald Pointe – Public Hearing and Review for Recommendation to City Council of a proposal to abandon the stub street connecting Topaz Circle and planned street Senior Way. The abandonment would result in the Emerald Pointe subdivision having only one connection onto a major road, McKee Road and would eliminate the interconnection to The Arbors via the planned street of Senior Way and to College Road. This matter was referred by the Safety Advisory and Transportation Committee of City Council to the Development Advisory Committee and Planning Commission for a recommendation. Council District 1. *Emerald Pointe Subdivision (SB-02-01) was approved by the Planning Commission in 2002 with Final Plan approvals in 2003-2004 and has since been developed. Application S-16-07 The Arbors Senior Garden Apartments was conditionally approved by the Planning Commission on March 21, 2016. This Abandonment proposal is as a result of its referral for review from the City Council on June 27, 2016.*

Representatives: None

Mrs. Townshend stated that following the Commission's approval of The Arbors on March 21, 2016, members of City Council heard from a number of constituents particularly in Emerald Pointe about concerns with the interconnection of Topaz Circle and Senior Way. The topic of interconnection was brought to the Safety Advisory and Transportation Committee for discussion on April 26, 2016. At this meeting, Staff provided a history of The Arbors and the interconnection between Emerald Pointe and The Arbors. Ultimately, following that discussion and the Minutes are in the packet the Committee approved a motion that asked that the process for abandonment of the stub street at Topaz Circle be considered. On June 27, 2016 at the City Council meeting, Council took action to waive portions of the process for street abandonment and refer the proposal for abandonment of the Topaz Circle stub street to the Planning Commission for public hearing this evening. The display on the screen is showing where the interconnection is between Senior Way in The Arbors and Topaz Circle stub street. This was referred to the Development Advisory Committee in preparation for the Planning Commission. The Planning Commission's role is to make a recommendation to the Council Committee of the Whole Utility Committee who will then consider the matter on August 9, 2016. They will then report out to City Council.

The recommendation of the Planning Staff as well the other departments on the Development Advisory Committee, in particular the Department of Public Works, the Fire Marshal's Office, DelDOT and the Dover/Kent County MPO was not to recommend in favor of the abandonment of the stub street. The *Land Subdivision Regulations* provide language on the requirement for interconnection for subdivisions that contain twenty (20) or more lots or site developments that contain one hundred fifty (150) or more dwelling units. The Emerald Pointe Subdivision Plan was approved in 2002 by the Planning Commission and included two points on interconnection. One connecting to what is now The Arbors and then one connecting to another piece of property to the west that is not very easily developable. This is the major way that they can connect to

another roadway. The cross access between The Arbors has been in place during all previous iterations of review of The Arbors and Senior Way was actually recorded in June 2009. We have seen throughout the City many cases where we have not in the past done interconnection and it creates challenges for both daily travel; there is one way in and one way out. It also is not ideal for emergency access. The idea is that once this interconnection is built there will be multiple accesses to public roads. Not having those accesses could increase response times in cases of emergency and it also is less than ideal for traffic flow. There are a number of developments on the west side of town for example the neighborhood across from Dover High, where you have one way in and one way out. If your children are friends with someone in the neighboring development you have to go out onto Route 8 to turn back into the development. It's inefficient and puts more traffic out on the roads and provides fewer alternatives for travel.

The comments from the Planning Office as well as the other departments are located in the packet. A public hearing is required this evening. The minutes of when this was discussed at the Safety Advisory and Transportation Committee are also included in the packet. At that point, there were a number of members of the public who shared concerns.

Ms. Maucher stated that as a member of the Legislative Finance Committee, previously she was present during that public hearing at the Safety Advisory and Transportation Committee meeting.

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

Mr. Holden questioned if this request initiated by Council needs to be a recommendation, approval or denial by the Planning Commission? Responding to Mr. Holden, Mrs. Townshend stated that the Commission would make a recommendation.

Mr. Holden stated that he thinks Mr. Koenig stated that the City has been moving in the path of having interconnected neighborhoods for decades and that they bring pros and cons but that they have decided as a City that the pros outweigh the cons. When you have over one hundred (100) homes and only one way a traffic accident or something else could block access. The main driver to go cut through this neighborhood to him doesn't seem to be there. He doesn't think it makes an easier path if traffic is busy on either one of the roads. That cut through traffic can be addressed. He thinks that there is great reason to have interconnection. It's tough when it happens after the fact because people are used to the reality of what they see today expecting that it's always going to look like that. He thinks there is a really strong basis to keep the interconnection and he is supportive of it.

Ms. Maucher questioned if the connection to the other property would be a straight cut through from Emerald Pointe to the next road or are there going to be turns that you have to make to get to the other entrance? Responding to Ms. Maucher, Mrs. Townshend stated that the Exhibit shows that Senior Way curves so it's not a straight road but there are not intersections.

Ms. Maucher stated that having been present for the larger public comment, she does appreciate that there are concerns about people cutting through the development to get from one main roadway to another to avoid traffic. Is there anything else that can be done? She knows that for

Independence Boulevard she was present for a discussion regarding bump outs and things like that to slow down the traffic. Responding to Ms. Maucher, Mrs. Townshend stated that there could be traffic calming measures that could be put in place but typically the traffic calming comes into effect when you have more of a straightaway. With Independence Boulevard, part of the challenge is that you have a straight road that goes right through that neighborhood. Here this is somewhat of a circuitous route if you were going to try to cut through it. It's not really going to save you much. It certainly could be something that if problems were to arise that there could be traffic calming measures but she thinks that just by virtue of design they wouldn't anticipate those types of problems.

Mr. Holden moved to recommend denial to City Council for MI-16-06 Abandonment of Topaz Circle Stub Street at Emerald Pointe and following the recommendations of the Department of Public Works, the Fire Marshal's Office, DelDOT, Dover/Kent County MPO and Planning Staff, seconded by Dr. Jones and the motion was unanimously carried 8-0 by roll call vote. Mr. Holden voting yes, for the reasons stated. Mr. Roach voting yes, for the reasons stated and due to the fact that emergency vehicles need different ways to enter and exit. Having one way in and out is a lot more dangerous than having people who just want to kill time and pass through the neighborhood. But to have access for someone in need is more important than trying to make it to work on time. Mr. Holt voting yes, for the reasons previously stated. Mr. Baldwin voting yes, for the reasons previously stated. Dr. Jones voting yes; based upon the recommendations of Staff and others who have involvement. Mrs. Welsh voting yes, for the reasons previously stated in regard to the safety issues. Ms. Maucher voting yes, for public safety reasons. Mr. Tolbert voting yes, for all of the reasons stated and it seems to be in the best interest for the City of Dover.

ACTION FORM

PROCEEDING: Utility Committee	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric	**DATE SUBMITTED**: 7/18/2016
PREPARED BY: Harry A. Maloney, III, Electric Director; Paul Waddell, Engineering Services & System Ops Superintendent	
SUBJECT: Electric Department Federal Regulatory Audit Report (Information Only)	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: City Manager; Controller	
EXHIBITS: Summarization Letter with nine (9) attachments	
EXPENDITURE REQUIRED: None	**AMOUNT BUDGETED**: N/A
FUNDING SOURCE (Dept/Page in CIP & Budget): None	
TIMETABLE: Present on August 9, 2016 meeting as information only	
RECOMMENDED ACTION: No action is required, information only.	

BACKGROUND AND ANALYSIS

The City of Dover Electric Department underwent a mandated compliance audit between April 18 - 29, 2016. This audit was performed by Reliability First (RF) and was evaluated using applicable North American Electric Reliability Corporation (NERC) Standards for the City of Dover's current registration as a Distribution Provider (DP). A random selection of standards, unknown to the City of Dover prior to the audit, was presented and City of Dover personnel were required to provide documentation for the last calendar year to prove compliance with the possibility to encompass the time period from the last audit completed in 2010.

As mentioned in the City's summarization letter dated July 15, 2016, there were no Possible Violations noted by Reliability First (RF) and only one (1) Open Enforcement Action. The Open Enforcement Action was directly related to a mitigation plan that at the time of the Audit Report was still active. The mitigation plan was completed and approved on May 31, 2016. The completion and approval of the mitigation plan removed the Open Enforcement Action which was mentioned in the *Notice of Compliance Exception Treatment RFC2016015488 and RFC2016015489.*

Based on the outcome of this audit, the City of Dover is in compliance and no fines will be imposed on the City of Dover. Additionally, no fines were imposed for the previously Open Enforcement Action.

July 15, 2016

SUBJECT: Summarization of the 2016 City of Dover Reliability First Electrical Standards Audit

TO: Scott Koenig

On April 18, 2016 the City of Dover Electric Utility was audited by Reliability First (RF) for compliance with applicable North American Electric Reliability Corporation (NERC). At this time the Electric Utility was actively registered as a Distribution Provider only and fell under the guidance of approximately 25 NERC standards.

During the previous audit in 2010, the utility was under the guidance of additional standards due to active registrations of Distribution Provider (DP) and Load Serving Entity (LSE). We received notification on December 7, 2015 that the LSE registration was being deactivated by NERC and therefore all applicable standards were no longer being monitored (letter attached).

In December 2015 it was identified that possible discrepancies existed for two standards applicable to the DP registration and the staff started the self-reporting actions with RF. The two standards in question were EOP-004-2 and PRC-005-2 and the self-reporting process was completed on January 15, 2016 (self-reports attached). This process triggered the requirement for mitigation plans to outline correction of the possible discrepancies and submission to RF for approval of the mitigation plans (mitigation plans attached). Once complete, we submitted the required documentation to close out our mitigation plans and received certificates validation we are now in compliance (certificate of completions attached).

Shortly after the audit completion in April, the utility was notified that RF was satisfied with the audit and the information we provided them and we were sent the final report (report attached). Page 1 of the report provides a Summary of Findings which show the utility has 0 Possible Violations and 1 Open Enforcement Action which concerned the then open mitigation plan for PRC-005-2. This mitigation plan was complete and approved by RF on May 31, 2016.

On June 8, 2016 the utility received official notification from RF that the Compliance Exception Treatment for the self-reports were officially closed (letter attached). Paragraph one of the letter states: "...that it will not pursue an enforcement action in connection with the instances of non-compliance described in the attached spreadsheet." The spreadsheet lists the self-report ID numbers we were assigned upon initial reporting. This decision by RF resulted in no fines or adverse comments officially documented against the utility and the City of Dover.

In summary, the utility hired an outside contractor to aide in the preparation for this audit. North American Energy Services (NAES) received all of our current documentation and performed a GAP analysis to identify shortfalls in our compliance culture. In addition to advising the submission of the two self-reports, NAES has also assisted the utility in developing the mitigation plan, instituting the plan, and offered various other documentation and consultation on other standards. We have continued to utilize their services and we establish long term procedures and documentation tools inherent to a culture of compliance to all guidance governing the operation of the utility.

HARRY A. MALONEY, III
ELECTRIC DIRECTOR, CITY OF DOVER

7/18/16
DATE

ATTACHEMENTS:

1. Notice of Deactivation on the NERC Compliance Registry (NCR) of the Load-Serving Entity, December 7, 2015
2. Self-Report City of Dover EOP-004-2
3. Mitigation Plan City of Dover EOP-004-2 R1
4. Certificate of Mitigation Plan Completion City of Dover EOP-004-2
5. Self-Report City of Dover PRC-005-2
6. Mitigation Plan City of Dover PRC-005-2 R1
7. Certificate of Mitigation Plan Completion City of Dover PRC-005-2
8. Compliance Operations (FERC Order 693) Audit Report
9. Notice of Compliance Exception Treatment RFC2016015488 and RFC2016015489

NERC
NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION

December 7, 2015

Harry Maloney III
City of Dover (NCR00713)
860 Buttner Place
Dover, DE 19904
hmaloney@dover.de.us

Dear Harry Maloney III,

Notice of Deactivation on the NERC Compliance Registry (NCR) of the Load-Serving Entity (LSE) Function.

In accordance with Section 501.1.3.1 of the NERC Rules of Procedure (ROP)[13], The North American Electric Reliability Corporation (NERC) provides notice that the LSE function of **City of Dover**, NERC Compliance Registry ID Number **NCR00713**, has been deactivated on the NCR in accordance with Federal Energy Regulatory Commission (FERC or Commission) order, Docket No. RR15-4-001 as of October 15, 2015.

This deactivation only applies to the LSE function and does not apply to any other functions City of Dover (NCR00713) is currently registered for. The Entity will remain responsible for funding in accordance with Section 1106.1-2 of the ROP regardless of registration. In addition LSEs are expected to provide necessary data to other reliability functions.

A deactivation from the NCR indicates that an entity is no longer subject to mandatory compliance with the applicable NERC Reliability Standards that have been approved by FERC as of the effective deactivation date. Continued voluntary compliance with NERC Reliability Standards by City of Dover, is considered good operating practice by the industry and is recommended by NERC.

NERC retains the right to register City of Dover for any function at any time, in accordance with NERC's Statement of Compliance Registry Criteria, as the criteria may be amended from time to time, if the facts and circumstances so warrant.

[13] NERC's Rules of Procedure are posted on the NERC Web site at http://www.nerc.com/AboutNERC/Pages/Rules-of-Procedure.aspx under "Rules of Procedure in Effect".

City of Dover (NCR00713)
December 7, 2015

If you have further questions, please contact the undersigned:

Terry Brinker, Manager of Registration Services
North American Electric Reliability Corporation
3353 Peachtree Road NE
Suite 600, North Tower
Atlanta, GA 30326
Terry.Brinker@nerc.net

Respectfully,



Terry Brinker,
Manager of Registration Services

Self Report

Entity Name: City of Dover (COD)

NERC ID: NCR00713

Standard: EOP-004-2

Requirement: EOP-004-2 R1.

Date Submitted: January 15, 2016

Has this violation previously been reported or discovered?: No

Entity Information:

Joint Registration Organization (JRO) ID:

Coordinated Functional Registration (CFR) ID:

Contact Name: Harry Maloney III

Contact Phone: 3027367088

Contact Email: Hmaloney@dover.de.us

Violation:

Violation Start Date: January 01, 2014

End/Expected End Date: January 15, 2016

Region Initially Determined a Violation On: December 23, 2015

Reliability Functions: Distribution Provider (DP)

Is Possible Violation still occurring?: No

Number of Instances: 1

Has this Possible Violation been reported to other Regions?: No

Which Regions:

Date Reported to Regions:

Detailed Description and Cause of Possible Violation: The City of Dover is officially self-reporting a possible violation of North American Electric Reliability Corporation (NERC) Standard EOP-004-2 (Event Reporting) Requirement 1.
Prior to our audit scheduled for April of 2016, we contracted with NAES Corporation to perform a Gap analysis of our NERC Compliance Program. During the Gap analysis, NAES noted that the City of Dover did not have an Event Operating plan dated for calendar year 2014. For the time period starting with the effective date of this standard, January 1, 2014 until the date of this report, the City of Dover did not experience any of the reportable events listed in Attachment 1 of the standard that are applicable to the Distribution Provider.

Mitigating Activities:

Description of Mitigating Activities and Preventative Measure: The City of Dover contracted with NAES Corporation to provide the necessary Event Operating plan documentation as required by EOP-004-2 R1, which has been implemented and all necessary contact information has been verified as of January 15, 2016. A reoccurring calendar event has been added to our MS Outlook Calendar to ensure the annual review requirements of EOP-004-2 are met.

Self Report

Date Mitigating Activities Completed: January 15, 2016

Impact and Risk Assessment:

Potential Impact to BPS: Minimal

Actual Impact to BPS: Minimal

Description of Potential and Actual Impact to BPS: The City of Dover experienced no events that were reportable for this standard. The impact to the Bulk Electric System due to this potential violation was therefore minimal.

Risk Assessment of Impact to BPS: The City of Dover experienced no events that were reportable for this standard. The impact to the Bulk Electric System due to this potential violation was therefore minimal.

Additional Entity Comments:

Additional Comments		
From	Comment	User Name
No Comments		

Additional Documents			
From	Document Name	Description	Size in Bytes
No Documents			

Mitigation Plan

Mitigation Plan Summary

Registered Entity: City of Dover

Mit Plan Code	NERC Violation ID	Requirement	Violation Validated On	Mit Plan Version
	RFC2016015488	EOP-004-2 R1.		1

Mitigation Plan Submitted On:
Mitigation Plan Accepted On:
Mitigation Plan Proposed Completion Date:
Actual Completion Date of Mitigation Plan:
Mitigation Plan Certified Complete by COD On:
Mitigation Plan Completion Verified by RF On:
Mitigation Plan Completed? (Yes/No): No

Compliance Notices

Section 6.2 of the NERC CMEP sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:

(1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan. This person may be the Registered Entity's point of contact described in Section B.
(2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
(3) The cause of the Alleged or Confirmed Violation(s).
(4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
(5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).
(6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
(7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
(8) Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.
(9) Any other information deemed necessary or appropriate.
(10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self Certification or Self Reporting submittals.
(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

• This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.

• If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.

• Regional Entity(ies) or NERC may reject Mitigation Plans that they determine to be incomplete or inadequate.

• Remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.

• The user has read and accepts the conditions set forth in these Compliance Notices.

Entity Information

Identify your organization:

Entity Name: City of Dover

NERC Compliance Registry ID: NCR00713

Address: 860 Buttner Place
Dover DE 19904

Identify the individual in your organization who will serve as the Contact to the Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan:

Name:
Title:
Email:
Phone:

Violation(s)

This Mitigation Plan is associated with the following violation(s) of the reliability standard listed below:

Violation ID	Date of Violation	Requirement
Requirement Description		
RFC2016015488	01/01/2014	EOP-004-2 R1.
Each Responsible Entity shall have an event reporting Operating Plan in accordance with EOP-004-2 Attachment 1 that includes the protocol(s) for reporting to the Electric Reliability Organization and other organizations (e.g., the Regional Entity, company personnel, the Responsible Entity's Reliability Coordinator, law enforcement, or governmental authority).		

Brief summary including the cause of the violation(s) and mechanism in which it was identified:

Relevant information regarding the identification of the violation(s):

Plan Details

Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the violation(s) identified above in Section C.1 of this form:

Provide the timetable for completion of the Mitigation Plan, including the completion date by which the Mitigation Plan will be fully implemented and the violations associated with this Mitigation Plan are corrected:

Proposed Completion date of Mitigation Plan:

Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

Additional Relevant Information

Reliability Risk

Reliability Risk

While the Mitigation Plan is being implemented, the reliability of the bulk Power System may remain at higher Risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are known or anticipated : (i) Identify any such risks or impacts, and; (ii) discuss any actions planned or proposed to address these risks or impacts.

Prevention

Describe how successful completion of this plan will prevent or minimize the probability further violations of the same or similar reliability standards requirements will occur

Describe any action that may be taken or planned beyond that listed in the mitigation plan, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements

Authorization

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

* Submits the Mitigation Plan, as presented, to the regional entity for acceptance and approval by NERC, and

* if applicable, certifies that the Mitigation Plan, as presented, was completed as specified.

Acknowledges:

1. I am qualified to sign this mitigation plan on behalf of my organization.

2. I have read and understand the obligations to comply with the mitigation plan requirements and ERO remedial action directives as well as ERO documents, including but not limited to, the NERC rules of procedure and the application NERC CMEP.

3. I have read and am familiar with the contents of the foregoing Mitigation Plan.

City of Dover Agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authority.

Authorized Individual Signature: _____

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Authorized Individual

Name:

Title:

Authorized On:

Certification of Mitigation Plan Completion

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for the Regional Entity to verify completion of the Mitigation Plan. The Regional Entity may request additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Registered Entity Name: City of Dover
NERC Registry ID: NCR00713
NERC Violation ID(s): RFC2016015488
Mitigated Standard Requirement(s): EOP-004-2 R1.
Scheduled Completion as per Accepted Mitigation Plan: January 15, 2016
Date Mitigation Plan completed: January 15, 2016
RF Notified of Completion on Date: May 10, 2016
Entity Comment:

Additional Documents			
From	Document Name	Description	Size in Bytes
Entity	DOE Verification 4 Jan 2016.msg	DOE Verification Email	58,880
Entity	DPnL Verification 4 Jan 2016.msg	DPnL Verification Email	57,856
Entity	E-ISAC Verification 5 Jan 2016.msg	E-ISAC Verification Email	76,800
Entity	FBI Verificiation 5 Jan 2016.msg	FBI Verification mail	60,928
Entity	PJM Verification 4 Jan 2016.msg	PJM Verification Email	25,600
Entity	RF Verification 4 Jan 2016.msg	RF Verification Email	84,480

I certify that the Mitigation Plan for the above named violation(s) has been completed on the date shown above and that all submitted information is complete and correct to the best of my knowledge.

Name: Harry Maloney
Title: Electric Director City of Dover
Email: hmaloney@dover.de.us
Phone: 1 (302) 736-7088

Authorized Signature _____ Date _____

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Self Report

Entity Name: City of Dover (COD)

NERC ID: NCR00713

Standard: PRC-005-2

Requirement: PRC-005-2 R1.

Date Submitted: January 15, 2016

Has this violation previously been reported or discovered?: No

Entity Information:

Joint Registration Organization (JRO) ID:

Coordinated Functional Registration (CFR) ID:

Contact Name: Harry Maloney III

Contact Phone: 3027367088

Contact Email: Hmaloney@dover.de.us

Violation:

Violation Start Date: April 01, 2015

End/Expected End Date: March 31, 2016

Region Initially Determined a Violation On: December 23, 2015

Reliability Functions: Distribution Provider (DP)

Is Possible Violation still occurring?: Yes

Number of Instances: 1

Has this Possible Violation been reported to other Regions?: No

Which Regions:

Date Reported to Regions:

Detailed Description and Cause of Possible Violation: The City of Dover is officially self-reporting a possible violation of North American Electric Reliability Corporation (NERC) Standard PRC-005-2(i) (Protection System Maintenance), Requirement 1 as of January 15, 2016. Prior to our audit scheduled for April of 2016, we contracted with NAES Corporation to perform a Gap analysis of our NERC Compliance Program. During the Gap analysis, NAES noted that the City of Dover did not have a Protection System Maintenance and Testing program for the Underfrequency Load Shedding Systems (UFLS) as stated in Requirement 1 of NERC Standard PRC-005-2(i). We completed the required testing of the UFLS equipment in accordance with our procedure for NERC standard PRC-008-0 in June of 2010 Due to the UFLS system not requiring maintenance and testing again until 2020, we were negligent in following changing standards and establishing a PSMP program in accordance with the new NERC Standard.

Mitigating Activities:

Description of Mitigating Activities and Preventative Measure: The City of Dover contracted with NAES Corporation to provide the necessary Protection System Maintenance and Testing Program (PSMP) documentation as required PRC-005-2 R1. This documentation is currently being tailored to the City of Dover's Protection Systems with an expected implementation date of March 31st, 2016. Upon the implementation of the PSMP, appropriate

Self Report

testing will be scheduled for the City's Under-frequency Loading Shedding equipment as outlined in Table 3 of PRC-005-2.

Date Mitigating Activities Completed:

Impact and Risk Assessment:

Potential Impact to BPS: Minimal

Actual Impact to BPS: Minimal

Description of Potential and Actual Impact to BPS: The City of Dover had performed testing on the UFLS system in June of 2010, and under our Maintenance and Testing Program for NERC standard PRC-008-0, testing was due to be completed again in 2020. As the UFLS system had been tested within the requirements of our PRC-008-0 program, and the test dates are within the maximum maintenance intervals stated in NERC Standard PRC-005-2, the risk to the Bulk Electric System was minimal.

Risk Assessment of Impact to BPS: The City of Dover had performed testing on the UFLS system in June of 2010, and under our Maintenance and Testing Program for NERC standard PRC-008-0, testing was due to be completed again in 2020. As the UFLS system had been tested within the requirements of our PRC-008-0 program, and the test dates are within the maximum maintenance intervals stated in NERC Standard PRC-005-2, the risk to the Bulk Electric System was minimal.

Additional Entity Comments:

Additional Comments		
From	Comment	User Name
No Comments		

Additional Documents			
From	Document Name	Description	Size in Bytes
No Documents			

Mitigation Plan

Mitigation Plan Summary

Registered Entity: City of Dover

Mit Plan Code	NERC Violation ID	Requirement	Violation Validated On	Mit Plan Version
	RFC2016015489	PRC-005-2 R1.		1

Mitigation Plan Submitted On:
Mitigation Plan Accepted On:
Mitigation Plan Proposed Completion Date:
Actual Completion Date of Mitigation Plan:
Mitigation Plan Certified Complete by COD On:
Mitigation Plan Completion Verified by RF On:
Mitigation Plan Completed? (Yes/No): No

Compliance Notices

Section 6.2 of the NERC CMEP sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:

(1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan. This person may be the Registered Entity's point of contact described in Section B.
(2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
(3) The cause of the Alleged or Confirmed Violation(s).
(4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
(5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).
(6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
(7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
(8) Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.
(9) Any other information deemed necessary or appropriate.
(10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self Certification or Self Reporting submittals.
(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

• This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.

• If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.

• Regional Entity(ies) or NERC may reject Mitigation Plans that they determine to be incomplete or inadequate.

• Remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.

• The user has read and accepts the conditions set forth in these Compliance Notices.

Entity Information

Identify your organization:

Entity Name: City of Dover

NERC Compliance Registry ID: NCR00713

Address: 860 Buttner Place
Dover DE 19904

Identify the individual in your organization who will serve as the Contact to the Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan:

Name:
Title:
Email:
Phone:

Violation(s)

This Mitigation Plan is associated with the following violation(s) of the reliability standard listed below:

Violation ID	Date of Violation	Requirement
Requirement Description		
RFC2016015489	04/01/2015	PRC-005-2 R1.
Each Transmission Owner, Generator Owner, and Distribution Provider shall establish a Protection System Maintenance Program (PSMP) for its Protection Systems identified in Section 4.2.		

Brief summary including the cause of the violation(s) and mechanism in which it was identified:

Relevant information regarding the identification of the violation(s):

Plan Details

Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the violation(s) identified above in Section C.1 of this form:

Provide the timetable for completion of the Mitigation Plan, including the completion date by which the Mitigation Plan will be fully implemented and the violations associated with this Mitigation Plan are corrected:

Proposed Completion date of Mitigation Plan:

Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

Additional Relevant Information

Reliability Risk

Reliability Risk

While the Mitigation Plan is being implemented, the reliability of the bulk Power System may remain at higher Risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are known or anticipated : (i) Identify any such risks or impacts, and; (ii) discuss any actions planned or proposed to address these risks or impacts.

Prevention

Describe how successful completion of this plan will prevent or minimize the probability further violations of the same or similar reliability standards requirements will occur

Describe any action that may be taken or planned beyond that listed in the mitigation plan, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements

Authorization

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

* Submits the Mitigation Plan, as presented, to the regional entity for acceptance and approval by NERC, and

* if applicable, certifies that the Mitigation Plan, as presented, was completed as specified.

Acknowledges:

1. I am qualified to sign this mitigation plan on behalf of my organization.

2. I have read and understand the obligations to comply with the mitigation plan requirements and ERO remedial action directives as well as ERO documents, including but not limited to, the NERC rules of procedure and the application NERC CMEP.

3. I have read and am familiar with the contents of the foregoing Mitigation Plan.

City of Dover Agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authority.

Authorized Individual Signature: _____

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Authorized Individual

Name:

Title:

Authorized On:

Certification of Mitigation Plan Completion

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for the Regional Entity to verify completion of the Mitigation Plan. The Regional Entity may request additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Registered Entity Name:	City of Dover
NERC Registry ID:	NCR00713
NERC Violation ID(s):	RFC2016015489
Mitigated Standard Requirement(s):	PRC-005-2 R1.
Scheduled Completion as per Accepted Mitigation Plan:	May 31, 2016
Date Mitigation Plan completed:	May 06, 2016
RF Notified of Completion on Date:	May 10, 2016
Entity Comment:	City of Dover has completed this Mitigation Plan on 5/6/2016

I certify that the Mitigation Plan for the above named violation(s) has been completed on the date shown above and that all submitted information is complete and correct to the best of my knowledge.

Name: Harry Maloney III
Title: Electric Director City of Dover
Email: hmaloney@dover.de.us
Phone: 1 (302) 736-7088

Authorized Signature _____ Date _____

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

NERC ID:	**NCR00713**		
Registered Entity Name:	**City of Dover**		
Registered Entity Acronym:	**COD**		
Reliability Standards Scope:	**Compliance Operations (FERC Order 693) Audit Report**		
Compliance Monitoring Process:	**Compliance Audit**		
Distribution:	**Public Version. Confidential Information Has Been Removed, Including Privileged and Critical Energy Infrastructure Information.**		
Lead Region:	**ReliabilityFirst (RF)**		
Date of Opening Presentation:	**April 18, 2016**	Date of Closing Presentation:	**April 22, 2016**
Date of Report:	**May 2, 2016**	IP Date:	**2016**
Possible Violations Identified:	**0**		
Jurisdiction:	**United States**		

Table of Contents

I. Executive Summary 1
II. Compliance Process 2
Objectives 2
Scope 2
Confidentiality and Conflict of Interest 3
Methodology 3
Company Profile 4
Participants 4
III. Compliance Findings 5
IV. Compliance Culture 5

I. Executive Summary

ReliabilityFirst (RF) conducted an Operations & Planning compliance engagement of City of Dover (COD), NCR00713, from April 18, 2016 to April 22, 2016.

At the time of the compliance engagement, COD was registered for the function of DP.

PJM Interconnection, LLC (NCR00879) is the RC, TOP, BA, and PC.

The compliance team evaluated COD for compliance with 7 requirements in the 2016 NERC Compliance Monitoring and Enforcement Program (CMEP) and the ReliabilityFirst CMEP Implementation Plan. The compliance team assessed compliance with the NERC Reliability Standards applicable for the period of June 29, 2010 to April 22, 2016. The compliance team reviewed and evaluated all evidence provided by COD and assessed compliance with the Reliability Standards applicable to COD, at this time. Based on the evidence provided, the compliance team's findings are summarized below:

Summary of Findings			
	Possible Violation (PV)	**Open Enforcement Action (OEA)***	**Total**
Reliability Standard Requirements	0	1	1

**OEAs with newly identified PVs are counted in the PV column only; not in the OEA column.*
**OEAs without newly identified PVs are counted in the OEA column.*

The findings included in this report are the same as the findings presented to COD during the exit briefing.

There were no open mitigation plans; therefore, none was reviewed by the compliance team.

The team lead certifies that the compliance team adhered to all applicable requirements of the NERC Rules of Procedure (ROP) and the CMEP.

II. Compliance Process

The compliance process steps are detailed in the NERC Rules of Procedure, the NERC CMEP, and the ReliabilityFirst CMEP Implementation Plan. The CMEP generally conforms to the United States Government Auditing Standards and other generally accepted audit practices.

Objectives

All registered entities are subject to compliance assessments with all reliability standards applicable to the functions for which the registered entity is registered in the Region performing the assessment. The objectives are to:

- Review compliance with the requirements of the Reliability Standards applicable to COD based on the functions that COD is registered to perform;
- Validate compliance for the appropriate NERC Reliability Standards identified through the entity's Inherent Risk Assessment;
- Validate compliance for additional NERC and Regional Reliability Standards identified in the 2016 ReliabilityFirst CMEP IP;
- Validate evidence of self-reported violations and previous self-certifications;
- Observe and document COD‘s compliance program and culture;

Scope

The scope of this compliance engagement included the NERC Reliability Standards from the ERO CMEP Implementation Plan, ReliabilityFirst CMEP Implementation Plan, and Inherent Risk Assessment (IRA) of the Registered Entity. The standards and requirements in the scope for this compliance engagement are illustrated in the Table below:

Scope	
Reliability Standard	**Requirements**
PRC-005-2(i)	R1, R2, R3, R4, R5
PRC-008-0	R1, R2

The compliance team did not expand the scope of the compliance engagement beyond what was stated in the notification letter.

Confidentiality and Conflict of Interest

Confidentiality and conflict of interest of the compliance team are governed under the ReliabilityFirst Delegation Agreement with NERC, and Section 1500 of the NERC Rules of Procedure. COD was informed of ReliabilityFirst's obligations and responsibilities under the agreement and procedures. The work history for each compliance team member was provided to COD, which was given an opportunity to object to a compliance team member's participation on the basis of a possible conflict of interest or the existence of other circumstances that could interfere with a compliance team member's impartial performance of duties. COD did not submit any objections by the stated 15-day objection due date and accepted the compliance team member participants without objection. There were no denials or access limitations placed upon this compliance team by COD.

Methodology

The compliance team reviewed the evidence submitted by COD and assessed compliance with requirements of the applicable Reliability Standards. ReliabilityFirst provided COD with a Request for Information (RFI) prior to commencement of the compliance engagement. Additional evidence could be submitted until the agreed-upon deadline prior to the exit briefing. After that date, only data or information that was relevant to the content of the report or its finding could be submitted with the agreement of the team lead.

The compliance team reviewed documentation provided by COD, requested additional evidence and sought clarification from subject matter experts during the compliance engagement. Evidence submitted in the form of policies, procedures, emails, logs, studies, data sheets, etc., were validated, substantiated, and cross-checked for accuracy, as appropriate. Where sampling was applicable to a

requirement, the sample set was determined by a statistical methodology, along with the compliance team's professional judgment.

Findings were based on the compliance team's professional judgment, knowledge of the bulk electric system (BES), the NERC Reliability Standards, the facts, and documentation that were reviewed. All findings were developed based upon the consensus of the compliance team.

Company Profile

The compliance team obtained COD's company profile via the Internal Compliance Survey questionnaire. This information was utilized during the Inherent Risk Assessment process. Details of COD's profile are not shown due to Critical Energy Infrastructure considerations.

Participants

Following is a list of all personnel from the ReliabilityFirst compliance team and COD directly involved during the meetings and interviews:

ReliabilityFirst Team	
Role	**Entity**
Team - Lead	ReliabilityFirst
Team - Member	ReliabilityFirst

Registered Entity Participants	
Role	**Entity**
Electric Director	City of Dover
Engineering Services & System Operations Superintendent	City of Dover
Electric Engineer	City of Dover

III. Compliance Findings

The following information details the compliance findings for the Reliability Standards and requirements identified in the scope of this compliance engagement, which have Possible Violations or Open Enforcement Actions. All other reliability standards and requirements in the scope for this compliance engagement were tested without exception.

PRC-005-2(i)

R1. Each Transmission Owner, Generator Owner, and Distribution Provider shall establish a Protection System Maintenance Program (PSMP) for its Protection Systems identified in Section 4.2.

The PSMP Shall:

1.1 Identify which maintenance method (time-based, performance-based per PRC-005 Attachment A, or a combination) is used to address each Protection System Component Type. All batteries associated with the station dc supply Protection System Supply Component Type of a Protection System shall be included in a time-based program as described in Table 1-4 and Table 3.

1.2 Include the applicable monitored Component attributes applied to each Protection System Component Type consistent with the maintenance intervals specified in Tables 1-1 through 1-5, Table 2, and Table 3 where monitoring is used to extend the maintenance intervals beyond those specified for unmonitored Protection System Components.

Open Enforcement Action

IV. Compliance Culture

The compliance team performed an assessment of COD‘s compliance culture in conjunction with the review process. The assessment was accomplished through a review of responses to the Internal Compliance Survey questionnaire and additional information that was gathered during interviews and observations.

Patrick O'Connor
Associate Counsel
3 Summit Park Drive, Suite 600
Cleveland, OH 44131
Direct Dial: (216) 503-0668
patrick.oconnor@rfirst.org

CONFIDENTIAL AND NON-PUBLIC

June 8, 2016

Via Electronic Mail
Harry Maloney III
Electric Director
CITY OF DOVER
860 Buttner Place
Dover, DE 19904
hmaloney@dover.de.us

Re: Notice of Compliance Exception Treatment RFC2016015488 and RFC2016015489

Dear Mr. Maloney,

ReliabilityFirst Corporation ("ReliabilityFirst") hereby provides notice to City of Dover (NERC ID: NCR00713) that it will not pursue an enforcement action in connection with the instances of noncompliance described in the attached spreadsheet.

ReliabilityFirst determined that the referenced instances of noncompliance posed a minimal risk to the reliability of the Bulk Power System, and have been appropriately mitigated. ReliabilityFirst hereby notifies City of Dover that Regional Entity review is closed.

A copy of the attachment to this notice will be provided to the North American Electric Reliability Corporation ("NERC") and the Federal Energy Regulatory Commission ("FERC"), and NERC will post a public version on its enforcement website. The record will remain available for review by NERC and FERC. City of Dover understands and acknowledges that FERC may require additional information or processing with respect to this matter.

ReliabilityFirst will consider this compliance exception in City of Dover's compliance history if failure to remediate the underlying compliance matter contributes to a subsequent serious or substantial noncompliance matter, and, when relevant, in determining whether a future minimal risk noncompliance by City of Dover should qualify for compliance exception treatment.

FERC will consider a compliance exception to be closed sixty (60) days after the compliance exception is reported to FERC, unless FERC initiates a review within the 60-day period. Since ReliabilityFirst verified completion of City of Dover's mitigating activities on May 13, 2016, the data hold for RFC2016015488 and RFC2016015489 will be released upon the expiration of the 60-day period if FERC does not initiate a review. However, although the ReliabilityFirst-issued data hold will be released, pursuant to 153 FERC ¶ 61,131 (2015), Registered Entities must maintain evidence related to compliance exceptions for no less than

18 months. NERC and FERC retain the discretion to review a compliance exception at any time if NERC or FERC find that compliance exception treatment was obtained based on a material misrepresentation of the facts underlying the compliance exception.

City of Dover may object to resolution of this issue as a Compliance Exception by providing written notification to ReliabilityFirst within seven (7) days of the issuance date of this notice. If City of Dover objects, the instance of noncompliance will be resolved through the enforcement process described in Section 5.0 of the NERC Compliance Monitoring and Enforcement Program.

If you have any questions, please do not hesitate to contact me at 216-503-0668 or patrick.oconnor@rfirst.org.

Respectfully submitted,

RELIABILITYFIRST CORPORATION

Patrick O'Connor
Associate Counsel

PO/so
Attachment
cc: Bhadresh Patel, Engineer (bpatel@dover.de.us)

Region	Name of Entity	NCR	Issue Tracking #	Standard	Req.	Description of Noncompliance	Description of the Risk Assessment	Description and Status of Mitigation Activity
ReliabilityFirst Corporation (ReliabilityFirst)	City of Dover	NCR00713	RFC2016015488	EOP-004-2	R1	On January 15, 2016, City of Dover submitted a Self-Report stating that, as a Distribution Provider, it had an issue of EOP-004-2 R1. During an internal gap analysis, City of Dover discovered that it did not have an event reporting Operating Plan dated for calendar year 2014. City of Dover does have a current event reporting Operating Plan dating back to 2015. The root cause of this noncompliance was recent turnover in the prior management staff at City of Dover. The prior management staff was employed at City of Dover when EOP-004-2 R1 took effect in January 2014, but failed to implement an event reporting Operating Plan due to their failure to monitor the implementation of new and modified NERC Reliability Standards. This issue started on January 1, 2014, when City of Dover was required to comply with EOP-004-2 R1 and ended on January 15, 2016, when City of Dover completed its Mitigation Plan.	This issue posed a minimal risk and did not pose a serious or substantial risk to the reliability of the bulk power system based on the following factors. First, the Standard/Requirement requires the reporting of events after they occur and does not relate to actions taken to control the system on a real-time basis. Second, City of Dover identified this noncompliance during an internal gap analysis, which demonstrates City of Dover's commitment to developing effective internal detective controls. ReliabilityFirst also notes that City of Dover did not experience any reportable system events during the period of noncompliance. No harm is known to have occurred. ReliabilityFirst considered City of Dover's EOP-004 R1 compliance history and determined there were no relevant instances of noncompliance.	To mitigate this issue, City of Dover: 1) began to monitor the NERC Reliability Standards more closely for any changes to current Standards or approval of new Standards that are developed by NERC; and 2) performed NERC reliability program gap analyses on a periodic basis to review and improve its compliance program. ReliabilityFirst has verified the completion of all mitigation activity.
ReliabilityFirst Corporation (ReliabilityFirst)	City of Dover	NCR00713	RFC2016015489	PRC-005-2	R1	On January 15, 2016, City of Dover submitted a Self-Report stating that, as a Distribution Provider, it had an issue of PRC-005-2 R1. During an internal gap analysis, City of Dover discovered that it did not have a Protection System Maintenance and Testing program for the Underfrequency Load Shedding Systems (UFLS). However, City of Dover did complete the required testing of the UFLS equipment in accordance with its procedure for PRC-008 in June 2010, and was not required to perform this maintenance and testing again until 2020. The root cause of this noncompliance was the fact that City of Dover was not aware of the revision to PRC-005 including changes to the Protection System Maintenance and Testing program for its UFLS equipment. This issue started on April 1, 2015, when City of Dover was required to comply with PRC-005-2 R1 and ended on May 31, 2016, when City of Dover completed its Mitigation Plan.	This issue posed a minimal risk and did not pose a serious or substantial risk to the reliability of the bulk power system based on the following factors. First, City of Dover performed the requisite maintenance and testing within the prescribed intervals. Second, City of Dover identified this noncompliance during an internal gap analysis, which demonstrates City of Dover's commitment to developing effective internal detective controls. Third, the total amount of UFLS is only 55 MW, which indicates that any potential harm would be minimal. Finally, ReliabilityFirst also notes that City of Dover did not experience a condition which required operation of the UFLS during the period of noncompliance. No harm is known to have occurred. ReliabilityFirst considered City of Dover's PRC-005-2 R1 compliance history and although City of Dover had one prior issue with PRC-005 R1 (RFC201000426), City of Dover's mitigation plan for that prior issue was completed more than three years prior to the date on which the instant noncompliance began. (Per NERC Guidance from April 2015, ReliabilityFirst generally does not aggravate a penalty based on the existence of prior violations for which mitigation was completed more than three years prior to the date on which the instant noncompliances began. There is nothing present in the instant circumstance that would warrant deviating from that policy.)	To mitigate this issue, City of Dover: 1) identified all UFLS equipment to be included in the Protection System Maintenance Program (PSMP) and established the maintenance intervals and activities; 2) completed all maintenance activities on all UFLS equipment listed in the PSMP as listed in Table 3 of NERC Standard PRC-005-2(i); 3) entered maintenance tasks in facility computerized maintenance management system with the intervals and maintenance tasks from Table 3 of NERC Standard PRC-005-2(i); 4) began to monitor the NERC Reliability Standards more closely for any changes to current Standards or approval of new Standards that are developed by NERC; and 5) performed NERC reliability program gap analyses on a periodic basis to review and improve its compliance program. ReliabilityFirst has verified the completion of all mitigation activity.

City of Dover
Capital Investment Plan
Project Tracking Report
Quarterly Report as of June 30, 2016

Points to Remember -

* Original Project Budget = Original Total Project Budget initially included in approved annual budget.
* Latest Project Budget = Revised Total Project Budget included in most recent approved annual budget or one of the following: bond resolution, revolving fund loan agreement, Council approved budget amendment, or City Manager approved amendment as per the Budget Amendment Procedure.
* Current Fiscal Year - Revised Fiscal Year Budget = Current Year approved project budgets plus carry forward balances of unspent budgets in the prior fiscal year. Project Carry Forward balances will be submitted to City Council for amendment in January 2010. Can also be amended with City Manager approval per the Budget Amendment Procedure.
* Water Quality, Inflow/Infiltration, Distribution Upgrades and New Development projects are budgeted as a blanket project and once individual projects are identified and estimated they are created using an allocation of the overall budgeted amount.
* Status and Comments provided by City Manager.

Current Year Budget Funding Sources	General	Community Transportation	Water & Wastewater	Electric	Total CIP
Budget Balance	$ 2,524,800	$ -	$ 7,470,900	$ 3,662,800	$ 13,658,500
General Billings for Reimbursement of Expense	80,500	-	20,300	1,900,000	2,000,800
Income from Sale of Assets	120,800	-	-	-	120,800
State Community Transportation Funds	-	890,100	-	-	890,100
Transfer from WW Impact Fee Reserve	-	-	165,000	-	165,000
Transfer from General Fund	2,625,400	-	-	-	2,625,400
Transfer from Operating Funds	-	-	3,300,000	3,500,000	6,800,000
Transfer from Parkland Reserve	-	-	-	-	-
Development Grant	-	-	-	15,000	15,000
Interest Income	5,000	-	69,900	57,900	132,800
Total Funding Sources (Unaudited)	$ 5,356,500	$ 890,100	$ 11,026,100	$ 9,135,700	$ 26,408,400

City of Dover
General Fund - Major CIP Projects
Quarterly Report as of June 30, 2016
PRELIMINARY

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR						
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Original Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	Budget Balance	% Budget Spent	Status	Comments
1			**FY 2013**												
2	ST1304	M B/L	Garrison Farm Improvements	$ 2,000,000	$ 4,641,000	$ 4,218,860	$ 422,140	90.9%	$ 1,496,500	$ 1,537,500	$ 1,115,279	$ 422,221	72.5%	In Process	Project approximately 98% complete
3			**Totals - FY 2013**	$ 2,000,000	$ 4,641,000	$ 4,218,860	$ 422,140	90.9%	$ 1,496,500	$ 1,537,500	$ 1,115,279	$ 422,221	72.5%		
4															
5			**FY 2015**												
6	FR1501		SCBA Equipment/Radios	$ 588,800	$ 588,800	$ 588,632	$ 168	100.0%	$ 300,200	$ 300,200	$ 299,981	$ 219	99.9%	Complete	
18	GO1501		GOTP Farmhouse Demo/Project	35,000	35,000	28,104	6,896	0.0%	35,000	35,000	28,104	6,896	80.3%	Complete	
7	PR1501		Park & Playground Impr Equipment	66,000	66,000	-	66,000	0.0%	66,000	66,000	-	66,000	0.0%		
8	ST1502	R	Streets, Alleys and Concrete Prog.	900,000	505,100	504,731	369	99.9%	441,500	322,200	321,744	456	99.9%	Complete	
9	ST1503	R	Misc Emergency Street/Storm Repairs	-	71,800	71,881	(81)	100.1%	35,000	31,800	31,791	9	100.0%	Complete	
10	ST1504		Old PW2 Site Improvements	535,000	603,500	493,276	110,224	81.7%	330,000	497,400	387,081	110,319	77.8%	In Process	Design work ongoing 95% level
11	ST1506		Stormwater Ditch Maintenance	15,000	15,000	13,284	1,716	88.6%	15,000	15,000	13,284	1,716	88.6%	Complete	
12	ST1508	G	Stormwater Utility Planning	90,000	90,000	85,000	5,000	94.4%	82,400	82,400	77,350	5,050	93.9%	Complete	
13			**Totals - FY 2015**	$ 2,229,800	$ 1,975,200	$ 1,784,907	$ 190,293	90.4%	$ 1,305,100	$ 1,350,000	$ 1,159,334	$ 190,666	85.9%		
14															
15			**FY 2016**												
16	---		Vehicles & Equipment	$ 1,095,200	$ 1,135,800	$ 851,032	$ 284,768	74.9%	$ 1,095,200	$ 1,135,800	$ 851,032	$ 284,768	74.9%	In Process	
17	---		Annual Contribution to Robbins Hose	145,600	145,600	145,614	(14)	100.0%	145,600	145,600	145,614	(14)	100.0%	Complete	
19	PD1601		Camera Monitoring Station	19,900	19,900	19,900	0	100.0%	19,900	19,900	19,900	0	100.0%	Complete	
20	ST1601	R	FY16 Street and Alley Program	1,000,000	933,100	400,932	532,168	43.0%	1,000,000	933,100	400,932	532,168	43.0%	In Process	75% complete with project
21	ST1603		Valve Replacement - Silver Lake Dam	60,000	84,600	3,651	80,949	0.0%	60,000	84,600	3,651	80,949	4.3%	In Process	Awaiting materials to be delivered
22	ST1604		Salt Storage Barn (originally proj ST1303)	50,000	75,000	12,562	62,438	16.7%	75,000	75,000	12,562	62,438	16.7%	In Process	Proposals received, under review by CM/Controller
23	ST1605	R	Misc Emergency Street/Storm Repairs	-	75,000	17,339	57,661	23.1%	-	75,000	17,339	57,661	23.1%	Complete	
24			**Totals - FY 2016**	$ 2,370,700	$ 2,469,000	$ 1,451,030	$ 1,017,970	58.8%	$ 2,395,700	$ 2,469,000	$ 1,451,030	$ 1,017,970	58.8%		
25															
26			**Grand Totals**	$ 6,600,500	$ 9,085,200	$ 7,454,797	$ 1,630,403	82.1%	$ 5,197,300	$ 5,356,500	$ 3,725,643	$ 1,630,857	69.6%		

Legend

M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
G = Grant funded project
B/L = To be financed through bonds or commercial loan.

City of Dover
Community Transportation - Major CIP Projects
Quarterly Report as of June 30, 2016
PRELIMINARY

	Project Code	Type	Description	TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS: Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	CURRENT FISCAL YEAR: Original Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	Budget Balance	% Budget Spent	Status	Comments
			Prior to FY 2014												
1	ST0232		Pat Lynn Drive/D.H.S. Storm Drain Pipe	$ 155,200	$ 190,300	$ 184,778	$ 5,522	97.1%	$ -	$ 5,500	$ -	$ 5,500	0.0%	Started	
2	TE0601		TCSP Lincoln Park	900,000	602,425	523,277	79,148	86.9%	-	79,100	-	79,100	0.0%	Started	
3	CT0708		E Water Street Brick	65,000	65,000	1,000	64,000	1.5%	65,000	65,000	1,000	64,000	1.5%	In Process	Bids to be received in August
4			**Totals - Prior to FY 2014**	$ 1,120,200	$ 857,725	$ 709,055	$ 148,670	82.7%	$ 65,000	$ 149,600	$ 1,000	$ 148,600	0.7%		
5															
6			**FY 2014**												
7	CT1405		Lakeview Drainage Study	$ 24,400	$ 24,400	$ 24,371	$ 29	99.9%	$ 6,300	$ 6,300	$ 6,184	$ 116	98.2%	Complete	
8			**Totals - FY 2014**	$ 24,400	$ 24,400	$ 24,371	$ 29	99.9%	$ 6,300	$ 6,300	$ 6,184	$ 116	98.2%		
9															
10			**FY 2015**												
11	CT1562		Village of Cannon Mill Repavement	$ 315,000	$ 386,900	$ 375,680	$ 11,220	97.1%	$ 361,000	$ 361,000	$ 349,683	$ 11,317	96.9%	Complete	
12	CT1599		Signage Agreement	2,700	2,700	2,520	180	93.3%	1,600	1,600	1,350	250	84.4%	Complete	
13			**Totals - FY 2015**	$ 317,700	$ 389,600	$ 378,200	$ 11,400	97.1%	$ 362,600	$ 362,600	$ 351,033	$ 11,567	96.8%		
14															
15			**FY 2016**												
16	CT1616		The Meadows	$ 22,200	$ 22,200	$ 22,200	$ -	100.0%	$ 22,200	$ 22,200	$ 22,200	$ -	100.0%	Complete	
17	CT1627		FY16 Paving Projects	247,400	247,400	139,762	107,638	56.5%	247,400	247,400	139,762	107,638	56.5%	In Process	Buck Drive to be completed in FY17
18	CT1632		FY16 Signs Projects	14,600	14,600	11,415	3,185	78.2%	14,600	14,600	11,415	3,185	78.2%	Complete	
19	CT1669		Persimmon Park Place Drainage Project	2,800	2,800	-	2,800	0.0%	2,800	2,800	-	2,800	0.0%	In Process	90% complete with design
20	CT1681		Pedestrian Enhancement-Mallard Pond Pathway	50,000	50,000	-	50,000	0.0%	50,000	50,000	-	50,000	0.0%	In Process	Bids to be received in August
21	CT1687		Parking Lot Improvements-Schutte Park	8,100	8,100	8,015	85	99.0%	8,100	8,100	8,015	85	99.0%	Complete	
22	CTxxxx		Unapplied CT Projects (placeholder)	644,000	26,500	-	26,500	0.0%	144,000	26,500	-	26,500	0.0%		
23			**Totals - FY 2016**	$ 989,100	$ 371,600	$ 181,392	$ 190,208	48.8%	$ 489,100	$ 371,600	$ 181,392	$ 190,208	48.8%		
24															
25			**Grand Totals**	$ 2,451,400	$ 1,643,325	$ 1,293,018	$ 350,308	78.7%	$ 923,000	$ 890,100	$ 539,608	$ 350,492	60.6%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
C = Project funded by combination of CT Funds and General Fund

City of Dover
Water/Wastewater Improvement & Extension Fund - Major CIP Projects
Quarterly Report as of June 30, 2016
PRELIMINARY

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR						
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Original Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	Budget Balance	% Budget Spent	Status	Comments
1			**FY 2008 - FY 2013**												
2	WD0804	M	1.0 MG Elevated Water Storage	$ 4,196,600	$ 2,556,000	$ 87,827	$ 2,468,173	3.4%	$ 2,468,200	$ 2,468,200	$ -	$ 2,468,200	0.0%	In Process	Staff to meet with property owner in August
3	WD1302	M	Garrison Farm Water Storage Tank	2,695,000	4,677,000	4,546,261	130,739	97.2%	1,297,300	1,297,300	1,166,521	130,779	89.9%	In Process	Awaiting final invoice from contractor
4	WW1304	M	Garrison Farm WW Improvements	2,000,000	3,738,400	3,654,281	84,119	97.7%	628,500	628,500	544,305	84,195	86.6%	In Process	Awaiting final invoice from contractor
5			**Totals - FY 2008 - FY 2013**	$ 8,891,600	$ 10,971,400	$ 8,288,369	$ 2,683,031	75.5%	$ 4,394,000	$ 4,394,000	$ 1,710,827	$ 2,683,173	38.9%		
6															
7			**FY 2014**												
8	WW1206		Brandywine Pump Station	$ 402,000	$ 375,600	$ 274,381	$ 101,219	73.1%	$ 101,200	$ 101,200	$ -	$ 101,200	0.0%	In Process	Awaiting final deliverables and paperwork from contractor
9	WW1303		Westover PS & Force Main Upgrade	768,800	1,403,900	290,518	1,113,382	20.7%	1,292,400	1,345,900	232,516	1,113,384	17.3%	In Process	Contractor is on site, approximately 25% complete
10			**Totals - FY 2014**	$ 1,170,800	$ 1,779,500	$ 564,899	$ 1,214,601	31.7%	$ 1,393,600	$ 1,447,100	$ 232,516	$ 1,214,584	16.1%		
11															
12			**FY 2015**												
13	WQ1503		West Dover Connector Project	$ 336,000	$ 338,800	$ 337,787	$ 1,013	99.7%	$ 73,600	$ 76,400	$ 75,319	$ 1,081	98.6%	Complete	
14	WW1504		Lakeview Dr Pump Stn Replacement	450,000	425,000	360,867	64,133	84.9%	359,600	376,200	312,050	64,150	82.9%	Complete	Awaiting final invoices
15	WW1507		Retreat Pump Station Replacement	412,500	483,900	36,331	447,569	7.5%	360,500	447,700	157	447,543	0.0%	In Process	Awaiting delivery of materials, August
16	WW1509		West Dover Connector Road Utility Relo	922,000	922,300	922,221	79	100.0%	387,300	387,300	387,180	120	100.0%	Complete	
17			**Totals - FY 2015**	$ 2,120,500	$ 2,170,000	$ 1,657,206	$ 512,794	76.4%	$ 1,181,000	$ 1,287,600	$ 774,706	$ 512,894	60.2%		
18															
19			**FY 2016**												
20	---	R	Vehicles & Equipment	$ 409,500	$ 416,900	$ 369,874	$ 47,026	88.7%	$ 103,700	$ 416,900	$ 369,874	$ 47,026	88.7%	In Process	
21	WD1600/ WW1600	R	Meter Replacement Project	300,000	300,000	94,511	205,489	31.5%	300,000	300,000	94,511	205,489	31.5%	Complete	
22	WD1601	R	Wellhead Redevelopment	82,500	82,500	51,625	30,875	62.6%	82,500	82,500	51,625	30,875	62.6%	Complete	
23	WD1605	R	Future Well Installation	80,000	80,000	20,772	59,228	26.0%	80,000	80,000	20,772	59,228	26.0%	Complete	
24	WD1606		New Fence-Bayard Ave Water Tower	89,000	84,200	81,213	2,987	96.5%	89,000	84,200	81,213	2,987	96.5%	Complete	
25	WD1607	R	SCADA Equipment Tech Upgrade	83,000	83,000	80,339	2,661	96.8%	83,000	83,000	80,339	2,661	96.8%	Complete	
26	WD1608		Shallow Well #7 Abandonment	15,000	15,000	8,815	6,185	58.8%	15,000	15,000	8,815	6,185	58.8%	Complete	
27	WD1609	R	WTP Process Improvements	284,400	330,900	233,278	97,622	70.5%	284,400	330,900	233,278	97,622	70.5%	In Process	Design work continuing, approcimately 80%
28	WQ1601	R	Water Quality Improvements	1,000,000	839,800	10,330	829,470	1.2%	1,000,000	839,800	10,330	829,470	1.2%	In Process	Bids for New Street in July
29	WQ1602	R/T	Misc Emerg Water Quality Repairs	-	83,700	83,604	96	99.9%	-	83,700	83,604	96	99.9%	Complete	
30	WQ1603	T	Reimb KC for Water Main Increase	-	30,000	30,000	-	100.0%	-	30,000	30,000	-	100.0%	Complete	
31	WW1503		Hazzletteville Road Interceptor	755,000	774,100	20,250	753,850	2.6%	462,100	774,100	20,250	753,850	2.6%	In Process	Project ongoing, approximately 20% complete
32	WW1601	R	Inflow/Infiltration Removal	875,000	118,300	-	118,300	0.0%	875,000	118,300	-	118,300	0.0%	Complete	
33	WW1602		Puncheon Run	160,000	160,000	-	160,000	0.0%	160,000	160,000	-	160,000	0.0%	In Process	Bids to be received in August/September
34	WW1602		US 13 East PS #7 Repairs	140,000	140,000	-	140,000	0.0%	140,000	140,000	-	140,000	0.0%	In Process	Bids to be received in August/September
35	WW1603		Rolling Acres PS Replacement	52,000	52,000	27,894	24,106	53.6%	52,000	52,000	27,894	24,106	53.6%	In Process	Design work underway, approx 95% complete.
36	WW1605		DE Ave Sanitary Sewer Extension	25,000	25,000	-	25,000	0.0%	25,000	25,000	-	25,000	0.0%	In Process	Bids received too high, construction scheduled for late fall
37	WW1607	T	US 13 East PS #7 Repairs	-	105,700	105,514	186	99.8%	-	105,700	105,514	186	99.8%	Complete	
38	WW1608	T	St Jones River Sewer Repair	-	47,300	45,494	1,806	96.2%	-	47,300	45,494	1,806	96.2%	Complete	
39	WW1609	T	McKee Tax Ditch Sewer Repair	-	27,300	26,662	638	97.7%	-	27,300	26,662	638	97.7%	Complete	
40	II1603	R/T	Misc Emergency I&I Repairs	-	101,700	101,628	72	99.9%	-	101,700	101,628	72	99.9%	Complete	
41			**Totals - FY 2016**	$ 4,350,400	$ 3,897,400	$ 1,391,802	$ 2,505,598	35.7%	$ 3,751,700	$ 3,897,400	$ 1,391,802	$ 2,505,598	35.7%		
42															
43															
44			**Grand Totals**	$ 16,533,300	$ 18,818,300	$ 11,902,276	$ 6,916,024	63.2%	$ 10,720,300	$ 11,026,100	$ 4,109,851	$ 6,916,249	37.3%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is budgeted to start over each fiscal year. No carry forward.
SL = State Loan Project - construction phase is financed
I = Impact Fee (partially) financed project
T = Transfer from blanket WQ or I&I original budget

City of Dover
Electric Improvement & Extension Fund - Major CIP Projects
Quarterly Report as of June 30, 2016
PRELIMINARY

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR						
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	Budget Balance	% Budget Spent	Status	Comments
1			**FY 2012 - FY 2013**												
2	EG1212	M	Unit 3 Turbine Inspection/Repair	$ 1,760,000	$ 1,713,600	$ 1,699,848	$ 13,752	99.2%	$ 53,500	$ 53,500	$ 39,700	$ 13,800	74.2%	Complete	
3	EE1312	M	General Scott Switchgear	1,150,000	1,145,000	840,047	304,953	73.4%	1,107,200	1,097,200	792,252	304,948	72.2%	Complete	
4			**Totals - FY 2012 - FY 2013**	$ 2,910,000	$ 2,858,600	$ 2,539,895	$ 318,705	88.9%	$ 1,160,700	$ 1,150,700	$ 831,952	$ 318,748	72.3%		
5															
6			**FY 2014**												
7	EE1443		GOTP Transmission Line Relocation	$ 550,000	$ 550,000	$ 310,603	$ 239,397	56.5%	$ 408,500	$ 408,500	$ 169,076	$ 239,424	41.4%	Complete	
8	EG1407		Metering System Upgrades - Plant	150,000	80,000	$ -	$ 80,000	0.0%	80,000	80,000	-	80,000	0.0%	In Process	Meters on order
9	EE1415	R	Metering Infrastructure	$ 150,000	$ 150,000	$ -	$ 150,000	0.0%	$ 150,000	$ 150,000	$ -	$ 150,000	0.0%	In Process	
10	EG1416	M	VanSant Capacity Increase	1,500,000	1,000,000	729,148	270,852	72.9%	492,200	492,200	221,308	270,892	45.0%	In Process	Install air compressor and equipment shed.
11			**Totals - FY 2014**	$ 2,350,000	$ 1,780,000	$ 1,039,751	$ 740,249	58.4%	$ 1,130,700	$ 1,130,700	$ 390,384	$ 740,316	34.5%		
12															
13			**FY 2015**												
14	EG1504		McKee Unit 3 Boiler System	$ 890,000	$ 180,000	$ 126,638	$ 53,362	70.4%	$ 80,800	$ 122,800	$ 69,351	$ 53,449	56.5%	In Process	Multi-year project
15	EG1506		McKee & VanSant Safety Improvement	52,000	52,000	34,623	17,377	66.6%	18,300	18,300	847	17,453	4.6%	In Process	
16	EE1500		69 kV Rebuild	393,500	330,500	79,910	250,590	24.2%	318,500	318,500	67,881	250,619	21.3%	In Process	On hold until fall & farmer coordination.
17	EE1509		West Dover Connector	250,000	250,000	108,563	141,437	43.4%	155,800	155,800	14,355	141,445	9.2%	In Process	Awaiting State for go ahead to move forward.
18	EE1513	M	Town Point Distribution Feeders	600,000	590,800	511,478	79,322	86.6%	350,000	350,000	270,641	79,359	77.3%	In Process	Phase 1 about 80% complete
19	EE1516		Chestnut Grove	299,000	255,000	164,799	90,201	64.6%	136,000	136,000	45,801	90,199	33.7%	Complete	Phase 1 complete except meters.
20	EE1522		Garrison Oak Park	184,000	184,000	166,523	17,477	90.5%	17,500	17,500	-	17,500	0.0%	Complete	
21	EE1525		Leander Lakes Apt Phase 1	73,000	73,000	64,866	8,134	88.9%	69,400	69,400	61,257	8,143	88.3%	Complete	Phase 1 complete except meters.
22	EE1526		Playtex Addition	354,100	344,100	285,503	58,597	83.0%	150,000	140,000	81,367	58,633	58.1%	Complete	
23	EE1544		Nottingham Meadows	28,600	28,600	27,299	1,301	95.5%	26,600	26,600	25,288	1,312	95.1%	Complete	
24	EE1547		NBR Properties	16,600	14,200	14,012	188	98.7%		11,500	11,325	175	98.5%	Complete	
25			**Totals - FY 2015**	$ 3,140,800	$ 2,302,200	$ 1,584,214	$ 717,986	68.8%	$ 1,322,900	$ 1,366,400	$ 648,113	$ 718,287	47.4%		
26															
27			**FY 2016**												
28	---	R	Vehicles & Equipment	464,300	460,600	401,141	59,459	87.1%	464,300	460,600	401,141	59,459	87.1%	In Process	
29	EG1601	R	McKee Building Equipment Replacement	42,000	42,000	40,018	1,982	95.3%	42,000	42,000	40,018	1,982	95.3%	In Process	Building heating modifications.
30	EG1607		Unit 3 Auxilary Equipment	135,000	135,000	98,331	36,669	72.8%	135,000	135,000	98,331	36,669	72.8%	In Process	Nitrogen generator installation in process.
31	EG1608		McKee & VanSant CEMS Upgrade	89,000	9,000	7,299	1,701	81.1%	89,000	9,000	7,299	1,701	81.1%	Complete	Work completed.
32	EG1609	R	VanSant Unit 11 Component Replacem	21,000	21,000	13,051	7,949	62.1%	21,000	21,000	13,051	7,949	62.1%	In Process	Work completed on gas skid regulators.
33	EG1610	R	McKee/VanSant Safety & Compliance	157,000	157,000	20,860	136,140	13.3%	157,000	157,000	20,860	136,140	13.3%	In Process	Front lobby access improvements, replace obsolete 2-way radios
34	EG1611	R	McKee/VanSant Preserve Structure	215,000	215,000	28,832	186,168	13.4%	215,000	215,000	28,832	186,168	13.4%	In Process	Expenditures have been in support of T&D transformer repairs.
35	EG1612		Van Sant Exhaust Plenum Replacement	469,000	469,000	422,659	46,341	90.1%	469,000	469,000	422,659	46,341	90.1%	In Process	Work to be completed in fall 2016.
36	EG1613		McKee Unit 3 Stack Repairs	485,000	485,000	2,624	482,376	0.5%	485,000	485,000	2,624	482,376	0.5%	In Process	Bids received and in evaluation process.
37	EE1603	R	Transmission Line Maintenance Program	75,000	75,000	31,881	43,119	42.5%	75,000	75,000	31,881	43,119	42.5%	In Process	
38	EE1604	R	Lighting Proj & Rehab	67,000	67,000	68,101	(1,101)	101.6%	67,000	67,000	68,101	(1,101)	101.6%	In Process	
39	EE1605		69 kV Cable Replacement North Street (originally proj EE1520)	565,700	135,000	-	135,000	0.0%	135,000	135,000	-	135,000	0.0%	In Process	Awaiting survey
40	EE1606	R	Distribution Capacitors and Controls	50,000	50,000	-	50,000	0.0%	50,000	50,000	-	50,000	0.0%	In Process	
41	EE1607		Horsepond URD - Distribution Feeders	67,000	112,000	49,450	62,550	44.2%	67,000	112,000	49,450	62,550	44.2%	In Process	
42	EE1610	R	Fault Indicators	10,000	10,000	8,828	1,172	88.3%	10,000	10,000	8,828	1,172	88.3%	In Process	
43	EE1612		Dover AFB Substation Rebuild	30,000	30,000	-	30,000	0.0%	30,000	30,000	-	30,000	0.0%	In Process	
44	EE1616	R	New Developments	2,500,000	1,684,000	-	1,684,000	0.0%	2,500,000	1,684,000	-	1,684,000	0.0%	In Process	
45	EE1617		Oak Grove Trailer Park - Dist Upgrade	78,500	78,500	1,137	77,363	1.4%	78,500	78,500	1,137	77,363	1.4%	In Process	
46	EE1618		Lakeland - Distribution Upgrades	63,000	63,000	33,626	29,374	53.4%	63,000	63,000	33,626	29,374	53.4%	Complete	
47	EE1619		Route 8/Mifflin Road - Dist Upgrade	51,500	51,500	-	51,500	0.0%	51,500	51,500	-	51,500	0.0%	Deferred	Possible cancel (TBD)
48	EE1620		Route 8 Taps - Distribution Upgrade	38,500	38,500	34,778	3,722	90.3%	38,500	38,500	34,778	3,722	90.3%	Complete	
49	EE1621		Townsend Brothers - Dist Upgrade	14,500	14,500	6,944	7,556	47.9%	14,500	14,500	6,944	7,556	47.9%	Complete	
50	EE1622		Persimmon Tree Apts - Dist Upgrade	62,000	17,000	16,980	20	99.9%	62,000	17,000	16,980	20	99.9%	Complete	
51	EE1623	T	DNREC R&R Metering	-	41,000	-	41,000	0.0%	-	41,000	-	41,000	0.0%	Deferred	Possible cancel (TBD). Awaiting DNREC.
52	EE1625	T	Public Works Wetland Project	-	-	-	-	0.0%	-	-	-	-	0.0%	Deferred	Deferred until FY17
53	EE1626	T	Washington Street Lights	-	-	-	-	0.0%	-	-	-	-	0.0%	Cancel	Rolled funds into New Street lights project
54	EE1627		Dover East Estates - Dist Upgrade	130,000	130,000	4,530	125,470	3.5%	130,000	130,000	4,530	125,470	3.5%	In Process	
55	EE1629	T	Tall Pine Condos	-	43,000	-	43,000	0.0%	-	43,000	-	43,000	0.0%	In Process	
56	EE1630		Reed Street Roof Repair/Replacement	201,800	151,800	132,083	19,718	87.0%	201,800	151,800	132,083	19,718	87.0%	In Process	INW
57	EE1631		North Street OH to UG - Dist Upgrade	100,000	-	-	-	0.0%	100,000	-	-	-	0.0%	Deferred	Deferred until FY18
58	EE1632	T	Blue Hen Corp - Phase I	-	25,600	23,150	2,450	90.4%	-	25,600	23,150	2,450	90.4%	Complete	
59	EE1633	T	State Street Commons Fiber Optic Proj	-	64,000	40,233	23,767	62.9%	-	64,000	40,233	23,767	62.9%	Complete	
60	EE1635	T	McKee Road - Edgewell	-	7,000	6,952	48	99.3%	-	7,000	6,952	48	99.3%	Complete	
61	EE1636	T	Clearview - Phase 4	-	160,000	148,779	11,221	93.0%	-	160,000	148,779	11,221	93.0%	Complete	Complete except for meters
62	EE1637	T	Dover Town Center Flex Site	-	13,900	13,526	374	97.3%	-	13,900	13,526	374	97.3%	Complete	

City of Dover
Electric Improvement & Extension Fund - Major CIP Projects
Quarterly Report as of June 30, 2016
PRELIMINARY

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR						
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	Budget Balance	% Budget Spent	Status	Comments
63	EE1638	T	Dover Town Center	-	35,200	25,332	9,868	72.0%	-	35,200	25,332	9,868	72.0%	Complete	
64	EE1639	T	Outback Steakhouse	-	30,600	27,647	2,953	90.3%	-	30,600	27,647	2,953	90.3%	Complete	Complete except for meters
65	EE1641		Reed St - Building/Safety Improvements	-	50,000	46,181	3,819	92.4%	-	50,000	46,181	3,819	92.4%	In Process	
66	EE1642	T	Del Homes Warehouse	-	18,000	15,374	2,626	85.4%	-	18,000	15,374	2,626	85.4%	Complete	
67	EE1643	T	Winner Volkswagen	-	13,300	12,772	528	96.0%	-	13,300	12,772	528	96.0%	Complete	Complete except for meters
68	EE1644	T	Retreat Pump Station	-	7,300	-	7,300	0.0%	-	7,300	-	7,300	0.0%	In Process	Awaiting Public Works go-ahead
69	EE1645	T	Dover Family Cosmetic	-	10,300	10,197	103	99.0%	-	10,300	10,197	103	99.0%	Complete	
70	EE1646	T	Loockerman Retail	-	26,500	23,753	2,747	89.6%	-	26,500	23,753	2,747	89.6%	Complete	
71	EE1647	T	Ollies Transformer Replacement	-	22,600	11,198	11,402	49.5%	-	22,600	11,198	11,402	49.5%	Complete	
72	EE1648	T	New Service - Blue Hen Apartments	-	23,900	-	23,900	0.0%	-	23,900	-	23,900	0.0%	In Process	
73	EE1649	T	New Service - K-Mart Store	-	20,300	19,567	733	96.4%	-	20,300	19,567	733	96.4%	Complete	Complete except for meters
74	EE1651	T	Papen Farms Irrigation	-	28,000	25,735	2,265	91.9%	-	28,000	25,735	2,265	91.9%	Complete	
75	EE1652	T/G	S New Street Lighting	-	70,000	9,851	60,149	14.1%	-	70,000	9,851	60,149	14.1%	In Process	Install inwork
76	EE1653		Switchgear - Westover Entrance	-	18,800	18,752	48	99.7%	-	18,800	18,752	48	99.7%	Complete	
77	EE1654		Switchgear - Woodmill Apartments	-	18,700	18,648	52	99.7%	-	18,700	18,648	52	99.7%	Complete	
78	EE1655		Switchgear - Lewis Drive	-	18,700	18,648	52	99.7%	-	18,700	18,648	52	99.7%	Complete	
79	EE1656	T	Royal Farms Car Chargers	-	9,600	-	9,600	0.0%	-	9,600	-	9,600	0.0%	On hold	Waiting on customer go-ahead
80	EE1657	T	Creek Stone Office 2	-	10,200	-	10,200	0.0%	-	10,200	-	10,200	0.0%	On hold	Waiting on customer go-ahead
81			**Totals - FY 2016**	$ 16,463,400	$ 13,022,300	$ 6,876,778	$ 6,145,522	52.8%	$ 5,751,100	$ 5,487,900	$ 1,939,452	$ 3,548,448	35.3%		
82															
83			**Grand Totals**	$ 24,864,200	$ 19,963,100	$ 12,040,637	$ 7,922,463	60.3%	$ 9,365,400	$ 9,135,700	$ 3,809,901	$ 5,325,799	41.7%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
T = Transfer from blanket New Development original budget
B = Bonded Project
S = State fully or partially reimbursed project
G = Grant funded project

ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee	**AGENDA: 08/09/16**
DEPARTMENT OF ORIGIN: Finance	**DATE SUBMITTED: 07/26/16**
PREPARED BY: Donna Mitchell, Controller/Treasurer	
SUBJECT: Consulting Services for Enterprise Resource Planning (ERP) Technology Upgrades	
APPROVALS: City Council	
ATTACHMENTS: Capital Plan, Vendor List, Vendor Scores & Pricing, Vendor Project Timeline	
EXPENDITURE REQUIRED: $70,400	**Total:** $70,400
AMOUNT BUDGETED: $300,000 estimate, includes Phases I & II	
TOTAL PROJECT: Estimate $2.3 million	
FUNDING SOURCE: Allocated among General Fund & Utilities (See Project Sheet)	
TIMETABLE: Estimated 29 -32 weeks	
RECOMMENDED ACTION: Authorize the Controller/Treasurer to enter into a contract with Barry Dunn McNeil & Parker, LLC (Barry Dunn) for Phase I of an ERP needs assessment, software RFP development, vendor selection and contract negotiations.	

The Finance Department solicited proposals (RFP #16-0039FN) for consulting services to assist the City with an Enterprise Resource Planning (ERP) project. We received eight proposals as listed on the list of bidders. The benefits of this project are outlined in the attached Capital Plan document. The following due diligence was completed by City staff to develop to the RFP and subsequent selection of Barry Dunn.

- Software demonstrations with companies that serve entities with similar size and services were conducted in September – November 2015 to provide staff with knowledge of new technology and enhancements to our current processes with the various software packages.
- After conducting research, telephone conversations with other local governments about their projects, and reviewing their RFP's for ERP software solutions, a draft RFP was developed by the Controller/Treasurer in February 2016. The draft document was reviewed and modified with the input of our I/T staff and the Assistant City Manager.
- The RFP was released by public advertisement and the City website on March 3, 2016.
- The City received eight sealed proposals on April 11, 2016.
- Electronic copies of all proposals were made available to all City Departments for review along with a scoring sheet for each department's use and a summary of key aspects notated by Finance.
- A meeting was held on April 27 with Department Heads to discuss each proposal. Scoring sheets were completed in May 2016.
- Based on the results of the scores received, the top three firms were selected. The Controller/Treasurer conducted telephone interviews of all references, summarized the results, and sent them to the Department Heads during the month of June.
- The week of June 27, Department Heads met to conduct interview meetings with the finalists.
- A meeting was held on July 20 with the Departments to discuss the final vendor selection and the consensus was to select Barry Dunn McNeil & Parker, LLC for the ERP consulting services.

Once Phase I of this project is completed, staff will provide for Committee and Council's approval the recommendations and a cost/benefit analysis of any changes prior to moving onto Phase II – Implementation of ERP Technology.

FY 2017 Capital Investment Plan

FY 17 *thru* FY 21

City of Dover, Delaware

Department Finance
Contact Controller/Treasurer

Project # **FN1701**

Project Name **Enterprise Resource Planning (ERP) Solution**

Type Technology
Useful Life 10 years
Category Electric
Priority 1
Status Active

New Project: Yes
Account Number: 480-9900-582.90-23
Time-Line: FY17-FY21

Total Project Cost: $2,300,000

Description

This project involves consulting services and purchase of Enterprise Resource Planning (ERP) Solution to support the business processes of the City of Dover.

Justification

The City's current ERP software is Sungard Public Sector's Select/Naviline version 8.0.2.0. It is an IBM System powered environment (iSeries). This system is a legacy system that came out of the Y2K era, when previous systems were not programmed for the year 2000. The Sungard Public Sector system was purchased in April 1997.

The technology for ERP systems have evolved from mainframe based systems (AS400) to Personal Computer (PC) based systems either hosted by the software provider through the internet or hosted by the customer on file servers. The industry trend is to drive access to customers with web and app based delivery models.

Project Strategy & Objectives:
- The City requires an integrated environment where any user can access the data they need.
- The City will emphasize a self-service environment with technology enabling and not hindering the users to easily access data with the proper controls at the point of data entry.
- The City desires to utilize rational data base technology plus easy report and query writing tools to accomplish this.
- The City realizes that this goal will not be accomplished through new technology alone but also requires extensive process changes and organizational support.
- Management requires better access to data, information and reporting that is currently unavailable or significantly restricted.
- As a result of current limitations to functionallity and access to data, City personnel have developed work-around processes that are impacting City business.
- Third-party software integrations with the current system are extremely difficult, limited or unvailable.

Expenditures	FY 17	FY 18	FY 19	FY 20	FY 21	Total
Consulting	300,000					300,000
ERP System	700,000	1,000,000	300,000			2,000,000
Total	**1,000,000**	**1,000,000**	**300,000**			**2,300,000**

Funding Sources	FY 17	FY 18	FY 19	FY 20	FY 21	Total
Electric I & E Fund	1,000,000	437,500				1,437,500
General Fund		400,200				400,200
Water/Wastewater Fund		462,300				462,300
Total	**1,000,000**	**1,300,000**				**2,300,000**

Budget Impact/Other

Annual Operating impact is being evaluated to determine the net difference with the current ERP/ancillary systems and support versus the recommended solution. The current estimate for the new fully integrated ERP solution is approximately $300,000 annuallly. Current cost is being evaluated as above.

City of Dover
RFP # 16-0039FN
Consulting Services for Enterprise Resource Planning (ERP) Project Planning & RFP Development
RFP Evaluation - Scoring Summary

	Proposer							
Evaluator	Plante & Moran	Schafer Consulting	Zco Consulting	Baker Tilly Virchow Krause	Barry Dunn McNeil & Parker	Contemporary Software Concepts of New Jersey	Tandem Conglomerate	Coeur Business Group
#1	1	4	5	3	2	n/a	n/a	n/a
#2	1	2	3	1	1	5	4	2
#3	2	1	4	3	3	6	7	5
#4	1	2	6	4	1	7	5	3
#5	2	3	4	2	1	7	6	5
#6	1	2	5	4	3	7	6	6
#7	3	1	4	3	2	6	5	7
#8	1	1	4	1	2	5	6	4
	Ranking							
1	4	3	0	2	3	0	0	0
2	3	3	0	1	3	0	0	1
3	1	1	1	3	2	0	0	1
4	0	1	4	2	0	0	1	1
5	0	0	2	0	0	2	2	2
6	0	0	0	0	0	2	3	1
7	0	0	1	0	0	3	1	1
8	0	0	0	0	0	0	0	0
# Scorers	8	8	8	8	8	7	7	7

City of Dover

RFP # 16-0039FN

Consulting Services for Enterprise Resource Planning (ERP) Project Planning & RFP Development

RFP Evaluation

Evaluator:

	Maximum Points	Plante & Moran	Schafer Consulting	Zco Consulting	Baker Tilly Virchow Krause	Barry Dunn McNeil & Parker	Contemporary Software Concepts of New Jersey	Tandem Conglomerate	Coeur Business Group
Proposal Format Requirements and Submittal Instructions (per Sections 5.0 and 6.0)	15%	0%	0%	0%	0%	0%	0%	0%	0%
Experience and qualifications of firm and proposed staff/sub-contractors (per Sections 5.3 - 5.5)	30%	0%	0%	0%	0%	0%	0%	0%	0%
Understanding of the Project - Proposed Project Plan & Technical Approach (per Sections 5.6 - 5.7)	25%	0%	0%	0%	0%	0%	0%	0%	0%
Proposed Cost (per Section 5.8)	30%	0%	0%	0%	0%	0%	0%	0%	0%
Total Score		0%	0%	0%	0%	0%	0%	0%	0%
Proposed Cost ($)		$ 73,320	$ 57,590	$ 49,678	$ 80,125	$ 70,400	$ 197,750	$ 196,500	$ 209,980
Esimtated Hours by Consultant Firm		312	307	437	506	408	1,580	1,400	1,280
Avg. Hourly Rate		$ 235	$ 188	$ 114	$ 158	$ 173	$ 125	$ 140	$ 164
Timeframe from start of engagement up to selection of vendor and contract negotiations		30 weeks	4 months - est. 16 weeks	5 months - est 20 weeks	27 weeks	32 weeks	9 weeks	9 months - est. 36 weeks	18 - 20 weeks
Implementation of vendorl software		No	Yes	Yes	No	No	No	Yes	No
and data conversion support included			$ 195,460	$ 5,250				$ 181,780	
in proposal			1,074 hours	Per Week				1,262 hours	
Project Team Size		6	8	4	4	3+	8+	6	6
Project Charter		Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Certifications - PMI, CAPM, CMC, Lean		Yes	No	No	No	Yes	1 IBM Cert.	Yes	Yes
Professional Standards - CMMI, PMI, &PM BofK		Yes	No	Yes	No	Yes	No	No	Yes
Demo Scripts		Yes	Yes	Yes	No	Yes	Yes	No	Yes
Other Notes -		Similar approach to Barry Dunn	Expert in Change Mgmnt	Company made up of contractor consultants	Close to other competitors in price range	Change Management Assist	No company history	Not enough detail in proposal	Good staff qualifications
		Very detailed	COA Assist			Very detailed	Not much detail		Good proposal
		Narrow down list of vendors for negotiations	40 question checklist for references	Uses SWOT method to evaluate current environment	Concerns about number of staff and depth of project	Lean Greenbelts & Very detailed proposal	Subcontractor for AS400/Naviline systems		Appears to be high end company that works on large projects
			Several staff members - subject matter experts at an analyst level			Assist with reference checks and site visits			

E.5 City of Dover Resources

Our team recognizes that the replacement of the City's ERP system is a significant undertaking, involving multiple City stakeholders who must continue meeting their day-to-day responsibilities while the project is ongoing. We will use a structured methodology, frequent stakeholder communications, and proactive project management to lead the City through this important process, minimizing impact on daily operations and promoting success.

As indicated in our work plan on the preceding pages, BerryDunn expects that the City Project Team and other key stakeholders, as identified by the City during initial project planning, will attend work sessions, reviews of project deliverables, teleconferences, and presentations. The input and participation of these key stakeholders is invaluable to our collaborative project methodology.

Additional stakeholders identified by the City Project Team, including City staff with responsibility for permitting functions and the system's end users, will be invited to participate in our on-site fact-finding meetings. BerryDunn understands that City staff members' time is a valuable resource, and will assist the City with development of staff communications to prepare participants for these activities, ensuring that all fact-finding meetings are as productive as possible.

E.6 Staffing and Work Schedule Matrix

In Table 12, we have presented the estimated timeframe, consultant staff commitment, and City staff commitment, associated with each proposed phase of this project. BerryDunn takes a team approach to system selection consulting engagements and each member of our team brings valuable expertise to every phase, so all proposed team members will be involved in throughout the project.

Table 12: Hour and Timeframe Estimates by Phase

Project Phase	Estimated Consulting Team Hours	Estimated City Staff Hours by Role	Estimated Timeframe
Phase 1: Current Hardware and Software Initial Assessment	48	Project Sponsor: 12 Project Manager: 16 Project Team Members: 3 Functional Area Representatives: 0 Technical Representatives: 0	Week 1
Phase 2: Project Management and Planning	32	Project Sponsor: 2 Project Manager: 24 Project Team Members: 24 Functional Area Representatives: 0 Technical Representatives: 0	Weeks 1-5 *Bi-Weekly Status Updates are ongoing*

Project Phase	Estimated Consulting Team Hours	Estimated City Staff Hours by Role	Estimated Timeframe
Phase 3: Needs Assessment	104	Project Sponsor: 16 Project Manager: 64 Project Team Members: 16-24 per team member Functional Area Representatives:16-24 per team member Technical Representatives: 0	Weeks 3-11
Phase 4: Request for Proposal Development	64	Project Sponsor: 2 Project Manager: 40 Project Team Members: 24 Functional Area Representatives: 0 Technical Representatives: 8	Weeks 11-15
Phase 5: System Selection	96	Project Sponsor: 2 Project Manager: 40 Project Team Members: 40 Functional Area Representatives:16-24 per person Technical Representatives: 16-24 per person	Weeks 19-28
Phase 6: Contract Negotiation	64	Project Sponsor: 8 Project Manager: 64 Project Team Members: 48 Functional Area Representatives: 0 Technical Representatives: 8 per person	Weeks 29-32

Tab F: Cost Proposal

As requested by the City, we have provided our fixed and all-inclusive cost proposal, broken down by phase, for performing its requested services in Table 13. BerryDunn does not charge for time spent traveling, so these costs are reflective only of the time our staff will spend on the City's project. We will progress bill the City on a monthly basis.

Table 13: Proposed Cost Breakdown by Project Phase

Project Phase	Cost
Phase 1: Current Hardware and Software Initial Assessment	$9,200
Phase 2: Project Management and Planning	$5,440
Phase 3: Needs Assessment	$17,680
Phase 4: Request for Proposal Development	$10,880
Phase 5: System Selection	$16,320
Phase 6: Contract Negotiation	$10,880
Project Total	**$70,400**

Table 14 presents the estimated number of project hours and the hourly rate for each proposed resource.

Table 14: Hourly Rates of Proposed Team Members

Team Member	Estimated Project Hours	Hourly Rate
Chad Snow	24	$275
Susan Johnson	164	$205
Kevin Price	100	$200
Adam Bates	120	$150

ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: August 2, 2016
PREPARED BY: Scott D. Koenig, P.E., City Manager
SUBJECT: Disposal of excess property – Silver Lake Drive (East Lake Gardens)
REFERENCE: N/A
RELATED PROJECT: N/A
REVIEWED BY: Scott D. Koenig, P.E., City Manager; Donna Mitchell, Controller
EXHIBITS: Exhibit #1 – Letter dated April 14, 2016 from Mr. & Mrs. Parham (one (1) page); Exhibit #2 – Highlighted map of the area (one (1) page); Exhibit # 3 (All documents related to the prior action by the Legislative, Finance & Administration Committee and City Council from July 2015 – a total of fifteen (15) pages); 2 photos of the area.
EXPENDITURE REQUIRED: $0 **AMOUNT BUDGETED**: $0 **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIME TIMETABLE: N/A
RECOMMENDED ACTION: 1. Determine that the property is excess property. 2. Authorize the City Manager to convey the excess property in accordance with Exception C of the Procedures for Sale and Disposition of Real Property.

BACKGROUND AND ANALYSIS

The City Manager's Office has received an additional request to abandon a certain portion of an unimproved right-of-way adjacent to property owned by Bruce & Della Parham at 107 Silver Lake Drive (Exhibit #1 – Letter dated April 14, 2016) and Donald E. Swetland at 6 Lakeview Drive in the East Lake Gardens Subdivision. The primary requestors are Mr. and Mrs. Parham. The Dover City Council authorized the disposal of a portion of this right-of-way in July of 2016. The current request would expand the original disposal of the excess right-of-way to include the highlighted area south of the intersection of the rights-of-way of Lakeview Drive and Silver Lake Drive as depicted on the attached map (Exhibit # 2). This land is currently being maintained by the adjacent property owners as lawn area and is not intended to be developed by the City of Dover for any public use or purpose. If the City of Dover conveys this land to the adjoining property owners, easements must be maintained and recorded for the existing storm sewer infrastructure located in the existing right-of-way. Copies of the information provided for the initial excess property determination are included for reference purposes (Exhibit #3). The adjoining property owners must incur all costs to prepare a deed or a revised deed and survey to accurately describe the land to be conveyed. In addition, the survey and deed must include all utility and infrastructure easements to ensure the city can maintain utilities and infrastructure. Once conveyed, the land will become part of the taxable land calculations.

The excess right-of-way is not large enough to create a buildable lot in this subdivision; therefore, the City Manager recommends that the excess property identified in Exhibit #2 be conveyed to the abutting property owner in accordance with Exception C of the Procedures for Sale and Disposition of Real Property. All costs to survey the land and prepare a deed for the transfer of the areas shall be the sole responsibility of the adjoining property owners.

Exhibit # 1
(1 page)

City of Dover
RECEIVED
APR 20 2016
CITY MANAGER/MAYOR

107 Silver Lake Drive
Dover, De 19901
April 14, 2016

Certified Mail

Mr. Scott Koenig, City Manager
City Hall
15 Loockerman Plaza
Dover, De 19901

Dear Mr. Koenig:

It has been months since we last communicated regarding the abandonment of the city owned property abutting our property at 107 Silver Lake Drive, Dover, De. My wife and I are very anxious to conclude the transfer of the property we first discussed with you in December 2014. We are currently removing young saplings and gum trees on our property, and if there are no objections, we will do the same for the property to be transferred.

At your earliest convenience, would you kindly inform us of your progress, including an estimate of how much longer the process will take. We sincerely appreciate your efforts and hope to hear from you very soon.

Gratefully yours,

Bruce D. Parham

Della M. Parham

Exhibit #2

(1 page)

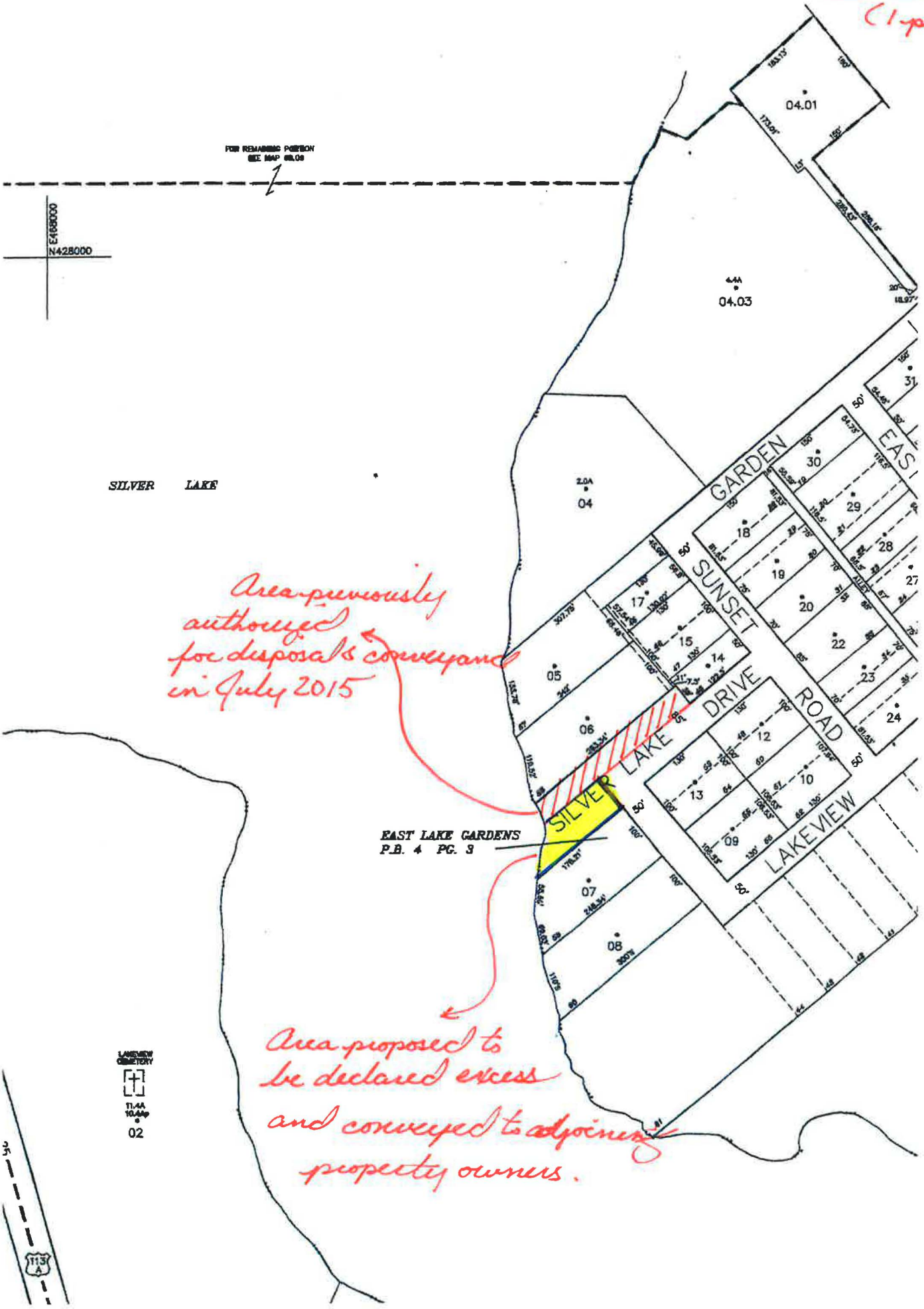


Exhibit #3
(15 pages)

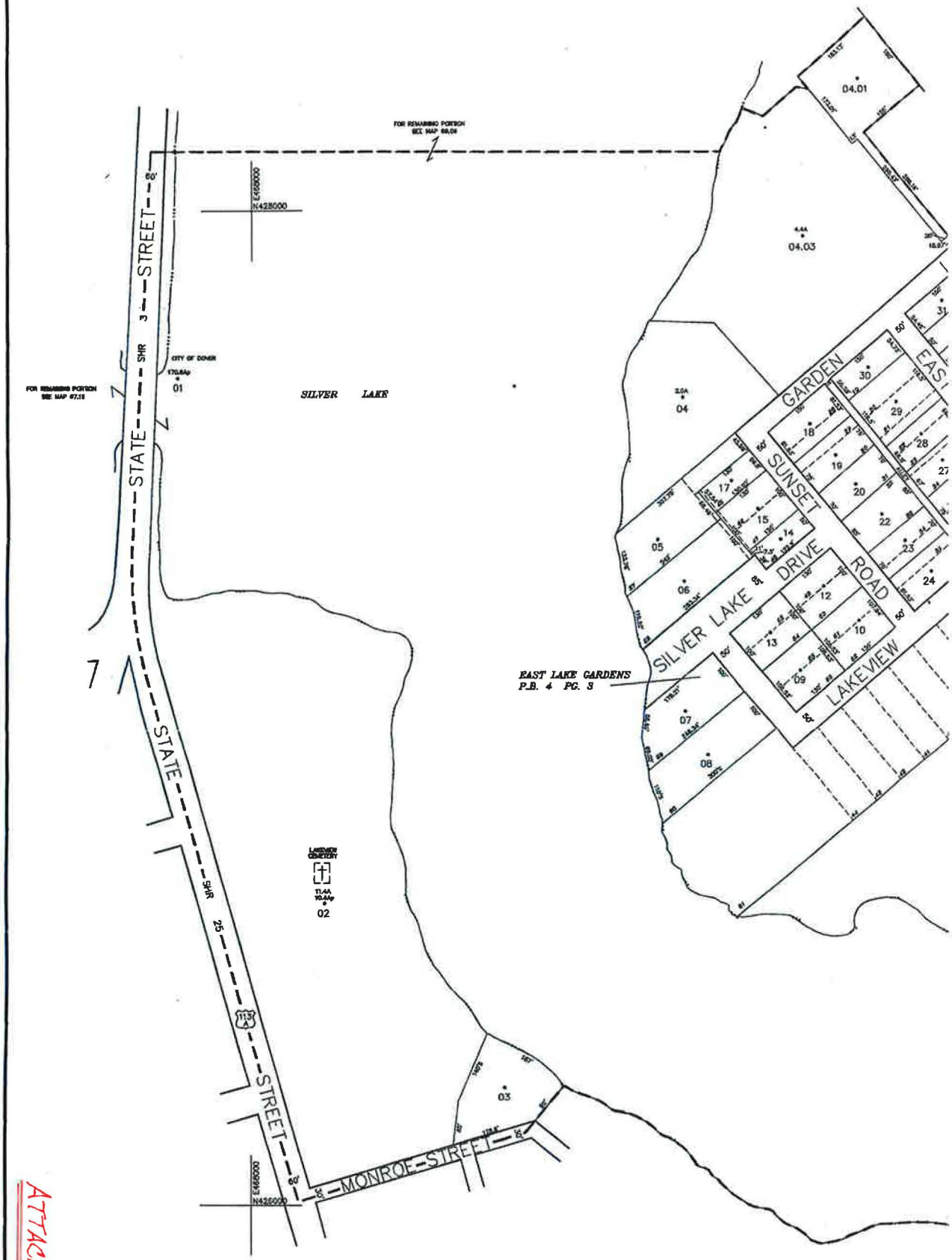
ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: July 2, 2015
PREPARED BY: Scott D. Koenig, P.E., City Manager
SUBJECT: Disposal of excess property – Silver Lake Drive (East Lake Gardens)
REFERENCE: N/A
RELATED PROJECT: N/A
REVIEWED BY: Scott D. Koenig, P.E., City Manager; Donna Mitchell, Controller
EXHIBITS: Attachment A: Copy of Real Property Tax Map (East Lake Gardens); Attachment B: Copy of property survey for 107 Silver Lake Drive; Attachment C: Letter Received on March 19, 2015; Attachment D: Letter Received on September 30, 2014. Attachment E: Proposed Procedure for Sale and Disposition of Real Property.
EXPENDITURE REQUIRED: $0 **AMOUNT BUDGETED**: $0 **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIME TIMETABLE: N/A
RECOMMENDED ACTION: 1. Determine that the property is excess property. 2. Authorize the City Manager to convey the excess property in accordance with Exception C of the Procedures for Sale and Disposition of Real Property.

BACKGROUND AND ANALYSIS

The City Manager's Office has received a request to abandon a certain portion of right-of-way adjacent to property owned by Bruce & Della Parham at 107 Silver Lake Drive in the East Lake Gardens Subdivision. Mr. and Mrs. Parham wish to make various improvements to their property and would like to take ownership of an irregular piece of right-of-way adjacent to their property. Attachment A shows the real property tax map for the subdivision and outlines the varying width right-of-way for Silver Lake Drive. The right-of-way adjacent to 107 Silver Lake Drive is 85 feet wide; where as other rights-of-way in the subdivision are only approximately 50 feet wide. Attachment B shows that approximately thirty-nine (39) of the eighty-five (85) feet is unimproved. Mr. & Mrs. Parham are currently maintaining this area adjacent to their property. The City of Dover has no plans to further improve or enhance this right-of-way.

The excess right-of-way is not large enough to create a buildable lot in this subdivision; therefore, the City Manager recommends that the excess property described above be conveyed to the abutting property owner in accordance with Exception C of the Procedures for Sale and Disposition of Real Property. All costs to survey the land and prepare a deed for the transfer of the areas shall be the sole responsibility of Mr. & Mrs. Parham.



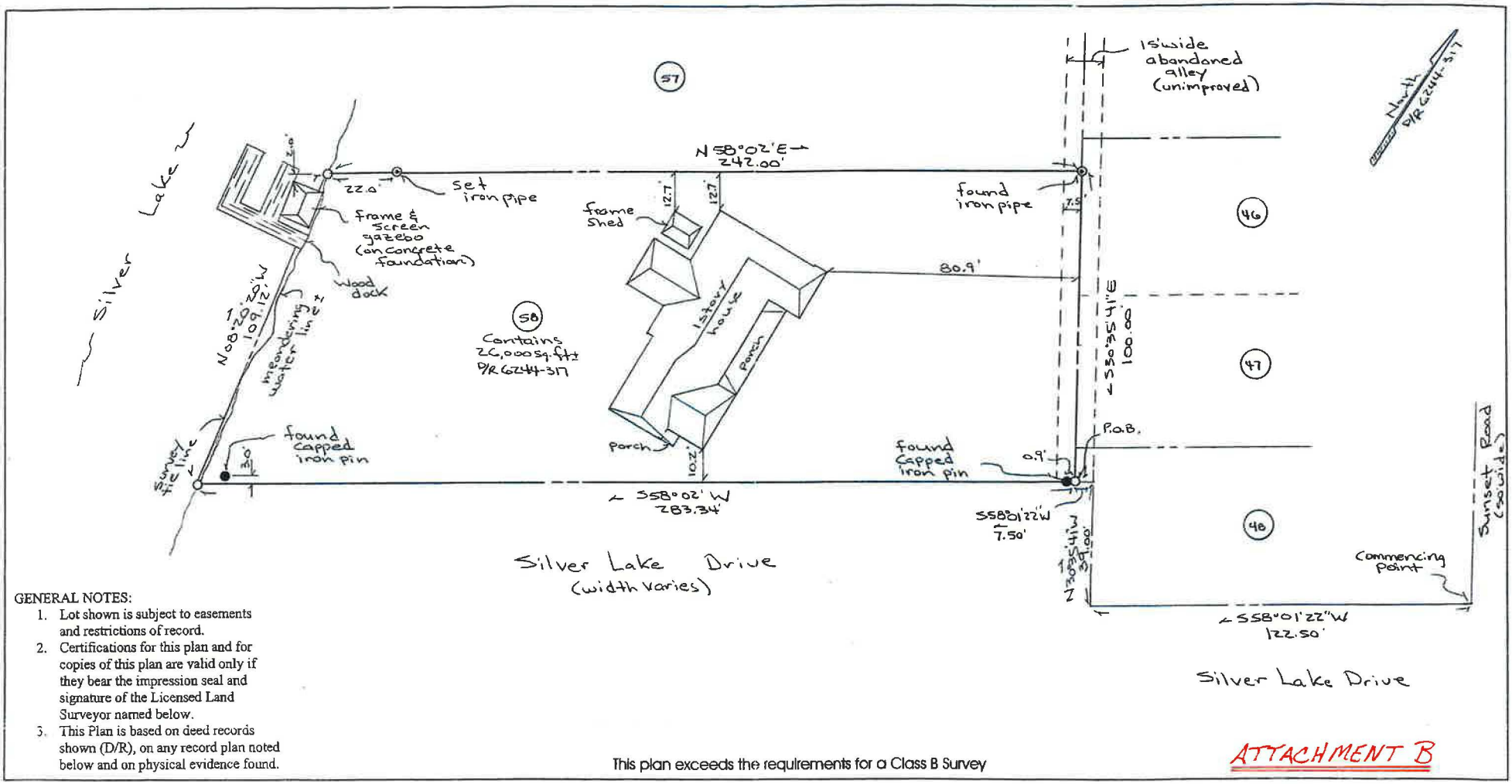
ATTACHMENT A

REAL PROPERTY TAX MAP
PREPARED FOR
KENT COUNTY, DELAWARE

STATE LINE
COUNTY LINE

PROPERTY LINE
ORIGINAL LOT LINE

PARCEL NO.
BLOCK NO.



GENERAL NOTES:

1. Lot shown is subject to easements and restrictions of record.
2. Certifications for this plan and for copies of this plan are valid only if they bear the impression seal and signature of the Licensed Land Surveyor named below.
3. This Plan is based on deed records shown (D/R), on any record plan noted below and on physical evidence found.

This plan exceeds the requirements for a Class B Survey

ATTACHMENT B

McClure Associates
INCORPORATED
Professional Land Surveying
140 Mifflin Road
Dover, Delaware 19904
(302) 674-4558

DRAWING NUMBER- MA:06-27-12
DRAWING BY- W. McClure
SCALE- 1" = 30'
DATE- 7/5/12
E005-68.13-01-06
FB# 130 pg. # 47

Boundary Survey Plan
of property to be conveyed to:

Bruce Parham & Della Parham

East Lake Gardens Subdivision - Lot 58 (PB#4 Pg#3)
#107 Silver Lake Drive - City of Dover
East Dover Hundred - Kent County - State of Delaware

Attachment C

City of Dover
RECEIVED
MAR 19 2015
CITY MANAGER/MAYOR

107 Silver Lake Dr.
Dover, De 19901
March 16, 2015

Mr. Scott Koenig
City Manager
City Hall
15 Loockerman Plaza
Dover, De 19903

Dear Mr. Koenig,

I am writing as a follow up to our conversation in December 2014. At that time we discussed the possibility of the City abandoning the City owned property adjacent to 107 Silver Lake Drive in Dover DE. As mentioned previously, the issue of access to our existing property and our desire to build a garage makes attainment of the adjacent City owned property the ideal solution for us. I appreciate the fact that you are busy with the affairs of the City so I respectfully ask if there is anything we can do to expedite the process, please let us know. I will follow up with a phone call in about a week to see if anything is needed from us to move the process forward. Thank you for you consideration and attention to this matter.

Sincerely,

Bruce D. Parham

Della M. Parham

Attachment D

City of Dover
RECEIVED
SEP 30 2014
CITY MANAGER/MAYOR

107 Silver Lake Drive
Dover, De 19901
September 27, 2014

Mr. Scott Koenig
City Manager
City Hall
15 Loockerman Plaza
Dover, De 19903

Dear Mr. Koenig,

Thank you for coming out to our home on Friday, August 29, 2014. We are writing as a follow up to our discussion last month. We are very interested in purchasing the vacant lot adjacent to our home at 107 Silver Lake Drive, Dover, De.

At your earliest convenience, please let us know if the City of Dover is still interested in selling this lot. Thank you again for your attention to this matter.

Sincerely,

Bruce D. Parham, D.D.S.

Della M. Parham

Approved 10/14/5

PROPOSED PROCEDURE

FOR SALE AND DISPOSITION OF REAL PROPERTY

1. PURPOSE

To establish a policy for the City of Dover regulating the sale and disposition of excess lands.

2. LAWS AND POLICIES

City of Dover Code of Ordinances, Chapter 2, Article IV, Section 2-99, authorizes the sale and disposal of excess property.

This policy will standardize the procedure for disposal of excess City owned real property.

3. DETERMINATION

A City Staff member, upon determining that a City owned parcel of land is excess in nature and that the disposal of such land would be beneficial to the City of Dover, will request, through the Legislative and Finance Committee, that the Dover City Council consider disposal of such land.

4. STANDARD METHOD OF DISPOSITION

A. The Legislative and Finance Committee, upon receiving a request to dispose of excess real property, shall, prior to making a recommendation to the Dover City Council, request all pertinent information including, but not limited to, the following:

a-1) determination that subject parcel is not required by any other City department.

a-2) written explanation of why subject parcel is now surplus.

a-3) determination of whether a zoning change would enhance the sale value of subject parcel and recommend said change if warranted.

a-4) determine if parcel's exact location and size is known and, if not, recommend whether said parcel should be surveyed by the City prior to any sale attempts.

B. Dover City Council, after receiving a positive recommendation from the Legislative and Finance Committee to dispose of a surplus parcel of land, shall, as part of its deliberations:

b-1) determine if disposal of the parcel is in the City's best interests.

b-2) determine if disposal by sale, gift, or some other means would best serve the City's interests.

b-3) determine if the City Planner should be requested to initiate rezoning procedures.

b-4) publicize the pertinent information concerning the surplus parcel and its availability for purchase to the general public at least once a week for two weeks in a local newspaper.

b-5) make public, and a part of the record, all written correspondence received and, after the publicizing requirements of Section 4, Paragraph B(4) are met, hold a public hearing to receive any other citizen input.

C. Dover City Council, after voting to proceed with the sale of surplus land, shall determine:

c-1) if an unbiased appraisal is needed to establish a minimum acceptable price.

c-2) whether to sell the parcel by public auction or by sealed bid, and what the minimum acceptable offer will be.

c-3) the degree and scope of advertising, with a minimum of exposure being advertisement once a week for two weeks in a newspaper of general circulation within the county.

c-4) whether the circumstances of and surrounding a particular sale may be such that the best interests of the City would be served by listing the property for sale with a licensed real estate agent.

D. City Staff shall, with Council direction:

d-1) arrange for advertisement of the sale

d-2) draft the sale bill setting out a description of the parcel to be sold, time, date, and place of sale or bid opening, the terms and conditions of sale, and the City's reservation of acceptance or rejection of any or all bids received at the time of sale or bid opening.

d-3) order and distribute a sufficient number of sale bills for posting and distribution in the County Courthouse, at the site, and in the general area of the parcel.

d-4) obtain the services of a professional auctioneer if said sale is to be a public auction.

d-5) conduct the sale and submit the results to Dover City Council.

d-6) obtain the services of a licensed real estate agent if sale is to be brokered.

E. Dover City Council, after confirming the sale, shall:

e-1) request the City Solicitor to prepare a deed for execution and to arrange for final settlement with the purchaser at which time the City will deliver the deed, the purchaser will pay all balances due, and the City Solicitor will record said deed, in the Recorder of Deeds Office for Kent county.

F. If any excess parcel of land is too small or irregular in shape to be of any value to anyone other than an abutting owner, it may be sold to such owner at either its fee appraised fair market value, or at its fair market value as established by the City's assessment records, whichever Council shall select. The costs of the appraisal and all legal costs shall be paid by the owner requesting the conveyance.

G. Costs of Conveyance

Unless otherwise specified by Dover City Council, all fees and costs, legal or otherwise, associated with the sale and conveyance of all excess lands shall be paid by the purchaser.

5. EXCEPTIONS TO STANDARD METHOD OF DISPOSITION

Exception A.

Sale to an abutting owner: When, in the opinion of City Council, a public sale would be detrimental to the lands of an abutter, and/or that a public sale would place the abutter at undue risk; or that the combination of abutter's land and City's land would be substantially greater in value than that of the sum of the parcels considered individually, Dover City Council may direct the City Assessor to have prepared one or more unbiased fee appraisals of the parcel. Thereafter, the subject land will be offered for sale to the said abutter at the appraisal price, plus the appraisal fees, plus the legal costs. In the event the offer is not accepted, a public sale may be ordered.

Examples of detrimental affect might be when the surplus City parcel lies between an abutting property and the street and development of the parcel would obstruct visibility of the abutter's property, of when the surplus parcel is zoned multi-family and abuts a single family parcel.

Exception B.

Trade of lands: A trade of lands may be approved when it is shown beyond doubt that such a trade will be equal to or better than the lands to be traded either on a "square foot for square foot" measure and/or on a "dollar for dollar" measure.

Exception C.

Conveyance of odd shaped and/or unbuildable parcels: City acquisitions for roads, utility usages, etc. may, after such usage is accomplished, leave a small strip of land that is odd shaped and unbuildable. Dover City Council may approve the conveyance of this strip of land to an abutting property owner on request of said owner. The price for these lands shall be at the same cost basis as that paid by the City. If conveyance is made in excess of two years after the date of City acquisition, then the consideration shall either be based on a price established by an unbiased fee appraisal made on the basis of the value added to the abutting property by the acquisition of said lands, or on the City's cost basis for the parcel adjusted for inflation, whichever Dover City Council shall select. All fees, legal or otherwise, associated with the conveyance are to be paid by the purchaser.

Exception D.

Donation of Land to Non-Profit Organizations: If, in the opinion of Dover City Council, the donation of a parcel of excess land to a non-profit organization would be in the best interest of the City of Dover, Council then reserves unto itself the right to make such donation.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on July 13, 2015, at 6:03 p.m. with Chairman Hare presiding. Members present were Mr. Sudler (arrived at 6:08 p.m.), Ms. Maucher, and Mr. Shevock. Mr. Cole was absent. Members of Council present were Mr. Anderson, Mr. Neil (arrived at 7:02 p.m.), Mr. Lewis (arrived at 6:55 p.m.), Mr. Hosfelt, Mr. Hutchison, and Mr. Slavin. Mayor Christiansen was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Shevock moved for approval of the agenda, seconded by Ms. Maucher and unanimously carried.

Fiscal Year 2014/15 Edward Byrne Justice Assistance Grant Program - Police Vehicle Computer/Video Technology Upgrades & SORT Firearms

Major Marvin Mailey, Deputy Chief of Police, advised members that the Dover Police Department recently submitted a grant application through the Office of Justice Programs (OJP) for the 2015 Justice Assistance Grant (JAG). He stated that the Dover Police Department intends to upgrade/replace nine (9) additional vehicle computer/video systems. Grant funding will be combined with $54,000 budgeted for the mobile data computer (MDC) portion of the system for this purchase. Major Mailey stated that these systems will be purchased for the nine (9) new vehicles that will be coming on line during FY16. The vendor for the purchase would be COBAN and was approved as a sole vendor last year when grant funds were used for the same purpose. This brand of equipment is currently being used by the State Police and other agencies throughout the state.

Major Mailey indicated that a portion of the funds would also be used to replace three (3) shotguns and night scopes for the department's Special Operations Response Team (SORT), noting that the weapons are more than 20 years old. This purchase would be awarded to a state contract vendor that is an authorized gun dealer.

Major Mailey stated that this grant request is for $48,891 from the state to assist with the purchase of these items. He informed members that the grant had been applied for; however, to date, it had not been approved. Major Mailey indicated that the police department was quite certain that the grant would be approved, since it is an annual application.

Staff recommended approval of the grant project, as requested.

Ms. Maucher moved to recommend approval of the grant project, as requested. The motion was seconded by Mr. Shevock and unanimously carried.

Disposal of Excess Property - Silver Lake Drive (East Lake Gardens)

Mr. Scott Koenig, City Manager, informed members that the City Manager's Office had received a request to abandon a certain portion of right-of-way adjacent to property owned by Bruce and Della Parham at 107 Silver Lake Drive in the East Lake Gardens Subdivision. He stated that Mr. and Mrs. Parham wished to make various improvements to their property and would like to take ownership of an irregular piece of right-of-way adjacent to it.

Mr. Koenig reviewed a property survey for 107 Silver Lake Drive and explained that Mr. Parham's driveway is located off of the odd shaped right-of-way on Silver Lake Drive and Mr. Parham mows approximately 40 feet of grass before he gets to the actual edge of the roadway. Mr. Koenig stated that Mr. Parham contacted him to determine the City's interest in disposing of this excess right-of-way because he is desirous of expanding his house and adding on a garage.

Mr. Koenig reviewed the real property tax map for the subdivision outlining the varying widths of the rights-of-way for Silver Lake Drive, noting that the right-of-way adjacent to 107 Silver Lake Drive is 85 feet wide; whereas, other rights-of-way in the subdivision are only approximately 50 feet wide. Mr. Koenig informed members that approximately 39 feet of the 85 foot right-of-way is unimproved. He stated that Mr. and Mrs. Parham are currently maintaining this area adjacent to their property and the City of Dover has no plans to further improve or enhance this right-of-way. Mr. Koenig explained that the City may have previously desired to put in an additional boat ramp in this area; however, during his employment with the City, it has never been pursued, nor had there been any indication that the City would pursue adding a boat ramp or any type of parking in this area. He stated that Mr. Parham's request is essentially that the City allow him to hire a surveyor and create a deed to transfer this excess right-of-way to his property. Mr. Koenig explained that once this parcel is transferred, it would become part of Mr. Parham's lot and part of the taxable real property in the City.

Mr. Koenig stated that the excess right-of-way is not large enough to create a buildable lot in this subdivision; therefore, it was his recommendation that the excess property be conveyed to the abutting property owner in accordance with Exception C of the Procedures for Sale and Disposition of Real Property. He advised that all costs to survey the land and prepare a deed for the transfer of the area shall be the sole responsibility of Mr. and Mrs. Parham, if they wish to proceed, and that staff would review all of the documentation prior to signature.

Staff recommended the following: 1) determine that the property is excess property; and 2) authorize the City Manager to convey the excess property in accordance with Exception C of the Procedures for Sale and Disposition of Real Property.

Referring to the excess property to be conveyed to Mr. Parham, Mr. Shevock questioned the amount of money that this would add to the tax roll. Responding, Mr. Koenig explained that the amount was difficult to distinguish as an unbuildable lot by itself, noting that it would essentially be added to the land value of Mr. Parham's parcel and the assessor would appropriately value it.

In response to Mr. Hare, Mr. Koenig explained that if Mr. Parham were to build a garage, this would add another assessment.

Responding to Mr. Hare, Mr. Koenig stated that he could not determine that the City had any use for this property; therefore, it is excess.

In response to Mr. Anderson and referring to the real property tax map for the subdivision, Mr. Koenig explained that Mr. Parham's property was labeled as parcel 06 and is located immediately adjacent to Silver Lake Drive, beginning where the right-of-way increases to 85 feet and running all the way to the lake.

Mr. Anderson questioned whether this property was near Sunset Drive, noting that residential complaints were previously received because people did not have access to get out of the driveway. Responding, Mr. Koenig referred to the real property tax map for the subdivision, explaining his understanding that Garden Lane used to extend further to the right of the word Garden as depicted on the map. He stated that the right-of-way was abandoned to a property owner in 1985 and became part of the subject property. Mr. Koenig indicated that this situation was similar but not quite the same. Referring to the complaints, he stated that staff had reviewed the surveys of at least one (1) of the property owners, as well as the Council minutes where the right-of-way was abandoned. Mr. Koenig stated that, based on his non-legal review, it appeared that the property owner had done things correctly in accordance with what he was granted by the City.

In response to Mayor Christiansen, Mr. Koenig advised that, to his knowledge, there were no utilities in this right-of-way and that the survey of the area would determine the existence of any utilities. Mr. Koenig explained that there was an overhead pole line on the east side of the property where the right-of-way becomes 85 feet, which carries electric, telephone, and cable. He stated his understanding that the water and sewer lines were in Silver Lake Drive. Mr. Koenig informed members that the City would maintain a utility easement over any utilities indicated by the survey.

Regarding the access issue referred to by Mr. Anderson, Mayor Christiansen stated that there is a fire hydrant that is located on private property due to the City conveying the property. Mr. Koenig stated that the fire hydrant in this area would most likely be abandoned or moved in the future.

Mr. Hutchison questioned whether the City had canvassed the neighborhood to determine what the feelings were regarding this matter. Responding, Mr. Koenig stated that the neighborhood had not been canvassed and letters were not sent to the neighborhood because this situation was different than when the City abandons the full right-of-way. He stated that if members would like that to be done, staff could do it just to make sure there are no objections.

Mr. Shevock moved to recommend, provided local property owners are surveyed and there are no problems, that a certain portion of right-of-way adjacent to property located at 107 Silver Lake Drive in the East Lake Gardens Subdivision, owned by Bruce and Della Parham, be determined to be excess property, and that the City Manager be authorized to convey the excess property in accordance with Exception C of the Procedures for Sale and Disposition of Real Property, as recommended by staff. The motion was seconded by Ms. Maucher and unanimously carried.

would be COBAN and was approved as a sole vendor last year when grant funds were used for the same purpose. This brand of equipment is currently being used by the State Police and other agencies throughout the state.

Major Mailey indicated that a portion of the funds would also be used to replace three (3) shotguns and night scopes for the department's Special Operations Response Team (SORT), noting that the weapons are more than 20 years old. This purchase would be awarded to a state contract vendor that is an authorized gun dealer.

Major Mailey stated that this grant request is for $48,891 from the state to assist with the purchase of these items. He informed members that the grant had been applied for; however, to date, it had not been approved. Major Mailey indicated that the police department was quite certain that the grant would be approved, since it is an annual application.

Staff recommended approval of the grant project, as requested.

The Committee recommended approval of the grant project, as requested.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Anderson and Lewis absent).

Disposal of Excess Property - Silver Lake Drive (East Lake Gardens)

Mr. Scott Koenig, City Manager, informed members that the City Manager's Office had received a request to abandon a certain portion of right-of-way adjacent to property owned by Bruce and Della Parham at 107 Silver Lake Drive in the East Lake Gardens Subdivision. He stated that Mr. and Mrs. Parham wished to make various improvements to their property and would like to take ownership of an irregular piece of right-of-way adjacent to it.

Mr. Koenig reviewed a property survey for 107 Silver Lake Drive and explained that Mr. Parham's driveway is located off of the odd shaped right-of-way on Silver Lake Drive and Mr. Parham mows approximately 40 feet of grass before he gets to the actual edge of the roadway. Mr. Koenig stated that Mr. Parham contacted him to determine the City's interest in disposing of this excess right-of-way because he is desirous of expanding his house and adding on a garage.

Mr. Koenig reviewed the real property tax map for the subdivision outlining the varying widths of the rights-of-way for Silver Lake Drive, noting that the right-of-way adjacent to 107 Silver Lake Drive is 85 feet wide; whereas, other rights-of-way in the subdivision are only approximately 50 feet wide. Mr. Koenig informed members that approximately 39 feet of the 85 foot right-of-way is unimproved. He stated that Mr. and Mrs. Parham are currently maintaining this area adjacent to their property and the City of Dover has no plans to further improve or

enhance this right-of-way. Mr. Koenig explained that the City may have previously desired to put in an additional boat ramp in this area; however, during his employment with the City, it has never been pursued, nor had there been any indication that the City would pursue adding a boat ramp or any type of parking in this area. He stated that Mr. Parham's request is essentially that the City allow him to hire a surveyor and create a deed to transfer this excess right-of-way to his property. Mr. Koenig explained that once this parcel is transferred, it would become part of Mr. Parham's lot and part of the taxable real property in the City.

Mr. Koenig stated that the excess right-of-way is not large enough to create a buildable lot in this subdivision; therefore, it was his recommendation that the excess property be conveyed to the abutting property owner in accordance with Exception C of the Procedures for Sale and Disposition of Real Property. He advised that all costs to survey the land and prepare a deed for the transfer of the area shall be the sole responsibility of Mr. and Mrs. Parham, if they wish to proceed, and that staff would review all of the documentation prior to signature.

Staff recommended the following: 1) determine that the property is excess property; and 2) authorize the City Manager to convey the excess property in accordance with Exception C of the Procedures for Sale and Disposition of Real Property.

Referring to the excess property to be conveyed to Mr. Parham, Mr. Shevock questioned the amount of money that this would add to the tax roll. Responding, Mr. Koenig explained that the amount was difficult to distinguish as an unbuildable lot by itself, noting that it would essentially be added to the land value of Mr. Parham's parcel and the assessor would appropriately value it.

In response to Mr. Hare, Mr. Koenig explained that if Mr. Parham were to build a garage, this would add another assessment.

Responding to Mr. Hare, Mr. Koenig stated that he could not determine that the City had any use for this property; therefore, it is excess.

In response to Mr. Anderson and referring to the real property tax map for the subdivision, Mr. Koenig explained that Mr. Parham's property was labeled as parcel 06 and is located immediately adjacent to Silver Lake Drive, beginning where the right-of-way increases to 85 feet and running all the way to the lake.

Mr. Anderson questioned whether this property was near Sunset Drive, noting that residential complaints were previously received because people did not have access to get out of the driveway. Responding, Mr. Koenig referred to the real property tax map for the subdivision, explaining his understanding that Garden Lane used to extend further to the right of the word Garden as depicted on the map. He stated that the right-of-way was abandoned to a property owner in 1985 and became part of the subject property. Mr. Koenig indicated that this situation was similar but not quite

the same. Referring to the complaints, he stated that staff had reviewed the surveys of at least one (1) of the property owners, as well as the Council minutes where the right-of-way was abandoned. Mr. Koenig stated that, based on his non-legal review, it appeared that the property owner had done things correctly in accordance with what he was granted by the City.

In response to Mayor Christiansen, Mr. Koenig advised that, to his knowledge, there were no utilities in this right-of-way and that the survey of the area would determine the existence of any utilities. Mr. Koenig explained that there was an overhead pole line on the east side of the property where the right-of-way becomes 85 feet, which carries electric, telephone, and cable. He stated his understanding that the water and sewer lines were in Silver Lake Drive. Mr. Koenig informed members that the City would maintain a utility easement over any utilities indicated by the survey.

Regarding the access issue referred to by Mr. Anderson, Mayor Christiansen stated that there is a fire hydrant that is located on private property due to the City conveying the property. Mr. Koenig stated that the fire hydrant in this area would most likely be abandoned or moved in the future.

Mr. Hutchison questioned whether the City had canvassed the neighborhood to determine what the feelings were regarding this matter. Responding, Mr. Koenig stated that the neighborhood had not been canvassed and letters were not sent to the neighborhood because this situation was different than when the City abandons the full right-of-way. He stated that if members would like that to be done, staff could do it just to make sure there are no objections.

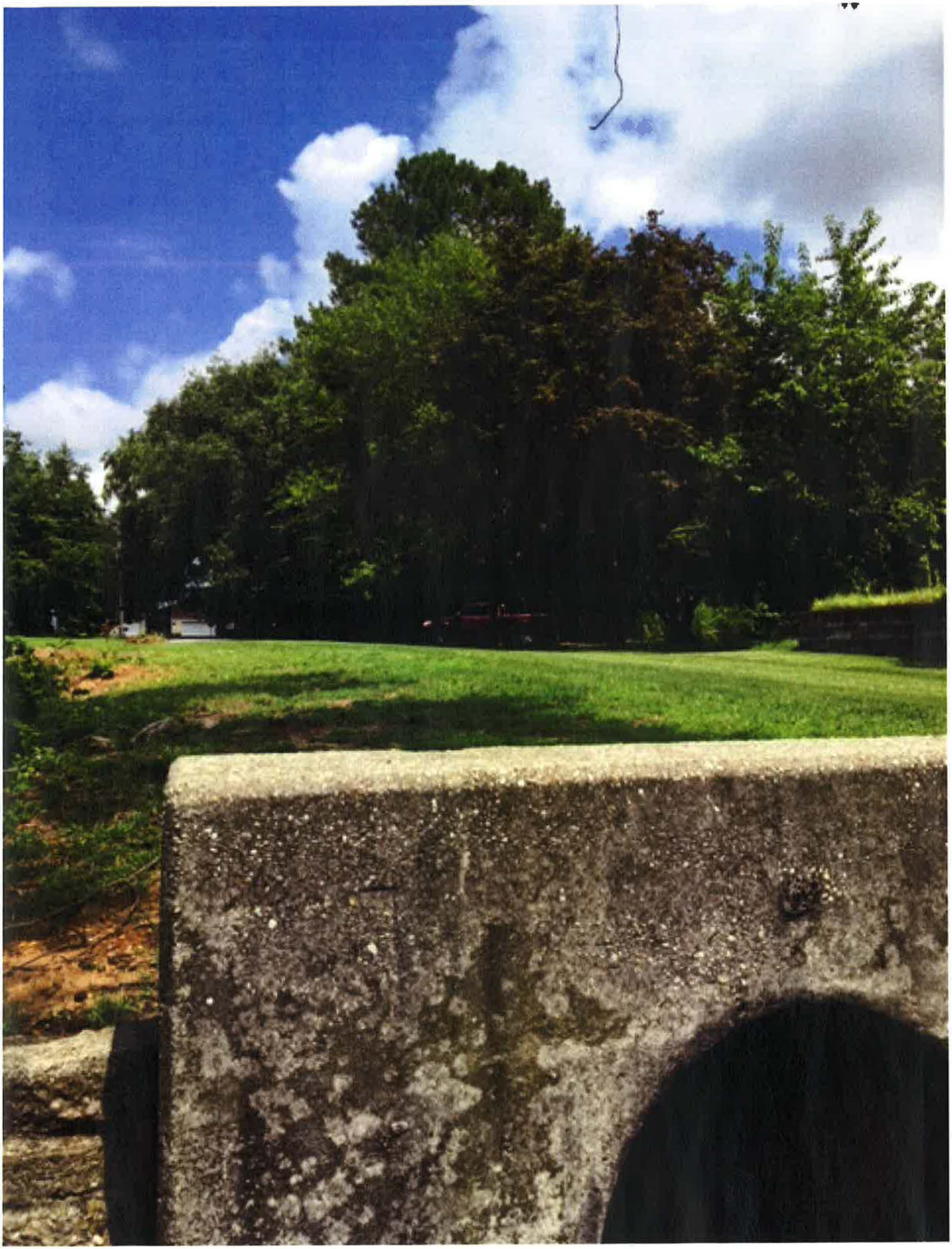
The Committee recommended, provided local property owners are surveyed and there are no problems, that a certain portion of right-of-way adjacent to property located at 107 Silver Lake Drive in the East Lake Gardens Subdivision, owned by Bruce and Della Parham, be determined to be excess property, and that the City Manager be authorized to convey the excess property in accordance with Exception C of the Procedures for Sale and Disposition of Real Property, as recommended by staff.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Anderson and Lewis absent).

Timeline for Review of Fiscal Year 2016/17 Budget (Deferred during the meeting of June 22, 2015)

Mr. Scott Koenig, City Manager, reviewed the FY16 Budget Calendar. He explained that advancing the timeline would create challenges regarding revenue projection. Mr. Koenig informed members that City Council recently adopted the FY16 Budget which included the expected revenue projections, and the State did maintain the expected levels; however, it remained an unknown factor until the end of June. He





ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: July 29, 2016
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development, and Scott D. Koenig, P.E., City Manager
SUBJECT: Disposal of Excess Property – 106 and 110 South New Street – Offer from NCALL Research, Inc.
REFERENCE: N/A
RELATED PROJECT: Downtown Development District / Restoring Central Dover
APPROVALS: Scott D. Koenig, P.E., City Manager and Donna Mitchell, CPA, City Controller
EXHIBITS: Letter dated July 21, 2016 from Karen Speakman, Deputy Director, NCALL Research, Inc.; Procedure for Sale and Disposition of Real Property
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: N/A
RECOMMENDED ACTION: 1. Determine that the property is excess property; 2. Authorize the City Manager to complete a final agreement of sale to NCALL Research, Inc. for $10,000 per property.

BACKGROUND AND ANALYSIS

The City of Dover acquired the subject properties through a land donation from the House of Pride in 2015. Prior to the donation from the House of Pride, these properties were encumbered by a lien for demolition expenses. City staff considers these properties to be excess properties, as the City has no use for the property and the City will be better served by these properties being redeveloped and restored as taxable owner occupied properties.

The City of Dover has a procedure for Sale and Disposition of Real Property. The procedure includes a "Standard Method of Disposition" which begins at the Legislative, Finance and Administration Committee. The steps are articulated in the procedure, but include first a decision by Council (after a favorable recommendation by the Committee) to dispose of the surplus property, and subsequently the method of disposal (auction or sealed bid). The procedure also includes "Exceptions to Standard Method of Disposition", which states as Exception D, "Donation of Land to Non-Profit Organizations: If, in the opinion of the Dover City Council, the donation of a parcel of excess land to a non-profit organization would be in the best interest of the City of Dover, Council then reserves unto itself the right to make such a donation.

In this case, NCALL Research, Inc. has submitted an offer to purchase the subject properties for an amount below the assessed value of the land; therefore, the transaction represents a partial donation on the City's part. Sale of these properties to NCALL is consistent with the goals of the Downtown Development District and Restoring Central Dover, to foster home ownership for low and moderate income households. This also supports the City's goal and mandate to affirmatively further fair housing by allowing for location choices for low and moderate income households.

If the offers from NCALL Research, Inc. are accepted, the City of Dover would need to write off a portion of the City's expenses related to the prior demolition as well as other charges. A summary of the write-offs is as follows, based on the offer from NCALL Research, Inc. and the summary of prior expenses.

Address	**Offer Price**	**Expenses**	**Write-Off Amount (Loss)**	**City's Assessed Land Value**
106 South New Street	$10,000	$21,902.75	$11,902.75	$13,100
110 South New Street	$10,000	$37,015.50	$27,015.50	$11,600

Staff recommends transferring the properties to NCALL Research, Inc. for the development of owner occupied housing in exchange for a payment of $10,000 per property.

NATIONAL COUNCIL ON AGRICULTURAL LIFE AND LABOR RESEARCH FUND, INC.

"First in housing services, because we care."

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July 21, 2016

Scott Koenig
City Manager
City of Dover
P.O. Box 475
Dover, DE 19903

RE: Properties at 110 and 106 S. New Street

Dear Mr. Koenig:

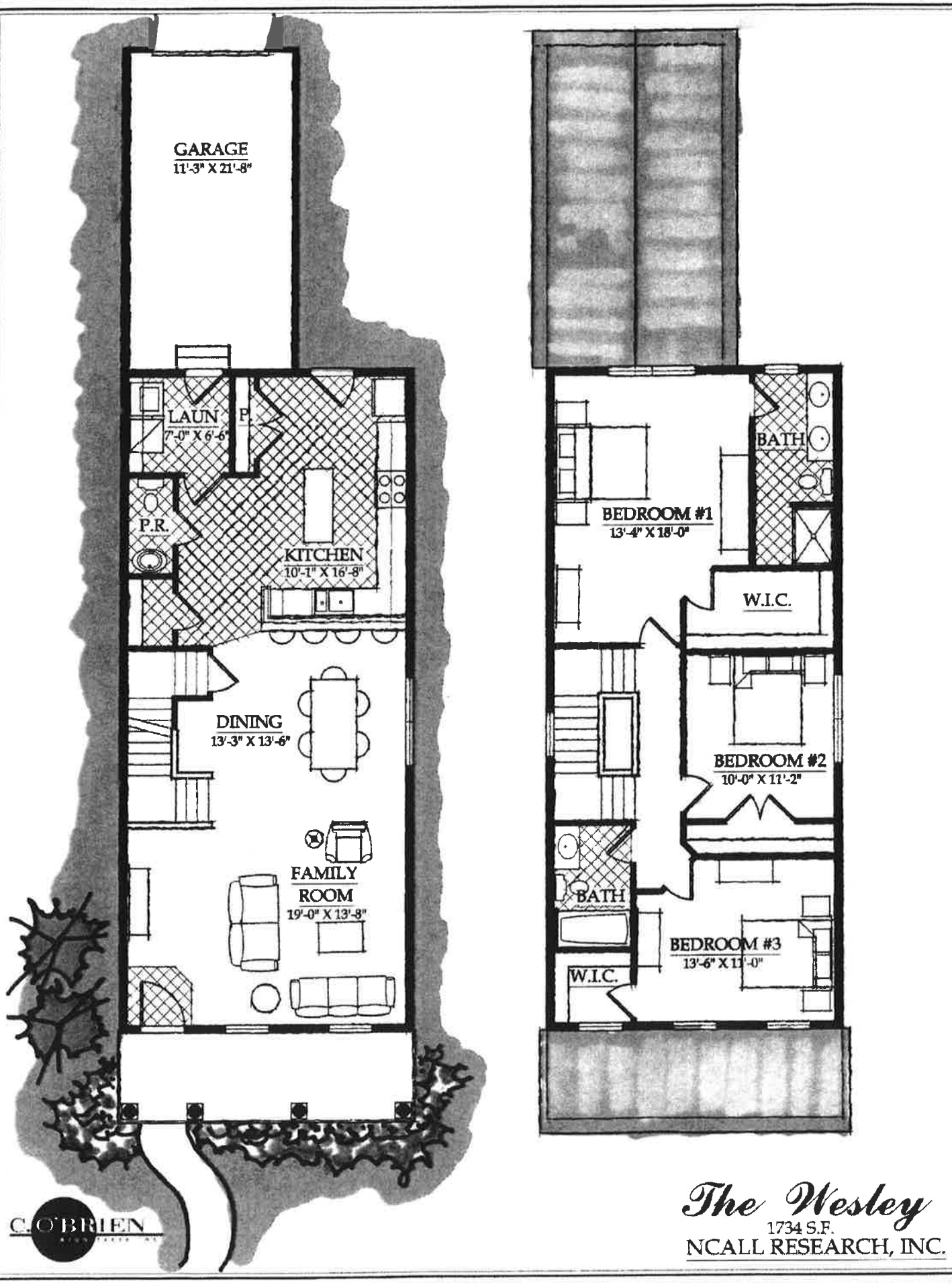
NCALL Research, Inc. would like to purchase the two lots at 110 S. New Street and 106 S. New Street for $10,000 each from the City of Dover for the construction of owner occupied houses. As you know NCALL is a Dover-based non-profit housing organization that is the lead agency for the Restoring Central Dover effort. NCALL, along with Central Delaware Habitat for Humanity and MHDC, is building houses for first-time home buyers in Central Dover and we are targeting our efforts primarily with in the Downtown Development District. NCALL also provides pre-purchase counseling which assists first-time home buyers through the process of becoming mortgage ready and we have assisted over 8,000 Delaware families in becoming homeowners. More information about NCALL and Restoring Central Dover can be found at our website, www.ncall.org.

I have attached sample house plans of what we intend to build. We are in the midst of applying for grant subsidies to make the houses affordable to area households and I would need a signed agreement of sale by August 8th in order to submit sufficient documentation to the Federal Home Loan Bank and DSHA's Housing Development Fund. We plan to purchase the lots upon receipt of these two grants, which I expect would be by January 2017.

I look forward to the City of Dover's approval of this offer and I will then develop an Agreement of Sale document to be executed. If you should need any additional information, please do not hesitate to contact me at 678-9400 or kspeakman@ncall.org.

Sincerely,

Karen B. Speakman
Deputy Director

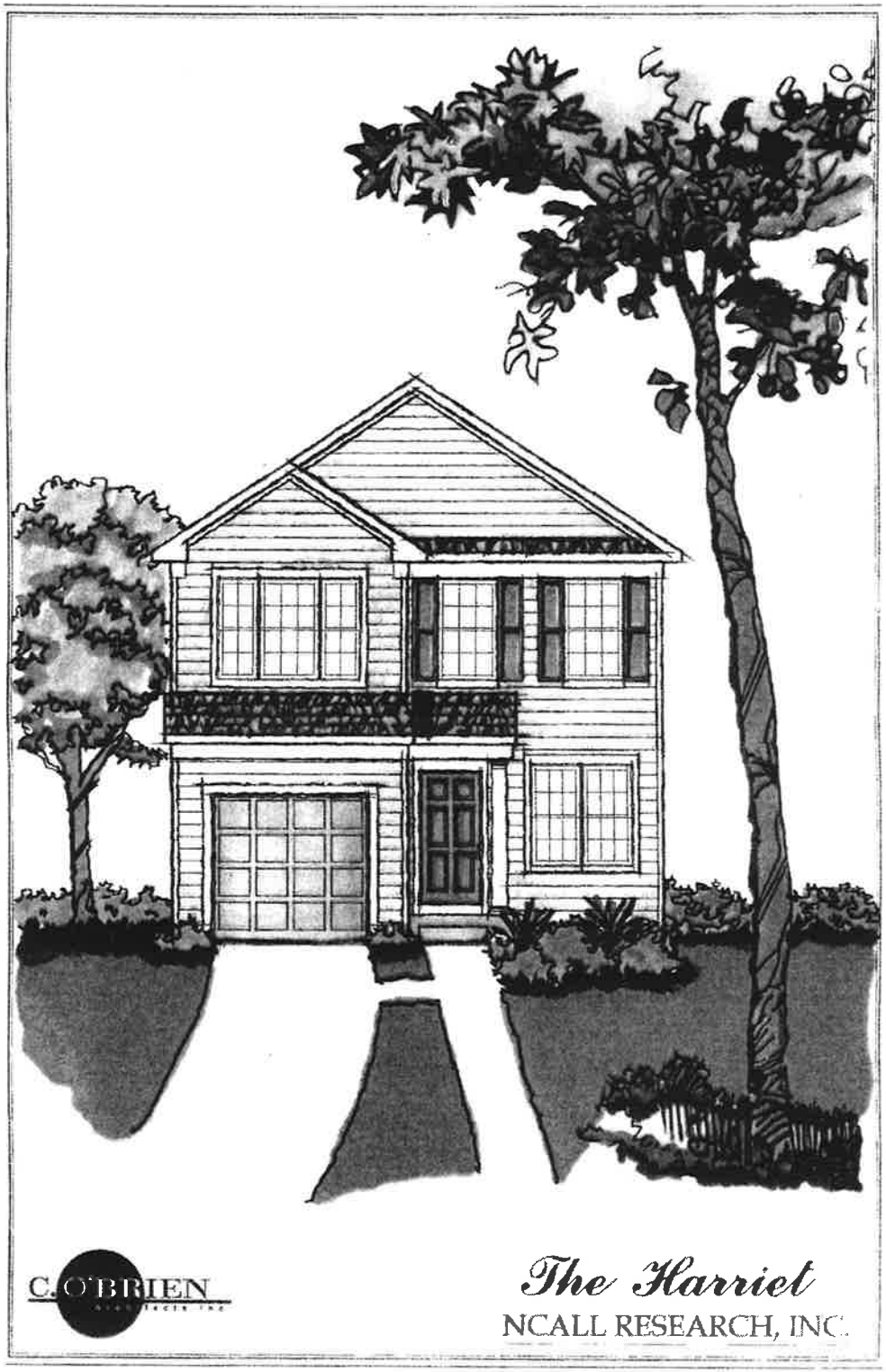


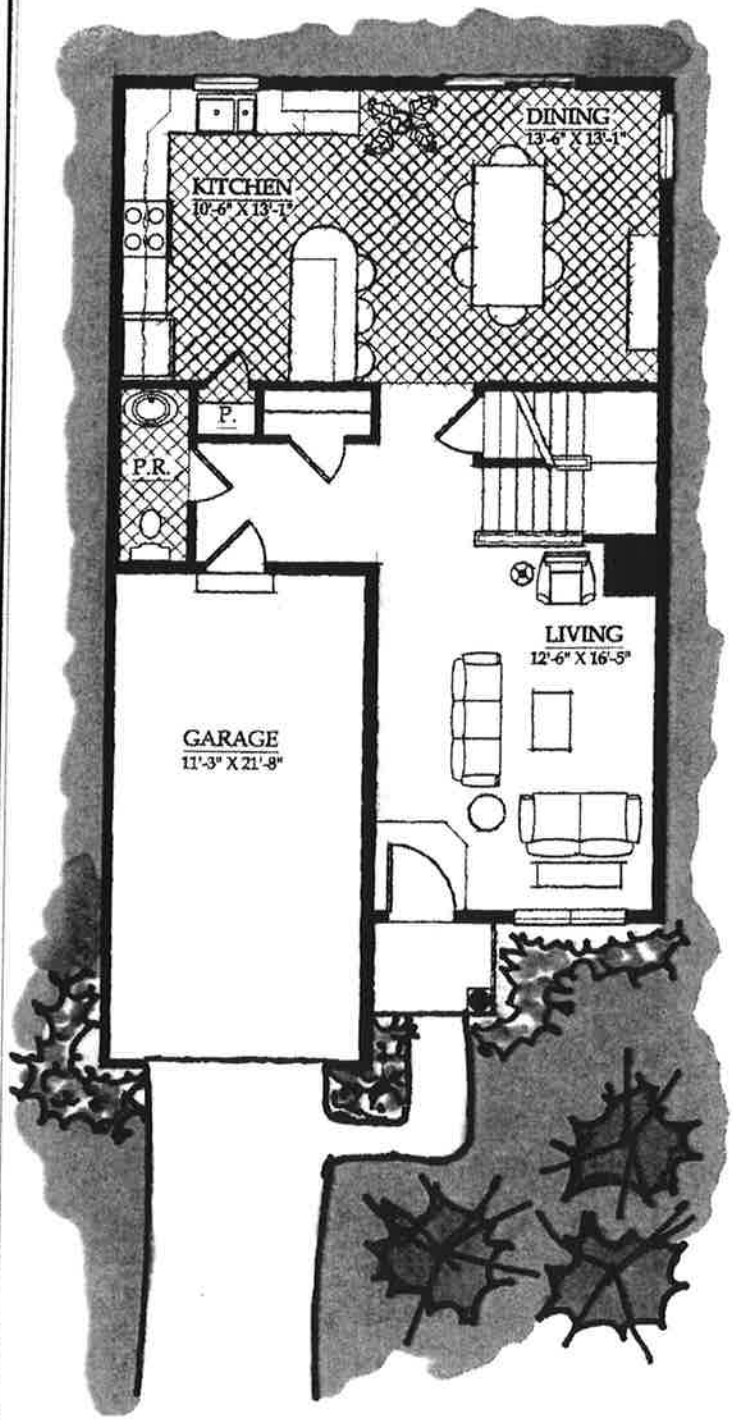
C. O'BRIEN

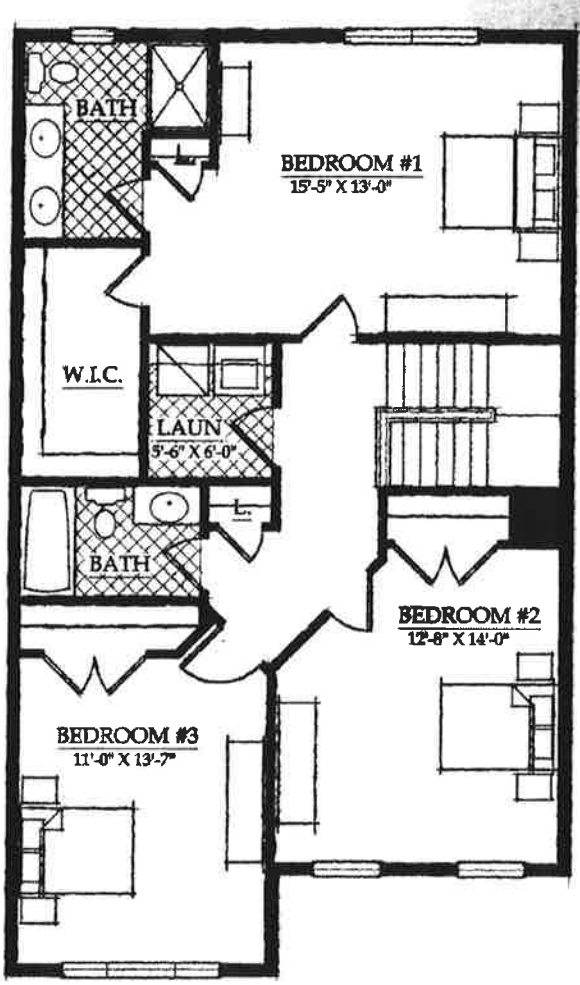
The Wesley

1734 S.F.

NCALL RESEARCH, INC.


C. O'BRIEN
The Harriet
NCALL RESEARCH, INC.





C. O'BRIEN

The Harriet

1697 S.F.

NCALL RESEARCH, INC.


C. O'BRIEN
The Wesley
1734 S.F.
NCALL RESEARCH, INC.

Approved. 10/14/14

PROPOSED PROCEDURE

FOR SALE AND DISPOSITION OF REAL PROPERTY

1. PURPOSE

To establish a policy for the City of Dover regulating the sale and disposition of excess lands.

2. LAWS AND POLICIES

City of Dover Code of Ordinances, Chapter 2, Article IV, Section 2-99, authorizes the sale and disposal of excess property.

This policy will standardize the procedure for disposal of excess City owned real property.

3. DETERMINATION

A City Staff member, upon determining that a City owned parcel of land is excess in nature and that the disposal of such land would be beneficial to the City of Dover, will request, through the Legislative and Finance Committee, that the Dover City Council consider disposal of such land.

4. STANDARD METHOD OF DISPOSITION

A. The Legislative and Finance Committee, upon receiving a request to dispose of excess real property, shall, prior to making a recommendation to the Dover City Council, request all pertinent information including, but not limited to, the following:

a-1) determination that subject parcel is not required by any other City department.

a-2) written explanation of why subject parcel is now surplus.

a-3) determination of whether a zoning change would enhance the sale value of subject parcel and recommend said change if warranted.

a-4) determine if parcel's exact location and size is known and, if not, recommend whether said parcel should be surveyed by the City prior to any sale attempts.

B. Dover City Council, after receiving a positive recommendation from the Legislative and Finance Committee to dispose of a surplus parcel of land, shall, as part of its deliberations:

b-1) determine if disposal of the parcel is in the City's best interests.

b-2) determine if disposal by sale, gift, or some other means would best serve the City's interests.

b-3) determine if the City Planner should be requested to initiate rezoning procedures.

b-4) publicize the pertinent information concerning the surplus parcel and its availability for purchase to the general public at least once a week for two weeks in a local newspaper.

b-5) make public, and a part of the record, all written correspondence received and, after the publicizing requirements of Section 4, Paragraph B(4) are met, hold a public hearing to receive any other citizen input.

C. Dover City Council, after voting to proceed with the sale of surplus land, shall determine:

c-1) if an unbiased appraisal is needed to establish a minimum acceptable price.

c-2) whether to sell the parcel by public auction or by sealed bid, and what the minimum acceptable offer will be.

c-3) the degree and scope of advertising, with a minimum of exposure being advertisement once a week for two weeks in a newspaper of general circulation within the county.

c-4) whether the circumstances of and surrounding a particular sale may be such that the best interests of the City would be served by listing the property for sale with a licensed real estate agent.

D. City Staff shall, with Council direction:

d-1) arrange for advertisement of the sale

d-2) draft the sale bill setting out a description of the parcel to be sold, time, date, and place of sale or bid opening, the terms and conditions of sale, and the City's reservation of acceptance or rejection of any or all bids received at the time of sale or bid opening.

d-3) order and distribute a sufficient number of sale bills for posting and distribution in the County Courthouse, at the site, and in the general area of the parcel.

d-4) obtain the services of a professional auctioneer if said sale is to be a public auction.

d-5) conduct the sale and submit the results to Dover City Council.

d-6) obtain the services of a licensed real estate agent if sale is to be brokered.

E. Dover City Council, after confirming the sale, shall:

e-1) request the City Solicitor to prepare a deed for execution and to arrange for final settlement with the purchaser at which time the City will deliver the deed, the purchaser will pay all balances due, and the City Solicitor will record said deed, in the Recorder of Deeds Office for Kent county.

F. If any excess parcel of land is too small or irregular in shape to be of any value to anyone other than an abutting owner, it may be sold to such owner at either its fee appraised fair market value, or at its fair market value as established by the City's assessment records, whichever Council shall select. The costs of the appraisal and all legal costs shall be paid by the owner requesting the conveyance.

G. Costs of Conveyance

Unless otherwise specified by Dover City Council, all fees and costs, legal or otherwise, associated with the sale and conveyance of all excess lands shall be paid by the purchaser.

5. EXCEPTIONS TO STANDARD METHOD OF DISPOSITION

Exception A.

Sale to an abutting owner: When, in the opinion of City Council, a public sale would be detrimental to the lands of an abutter, and/or that a public sale would place the abutter at undue risk; or that the combination of abutter's land and City's land would be substantially greater in value than that of the sum of the parcels considered individually, Dover City Council may direct the City Assessor to have prepared one or more unbiased fee appraisals of the parcel. Thereafter, the subject land will be offered for sale to the said abutter at the appraisal price, plus the appraisal fees, plus the legal costs. In the event the offer is not accepted, a public sale may be ordered.

Examples of detrimental affect might be when the surplus City parcel lies between an abutting property and the street and development of the parcel would obstruct visibility of the abutter's property, of when the surplus parcel is zoned multi-family and abuts a single family parcel.

Exception B.

Trade of lands: A trade of lands may be approved when it is shown beyond doubt that such a trade will be equal to or better than the lands to be traded either on a "square foot for square foot" measure and/or on a "dollar for dollar" measure.

Exception C.

Conveyance of odd shaped and/or unbuildable parcels: City acquisitions for roads, utility usages, etc. may, after such usage is accomplished, leave a small strip of land that is odd shaped and unbuildable. Dover City Council may approve the conveyance of this strip of land to an abutting property owner on request of said owner. The price for these lands shall be at the same cost basis as that paid by the City. If conveyance is made in excess of two years after the date of City acquisition, then the consideration shall either be based on a price established by an unbiased fee appraisal made on the basis of the value added to the abutting property by the acquisition of said lands, or on the City's cost basis for the parcel adjusted for inflation, whichever Dover City Council shall select. All fees, legal or otherwise, associated with the conveyance are to be paid by the purchaser.

Exception D.

Donation of Land to Non-Profit Organizations: If, in the opinion of Dover City Council, the donation of a parcel of excess land to a non-profit organization would be in the best interest of the City of Dover, Council then reserves unto itself the right to make such donation.