CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, June 20, 2016 – 7:00 P.M.
City Hall Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

1) Site Plan Application S-16-13 Dunkin Donuts at 1116-1128 Forrest Avenue will not be heard on June 20, 2016. This application will be rescheduled for a future Planning Commission meeting and will be subject to Public Notice requirements.

ADOPTION OF MINUTES OF REGULAR MEETING and QUARTERLY WORKSHOP of May 16, 2016

WELCOME to Planning Commission Members
Andrea Maucher, Second District
Kenneth Roach, Fourth District
John H. Baldwin, Sr. – Fourth District (Reappointment)

COMMUNICATIONS & REPORTS

1) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, July 18, 2016 at 7:00pm in the City Council Chambers.

2) Update on City Council Actions

3) Updates from Planning Office

4) Delaware Plan4Health Event - Dover Health Planning Week: June 13-15, 2016. There are select times for Public Meetings and Open House Events held at Bayard Plaza Community Room, 206 West Loockerman Street, Dover. Check website for details and updates: www.deplan4health.org

5) Education and Training Opportunities
    a. APA Webinars: "Planning Law Review" on June 29, 2016, 4-5:30pm

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW DEVELOPMENT APPLICATIONS

1) MI-16-07 Clearview Meadows PND: Lots 213-265 Minor Lot Line Adjustment Plan and Consideration of Alternative Bulk Standards – Public Hearing and Review of Alternative Bulk Standards for the Clearview Meadow Planned Neighborhood Design development. This is associated with a Minor Lot Line Adjustment Plan to resize fifty-three (53) townhouse lots

within the Clearview Meadows Planned Neighborhood Design. Thirty-one (31) lots will be reduced in width from 22 feet to 20 feet; the remaining lots will be enlarged. The plan is accompanied by a request for the following Alternative Bulk Standards for the Clearview Meadows PND: to allow a minimum lot width of 20 feet for townhouses; reduction in minimum lot size to 2,000 SF for townhouses; and a lot coverage pf 75% for townhouse units. The properties subject to the Minor Lot Line Adjustment Plan are located east of JH Brown Boulevard fronting on Lady Bug Drive and Nob Hill Road. The properties are zoned RM-1 (Medium Density Residence Zone). The owner of record is Shirliz, LLC. Tax Parcels: ED-05-077.07-07-29.00 to ED-05-077.07-07-81.00. Council District 2. *The Clearview Meadows PND was reviewed by Planning Commission in 2004 as Application SB-04-04 with Final Plan approval of January 19, 2006. Ordinance #2014-18 adopted October 27, 2014 made amendments to the Zoning Ordinance regarding certain bulk standards for PND developments.*

NEW BUSINESS

ADJOURN

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

Posted Agenda: posted June 9, 2016

CITY OF DOVER PLANNING COMMISSION
May 16, 2016

The Regular Meeting and Quarterly Workshop Session of the City of Dover Planning Commission was held on Monday, May 16, 2016 at 7:00 PM with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Colonel Welsh, Mr. Holt, Mr. Baldwin, Dr. Jones, Ms. Still and Mr. Tolbert. Mr. Cregar was absent.

Staff members present were Mrs. Dawn Melson-Williams, Mr. Jason Lyon, Mr. Bill Cook, Mr. Eddie Diaz and Mrs. Kristen Mullaney. Also present were Mr. Ramon Manjon and Mr. Gregory Moore.

APPROVAL OF AGENDA

Mr. Holden moved to approve the agenda as submitted, seconded by Mr. Baldwin and the motion was unanimously carried 7-0 with Mr. Cregar absent.

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

Colonel Welsh moved to approve the Planning Commission Meeting minutes of April 18, 2016, seconded by Ms. Still and the motion was unanimously carried 7-0 with Mr. Cregar absent.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams stated that tonight in addition to the regular meeting they are going to do the Planning Commission Quarterly Workshop. Originally that was scheduled for Wednesday, May 18, 2016 but due to the level of agenda items this evening we are going to hold both meetings tonight.

Mrs. Melson-Williams stated that the next Planning Commission meeting is scheduled for Monday, June 20, 2016 at 7:00pm in the City Council Chambers.

Mrs. Melson-Williams provided an update on the regular City Council and various Committee meetings held on April 25 & 26, 2016 and May 9 & 10, 2016.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

1) S-16-03 Serenda Apartment Building at 762/764 South State Street: Waiver Request – Review and Consideration of a Waiver Request for the Elimination of Upright Curbing as associated with the Administrative Site Plan for interior renovations of a 4-unit apartment building and associates site improvements. The project is located on the west side of South State Street north of Gooden Avenue and across from the entrance drive to South Dover

Elementary School. The property is zoned R-8 (One-Family Residence Zone). The owner of the property is KCRM LLC. Tax Parcel: ED-05-77.13-02-32.00-000. Council District 2.

Representatives: Mr. Ramon Manjon, KCRM LLC

Mr. Cook stated that this application is S-16-03 Serenda Apartment Building at 762/764 South State Street. This is a review and consideration of a waiver request for the elimination of upright curbing as associated with the Administrative Site Plan for interior renovations of a 4-unit apartment building and associated site improvements. The project is located on the west side of South State Street north of Gooden Avenue and across from the entrance drive to South Dover Elementary School. The property is zoned R-8 (One-Family Residence Zone).

The Planning Commission was provided a memorandum with a little background on the project. The project is undergoing approval through the Administrative Site Plan process. This is a legal non-conforming apartment building which has existing for many years. There's no increase to impervious surface and there's no expansion of the structure. It's an interior renovation with exterior surface renovations as well. But as part of the project they are slightly increasing the size of parking on the site and also converting that parking from gravel to a new nine (9) space asphalt parking lot. In conjunction with that they are seeking a waiver request for the requirement for curbing of that parking lot. The parking requirement is 2.25 spaces per unit so that gives them nine (9) spaces required. Staff recommends approval of the waiver for various reasons. Elimination of the curbing assists stormwater management by continuing to allow sheet flow of stormwater to adjacent grass yard areas. Also in past practice there have been waiver requests for elimination of curbing for Conditional Use projects which the Commission has approved adjacent to residential areas and they felt that this case was very similar. The rationale being to preserve the more residential character of the neighborhood by eliminating the curb, which to some people is kind of a commercial sort of look. Also, the plans which were presented to us include the parking bumpers. Staff recommends bumpers when we have curb waivers requested and approved. In this case, they would like to condition the waiver request on the inclusion of the parking bumpers which are presented in the submitted Site Plan.

Mrs. Melson-Williams stated that this application is not subject to public hearing; the waiver is just before the Commission. On the desks of the Commissioners is a copy of the formal request letter on the waiver that Staff did not have in hand when the packets went out.

Ms. Still moved to approve S-16-03 Serenda Apartment Building at 762/764 South State Street: Waiver Request for the elimination of upright curbing, seconded by Mr. Holt and the motion was unanimously carried 7-0 by roll call vote. Mr. Holden voting yes; it's a waiver request that they often grant and it seems to make sense in this context. Colonel Welsh voting yes, for previous reasons stated. Mr. Holt voting yes, for previous reasons stated. Mr. Baldwin voting yes, based on the recommendation by Planning Commission. Dr. Jones voting yes, based on the recommendation of Staff and previous comments. Ms. Still voting yes, for all of the previous reasons stated. Mr. Tolbert voting yes, for all of the reasons stated.

NEW DEVELOPMENT APPLICATIONS

1) S-16-12 Parking Lot at 1 South Bradford Street – Public Hearing and Review of a Site Plan application to permit the construction of a 3,830 S.F. ± parking lot containing thirteen (13) parking spaces at the rear of the existing building on site. Construction would involve demolition of a 300 S.F. accessory garage. A future phase proposes an additional three (3) parking spaces of 570 S.F.

Representatives: Mr. Gregory Moore, Becker Morgan Group

Mr. Holden abstained from discussion and voting due to his employer being the engineer of record.

Mr. Diaz stated this project is a parking lot at 1 South Bradford Street. It is going to precede the property's eventual conversion from apartments to office use. Ultimately, both the existing building on-site and the new parking lot will serve the law offices that are next door across the alley at 6 South State Street. The project proposes fourteen (14) parking spaces to start with and there would eventually be seventeen (17) total spaces once the conversion to office space is complete. The project is zoned RGO (General Residence and Office Zone) and its located at the southeast corner of Bradford Street and Division Street. This was a bit of a difficult site to work with because it's a small lot Downtown but the Planning Staff was able to make a number of interpretations of the Zoning Code that allowed the project to go forward. The most important one is that the parking is in the rear yard of the property even though it is adjacent to Division Street. They also determined that the project will not need ADA accessible parking until the second phase when it is expanded to its full seventeen (17) spaces and the building undergoes conversion to office use. The number of parking spaces is also allowed because the lot will be declared a joint facility with the parking across the alley that is on 6 South State Street's property. There are no waivers requested for this project. All it needs is Planning Commission approval which Staff is recommending.

Mr. Moore stated that Baird, Mandalas and Brockstedt actually own the lot. They operate the law firm that is behind it. They did an outstanding job in renovating and maintaining that historic home. In fact, they won a statewide historic preservation award for that. What they are doing here is that they purchased this lot and want to add the parking here for now. Their current tenants are actually Wesley College students who don't have parking. They are students who walk back and forth to the school. This lot will be primarily used for the overflow of their law practice and then once they grow into it they will take over this building, renovate it, upgrade it like they did to the building that they are in and then make it a law office. They don't know exactly when that will be which is why they phased this project the way that they did. They are doing well in growing and that's a good thing for Downtown.

One clarification, there are fourteen (14) spaces. That was something that they talked about in the DAC comments and they removed one but parking is such a premium in the Downtown they thought it best to maximize the fourteenth spot for use in this area.

Mr. Moore stated that the owner Mr. Mandalas is here tonight and they appreciate Staff working with them on the tightness of this project.

Mr. Tolbert opened a public hearing.

Mrs. Melson-Williams stated that there are two (2) letters that are considered public for public testimony. These letters were received early so they were actually made part of the Planning Commission packet. There is a letter of May 3, 2016 from Mr. Joseph Maybee at10 South Bradford Street. He indicates that he has received notice of this proposed project and he is enthusiastically in support of the project at 1 South Bradford Street. He indicates that he has resided in the area for his entire life and is aware of the Downtown and the particulars of this specific re-development.

The second letter also dated May 3, 2016 comes from Ms. Christine Hopkins of 3 South Bradford Street. This is the adjacent property to the south. She also indicates that she received notice of the proposed application for the property at 1 South Bradford Street for the parking area and eventual office in the building. She is supportive of this re-development project and encourages the Planning Commission to endorse the project as well.

Mr. Tolbert closed the public hearing.

Mr. Holt moved to approve S-16-12 Parking Lot at 1 South Bradford Street, seconded by Colonel Welsh and the motion was unanimously carried 6-0 with Mr. Holden abstaining and Mr. Cregar absent. Colonel Welsh voting yes, this will be beneficial to the City of Dover. Mr. Holt voting yes; he thinks this is a real plus for the City of Dover. Mr. Baldwin voting yes, based on the previous comments. Dr. Jones voting yes, it appears that all concerned parties are in agreement and feel that this is a good move. Ms. Still voting yes, the plans are very informative and she feels that it's a good use of the space. Mr. Tolbert voting yes, the application is presenting them with a situation where it's beneficial for the site and it causes no problems to the City whatsoever.

2) MI-16-05 Text Amendments: Speed Bumps, Speed Cushions, and Speed Humps – Public Hearing and Review for Recommendation to City Council of Text Amendments to the *Dover Code of Ordinances*, Section 98-10 – Speed Reduction Devices; Appendix A: Subdivisions, Article VI, Section A – Street; and Appendix B – Zoning Ordinance, Article 10, Section 2.54 – Proposed Development. The proposed Ordinance revisions would create definitions for speed bumps, speed cushions and speed humps and allow speed cushions to be installed of private commercial property following review by the Safety Advisory and Transportation Committee and approval by City Council. Speed bumps and speed humps would remain prohibited. Ordinance #2016-09. *Public Hearing and Final Reading before City Council is scheduled on June 13, 2016.*

Representatives: None

Mrs. Melson-Williams stated that this is a series of text amendments related to speed bumps, speed cushions and speed humps. It comes to the Planning Commission via discussions that transpired at the City Council Committee of the Whole Safety Advisory and Transportation Committee. That Committee, in response to several inquiries from property owners and business owners regarding what is currently the prohibition of speed reduction devices in the City Codes took up the topic over a number of months. Ultimately, they ended up proposing a series of text amendments. The text amendments themselves touch Chapter 98 of the *Dover Code of Ordinances* where street, sidewalks, storm sewers and other public places are discussed. In the *Land Subdivision Regulations*,

in Article VI of that document, there is a discussion in the streets description related to this and then the ultimately in the *Zoning Ordinance* in Article 10 Section 2 they are proposing something and that is the reason why it is here before Planning Commission because any text amendment to the *Zoning Ordinance* requires a hearing and recommendation of the Planning Commission. The document itself was presented to the Commission. It's about three pages long and has a variety of amendments to various aspects of the Code. Some of the key components are actually really defining what a speed bump, speed cushion and speed hump are. The intent of the remaining amendments to the text are to basically allow for the use of speed cushions on privately owned commercial property. That would be subject to a review process with the Safety Advisory and Transportation Committee.

This proposed text amendment did go through our Development Advisory Committee process. Planning Staff did review the Ordinance and they have a series of revisions that they believe aid in what they call clarifying the requirements and/or limitations of this proposal regarding speed reduction devices and specifically about speed cushions on privately owned commercial property. Those are outlined as Staff Recommendations lettered A-I that is part of the DAC Report. The other members of the Development Advisory Committee had some notes as well. The Department of Public Works is opposed to the Ordinance. They indicate in their comments that they present an operation hazard specifically to snow removal operations and also related to private property trash collection in certain instances. The Fire Marshal's Office recommends that fire lanes should be kept clear and unobstructed in any way meaning that they would look to not have any of these types of speed reduction devices occur in fire lanes. DelDOT also provided comments but they had no comments or recommendations regarding the proposed text amendment.

Mr. Holden stated that he understands that there were some local commercial entities that requested the opportunity but he is wondering what problem they are looking to resolve and do we have any sense for the effectiveness of these devices. Responding to Mr. Holden, Mrs. Melson-Williams stated that she believes that the specific inquiries came from a shopping center. She believes that their bigger concern was a travelway that was located at the rear of the shopping center related to traffic speeds in that area. The Committee actually looked at some research documents about this whole concept of speed humps, bumps and cushions about ways to actually implement them design wise but the details of that she does not have at this time. There wasn't anything forwarded specifically from the Committee in the form of written letters that they received or anything of that nature in regards to these types of speed reduction devices. Currently, they are specifically prohibited for use in the City of Dover; any type of speed reduction device is specifically prohibited.

Mr. Holt stated that there are certain areas and streets where they have problems with cars driving too fast and they are looking for ways to try to slow the speed down. Are there any other alternatives to speed bumps, humps or cushions? He can see where there are some areas that could be dangerous and people could get run over so they are looking for ways to slow traffic down. Responding to Mr. Holt, Mr. Lyon stated that some of the speed reduction devices that you will see proposed nowdays include these types of speed cushions or speed humps. The speed humps are typically installed so that a typical vehicle can't avoid it but an emergency vehicle that has a bigger wheelspan can go around it. Odessa, Delaware has them in their roads. Other ideas are to bring curb lines out so that it makes the travelway seem narrower so as a motorist you wouldn't drive as fast. There are also feedback signs that you have seen around the City with radars that show how fast

someone is driving. There is also the potential for putting up more stop signs. The problem with that is that it could cause a queuing issue with vehicles traveling and backing up. There are always pros and cons to these situations. Some are cheaper than others and some are more effective than others. The Department of Public Works sees the speed radar signs frequently and to be honest he is not sure if they are that effective. It depends on if there is police presence.

Mrs. Melson-Williams stated that the text amendments that are proposed this evening are not to allow these items on public streets. It is specifically intended as it's written to allow for speed cushions, which is one of the types, to only allow them on private commercial properties.

Dr. Jones questioned if there were a significant number of owners who voiced concern? Responding to Dr. Jones, Mrs. Melson-Williams stated that she did not know the exact number but she could think of at least two locations. One who she believes made the request wanted to be able to pursue that opportunity and in the other case a private property owner installed a speed reduction device and the City let them know that it was not permitted by Code and it was removed. She would say the number is at least two. With the shopping center, it may have been more than just the shopping center owner. It may have been multiple businesses within the shopping center that made the request. That was done at the Committee level.

Ms. Still questioned if the allowance of the speed cushion on privately owned property was after review by the Safety Advisory and Transportation Committee and approval from City Council? Responding to Ms. Still, Mrs. Melson-Williams stated that is how the text amendment is proposed. There aren't details beyond that on if it's a permit or what kind of submission it takes to get such a request before those two bodies.

Ms. Still further questioned if there was any feedback from the Public Works Department on the comment that speed reduction devices on private property would be an issue for their Department? Are they talking about just the speed bumps? Responding to Ms. Still, Mr. Lyon stated that the issue with those types of devices is when Public Works has sanitation pickup at private locations it becomes an issue with their trucks maintenancewise. It makes the trucks really bouncy and it's very difficult to operate the vehicle that way even if you go very slowly over it. That is a concern with private property. They don't plow any private roads so during the snow season if there's a speed bump there it's not demarcated. They aren't going to flip their truck over.

Ms. Still questioned if they had any input about the cushion? To her, it seems like it's a small device. Responding to Ms. Still, Mr. Lyon stated that at this time they have the same comment for all three of the proposals.

Colonel Welsh questioned if a better description could be provided for what a speed cushion was? He asked if there was a photograph available. Responding to Colonel Welsh, Mrs. Melson-Williams stated that a speed cushion, while it extends across the travelway it's not a quick bump in the road. It has an up, a place in the middle and then a down; that is a speed hump. What makes it a speed cushion is that there are breaks in it meaning that it is not a continuous mountain extension across the road. There are gaps and those gaps would match the wheel base of an emergency vehicle. An emergency vehicle would move so that its wheels travel through the two gaps in the speed cushion.

Colonel Welsh questioned if speed cushions were horizontal or vertical? Do they follow the path of the road or are they perpendicular to the road? Responding to Colonel Welsh, Mrs. Melson-Williams stated that the element itself runs perpendicular across the road. The gaps for the wheels would be parallel with the travelway.

Colonel Welsh stated that they were also lower. Responding to Colonel Welsh, Mrs. Melson-Williams stated that most of the time the gaps are pavement level. Think of a speed cushion as three pieces of a hump that goes across the road.

Colonel Welsh stated that it was almost like a rumble strip. Responding to Colonel Welsh, Mr. Cook stated that having lived somewhere where these were very common. His understanding is that the design of them is such that you can travel at a constant speed over them unlike a speed hump that requires you to slow down. These do require you to slow down but if you maintain the posted speed you can go over them without having to brake for them.

Mr. Tolbert stated that it would just be a smaller hump. Responding to Mr. Tolbert, Mr. Cook stated that it's a smoother and longer hump.

Mr. Holt stated that they are somewhat effective though with trying to control your speed even though it's not drastic.

Mr. Tolbert questioned if there is anything else that can be done to help deal with the problem other than cushions and bumps?

Mr. Holt suggested cameras maybe.

Colonel Welsh stated that what they are talking about is private property and private funding. It's not no adverse effect between the access of emergency vehicles. Responding to Colonel Welsh, Mrs. Melson-Williams stated that it depends on where they have to travel on a private property. They may have to cross over and through a speed cushion.

Mr. Tolbert stated that they still have snow removal and emergency vehicles going through.

Colonel Welsh stated that to me he sees snow removal as one of the biggest obstacles. He doesn't know how private property owners are going to get snow cleared with even the speed cushion.

Mr. Holden questioned if the City of Dover Police can police a speed limit or a stop sign adherence on private property? Responding to Mr. Holden, Mrs. Melson-Williams stated that she did not know.

Mr. Holden stated that he would note that personally he has read that speed bumps, humps or cushions aren't necessarily as effective as people would like. People often times drive faster or at the same speed and potentially cause damage to the vehicles or others. As noted by Public Works and the Fire Marshal's comments, there are concerns over heavier vehicles having to travel over them. He understands that the intent is to cut a swath through the speed bump so those larger vehicles have a travelway so their wheels don't go over the rise in elevation. We aren't always so lucky that we can travel right where we want to travel. He would also point out that it seems like

lines 26 and 54 remove the prohibition in fire lanes which the Fire Marshal did not want them in fire lanes. He is struck by the fact that we have two of the City's agencies saying we don't want them and we might have two private entities requesting them. In his view, he thinks there is some time that needs to be spent on either a further look and maybe cleaning up the Ordinance if we really think this is a good idea to prohibit them in the fire lanes. Fire lanes are a certain percentage of the building that has to have access by the Fire Company but doesn't mean that the Fire Company is not going to utilize the other travelways. This is the same for an ambulance, a trash truck or for snow removal. He doesn't think it's so easy or so clean. It also seems like this allows them by removing the prohibition in fire lanes. It seems to him that there are a lot of questions left to be addressed for an issue that doesn't seem like it's an emergency issue.

Mr. Baldwin stated with the speed bumps and humps, he has seen incidents where people have damaged their automobiles because the car bottomed out. Sometimes it crushes the muffler or even cause the muffler to become detached because it caught on the hump when the vehicle bottomed out. Are the private property owners going to be responsible for those damages? Responding to Mr. Baldwin, Mrs. Melson-Williams stated that she isn't sure where the liability lies between the private property owner and the visitor to the site. It's not something that the City would be in the mix for.

Mr. Tolbert stated that usually the under carriage of the vehicle is not so low as to come in contact with the bump or cushion unless something is wrong with the vehicle and it has something hanging. Responding to Mr. Tolbert, Mr. Baldwin stated that is depends on what they are driving.

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

Mr. Holden moved to recommend denial to City Council for MI-16-05 Text Amendments: Speed Bumps, Speed Cushions and Speed Humps as written but to re-visit the need and the language if there is a thought that these are a necessary item to allow, seconded by Ms. Still and the motion was unanimously carried 7-0 by roll call vote with Mr. Cregar absent. Mr. Holden voting yes, for the reasons previously stated. Colonel Welsh voting yes, for reasons previously stated. Mr. Holt voting yes, for the reasons previously stated. Mr. Baldwin voting yes; there are too many unanswered questions. Dr. Jones voting yes, for reasons previously stated and a need has not really been established by significant numbers. Ms. Still voting yes, for the reasons previously stated and she too has unanswered safety issues that don't seem to have been addressed by the current language Mr. Tolbert voting yes, even though he does have concerns. It's one of those issues that can be difficult to address.

QUARTERLY WORKSHOP SESSION

Planning Commissioner Comments and Concerns

Mr. Tolbert stated that for the last couple meetings or so quorum has come up as a question and he thinks that as a professional body they need a more professional way of dealing with that situation. He would suggest appointing people that can fill in when they don't have a quorum; people that they can call so that the applicants are not inconvenienced. There are people around that have been on this Commission and perhaps they would be willing to make themselves available if the quorum is short. He thinks that as a professional body they need a better way of dealing with that issue.

Mrs. Melson-Williams stated that Mr. Ambruso resigned his appointment so the Mayor and City Council are in the process of filling that position. This is the time of year were several Commission appointments come up. With quorum, Staff would say that the earlier that you let them know that you will not be present the better. If there is enough of a concern about quorum and they know early enough, there is the opportunity of rescheduling meetings. But they have to take into account the public notice that has to be given for a number of types of applications. If you are going to be traveling and know ahead of time, Staff appreciates knowing earlier than the day before. They realize that life happens and people get sick which might be a last minute attendance issue but if you know ahead of time Staff would also not deliver a packet to your door.

Mr. Holt stated that he has thought about that same suggestion and has mentioned it several times. He doesn't know whether alternative Commissioners would work. He knows that there are a number of people who have been on the Planning Commission that may be willing to attend a meeting at last minute notice. He doesn't know how that would work since they would not have a chance to review the projects. It may not be practical. Responding to Mr. Holt, Mrs. Melson-Williams stated that it would take a Code amendment to do it and she doesn't know if the State enabling legislation allows for the appointment of alternates.

Mr. Tolbert stated that his concern is that applicants aren't notified until the last minute that their application can't be heard because of the lack of quorum and we need some way to avoid that if possible.

Department of Planning & Inspections Update

- **Summary of 2016 Applications**

Mrs. Melson-Williams stated that the running tally chart was provided in the packet. Year to date of 2016 they are at a total of 37 applications. This is the tally through the filings of the May meeting of the Planning Commission, Board of Adjustment and Historic District Commission. That is trending about the same as last year. At six months last year, they were at 41 applications and we are now at 37 applications at 5 months. We are probably right around 41 applications for this year counting the applications that have come in for June meetings. There are a number of projects that Staff expects to file at some point in this calendar year. Staff has had informational meetings and pre-application meetings to date; things are continuing to progress in the development world.

Mr. Holt stated that he thinks it's interesting when you look back at the rundown. It gives you a picture of the economy.

Mrs. Melson-Williams stated that this tally represents formal applications. The other thing that has changed that does impact these numbers is that there are certain types of projects that previously may have required this type of application filing that have moved to a strictly permit process with some of the changes that they have done to the review procedures. There is some reduction in numbers that way.

- **Research Activities**
  - **i. Updates of Research for Ordinance Amendments**
    - **1. Manufactures Homes**

Mrs. Melson-Williams stated that Staff has actually completed a thorough review of the City of Dover Code so that's more than just what happens in the *Zoning Ordinance*. They have been

dealing with any provisions in the entire Dover Code that relate to references of mobile homes and manufactured homes to update the terminology to make the Code consistent throughout. There were some differences in definitions in different sections and also to be more consistent their current housing terminology and practices in general. The package of text amendments related to that is scheduled to be presented to the Legislative Finance and Administration Committee of City Council at one of their June meetings. There are sections that are amendments to the *Zoning Ordinance* so that will be a future item of the Planning Commission to consider.

2. Residential Zones

Mrs. Melson-Williams stated that the other ordinance amendments that Staff will be working on this summer is taking a concentrated look at the residential zones. They did something similar a few years ago for commercial zones. They are looking to do a lot of clean up and clarification in those zones in particular.

Mr. Holt stated that one of the problems in residential zones and homeownership is sometimes the homeowner will move out and rent the property. Over time those rental properties have the potential to run down the residential neighborhoods as opposed to neighborhoods where the homes are all owner occupied. If that happens is there anything that the City can do to control the situation? He sees this happening in older residential areas that were really nice developments and then suddenly they become rentals and the tenants are not taking care of the property like the actual owner does. It drags the residential community down. Maybe there can be a time limit set. Can a house be rented as a rental property forever?

- **Current Studies and Projects**

Mrs. Melson-Williams stated that they have a number of things that are in various stages of progress.

i. Transportation Improvement District

Mrs. Melson-Williams stated that with Transportation Improvement Districts they are working with DelDOT. DelDOT is currently working on the modeling which is a step in the process to actually get to kind of a fee related to development activity for transportation improvements. At this point, Staff is waiting to hear from DelDOT on the results of the modeling exercise for that project.

ii. Division Street/Forest Street Design Charrette

Mrs. Melson-Williams stated that this charrette was held a few months ago. The working group with this project has reviewed a draft of the plan document that is a result of those meetings. They have provided comments back to the consultant. At this point, the consultant is working to prepare what will be the public draft to be issued on that project.

iii. Bradford Street Streetscape Enhancement Project

Mrs. Melson-Williams stated that this is the project that focuses on South Bradford Street between Division Street and Loockerman Street. At this point, there is no specific update other than the City had to enter into an agreement related to and leading to what is the next step which is the more intense design of that project. It is a streetscape project related to sidewalks, lighting and the like in that corridor.

iv. Evaluation of Non-Conforming Uses in Residential Districts

Mrs. Melson-Williams stated that this study is an evaluation of non-conforming uses in the residential districts. The Planning Office has been working with the City's GIS Department and

they actually developed an application for Staff to do data gathering in the field. Both Mr. Cook and Mr. Diaz have been involved in that. They are targeting the residential areas in the City looking for uses that are non-conforming meaning that they are not a permitted use in what the Code says the list of uses are in that residential zone. They are finding things like houses that were initially constructed as a single family residence but now may be divided into multiple apartments in a zone that doesn't allow for that. It's a mapping exercise to find out what we are dealing with and where these issues do exist. They have been out on the road a couple of times and she doesn't know if they want to share any insight from their travels so far.

Mr. Diaz stated that they started at the beginning of this month and have put in about 4.5 hours of travel time so far. With that they have been able to cover about 1/10 of the City's residential zones. Based on that, they are projecting that they would be done with all of the survey work by the end of the summer. After that they would go over their maps and do some analysis on where the non-conforming uses are located.

Mrs. Melson-Williams stated that it is a work in progress and they are utilizing mapping technology to help record the data and also synthesize the data for that project.

Mr. Tolbert questioned how long it would take them to complete the project? Responding to Mr. Tolbert, Mrs. Melson-Williams stated that Mr. Diaz just mentioned that the fieldwork portion of it is expected to take through the summer and then depending on the findings, they have to sort that out by what the issues are and then identify what the remedies to those situations may be. It may result in some text amendment changes to how we look at non-conforming uses. Since they are also looking at the residential districts, some of that data may also inform the types of uses that should be allowed in an area. It's certainly a data gathering project and it's not something where they are out there everyday. It's trying to dedicate a few hours a week along with everything else to kind of work through it.

- **Updates of Program and Plan Activities**
  - i. **Downtown Development District Program/Restoring Central Dover Community Plan**

Mrs. Melson-Williams stated that this is a plan that wasn't necessarily Dover as the lead. For the Downtown Development District Program, today was actually the filing deadline for what they call Large Project Grant Applications to the State Housing Authority who is the administrator of the State level grant program. With large projects, there is an application submission to actually reserve grant money specifically for your project. They have a number of deadlines specifically for large grant projects. They know of at least one project that was intending to file today which will ultimately result in a plan having to come before the Planning Commission because it is for new construction. We may be seeing a number of these projects make their way through the regulatory review process in the upcoming months.

ii. **Delaware Plan4Health**

Mrs. Melson-Williams stated that this is kind of a mark your calendar announcement. With this plan there will be a charrette. It's a several day intensive workshop session. People will come and go and provide input about the topic. That's tentatively scheduled from June 13-15, 2016. It will be held in Downtown Dover. At this point, they are looking to secure what will be the location for it. Information about the project will be shared with Commission members when we know the details.

The Plan4Health program is actually a grant. The grant is to look at health data and to work with communities to develop what are strategies for ways to address active living, healthy eating and specifically inform comprehensive plans and ultimately ordinances that may be the result of that. Dover had a specific targeted neighborhood to really focus on this. Likewise, there will be a location in Kent County as well. The Plan4Health is part of a grant that the Delaware Chapter of American Planning Association was successful in getting. It's a collaborative effort of a number of different partners. The City has members on the Steering Committee but it's pretty exciting to see health data looked at a different way and then how that can inform planning efforts here locally.

Education and Training Opportunities

- **Delaware Planning Education Program by UD-IPA: Workshop Series – "Creating a Flood Ready Community" May 20, 2016, 9:00am-Noon (Registration Required)**

Mrs. Melson-Williams stated that this training will be held at the University of Delaware Paradee Center. It's to be held on May 20, 2016. If anyone is interested in attending please let Staff know because the registration deadline is this week. It's basically a morning session and the workshop really deals with the flood risk and strategies for dealing with areas that could be potential flood situations.

- **APA Webinars:**

i. "Translating the Plan Into Implementation" on May 11, 2016, 4-5:30pm

Mrs. Melson-Williams stated that this webinar was held last week. She attended that session and it really focused on what you take from a Comprehensive Plan and then implement. It was how a Comprehensive Plan can inform zoning decisions, zoning ordinance development and more than just the City's Comprehensive Plan but also their Capital Improvements Program for a series of years.

ii. "Planning Law Review" on June 29, 2016, 4-5:30pm

Mrs. Melson-Williams stated that this webinar is scheduled to be held on June 29, 2016. Typically, they take major cases at a national level related to planning and give updates whether it's Circuit Court decisions or Supreme Court decisions. It's typically a mix of what's out there case wise on the national level that may impact planning.

Mr. Holt stated that he thinks that the Commissioners are doing a good job.

Mr. Tolbert stated that he agrees. They are doing better than a whole lot of Planning Commissions as they have an excellent Staff.

Meeting adjourned at 8:14 PM.

Sincerely,

Kristen Mullaney
Secretary

Dover Health Planning Week

June 13–15, 2016

Bayard Plaza
Community Room
206 West Loockerman Street
Dover, DE. 19901

We need your help to learn how Dover can be a healthier place to live, work, and play. Are new parks, trails, or playgrounds needed? Where? How can access to fruits and vegetables be improved? Please join us at one (or all) of the events listed to share your experiences and ideas! A light dinner will be provided at the evening meetings. Kids activities will be provided, so bring the kids.

Check our website for details and updates:
www.deplan4health.org

Questions? Contact:

David Edgell,
david.edgell@state.de.us,
(302) 739-3090;
Ann Marie Townshend,
atownshend@dover.de.us,
(302) 736-7196;
Tamika Graham,
tgraham@ncall.org,
(302) 678-9400 x 123

Delaware PLAN4Health
An American Planning Association Project

Monday, June 13
5:30 – 7:30
Public Meeting – provide your input. Light dinner and refreshments provided.

Tuesday, June 14
11:00 – 5:00
Open House – drop by any time, learn about the project, give us your input.

Wednesday, June 15
10:00 – 12:00
Open House – drop by any time, learn about the project, give us your input.

5:30 – 7:30
Public Meeting – Final project presentation. Light dinner and refreshments provided.

City of Dover

DATA SHEET FOR REVIEW of Minor Lot Line Adjustment Plan and Consideration of PND: Alternative Bulk Standards

DEVELOPMENT ADVISORY COMMITTEE MEETING OF June 8, 2016

PLANNING COMMISSION MEETING OF June 20, 2016

Plan Title:	Clearview Meadow PND: Lots 213-265 Minor Lot Line Adjustment Plan and Consideration of Alternative Bulk Standards, MI-16-07
File Numbers:	C-04-01 Clearview Meadow Planned Neighborhood Design: Concept Plan SB-04-04P Clearview Meadow PND: Preliminary Subdivision Plan SB-04-04F Clearview Meadow PND: Final Plat MI-13-04 Clearview Meadow PND: Revised Active Recreation Area & Minor Subdivision Plan (Application Not Approved)
Plan Type:	Planned Neighborhood Design Option Minor Lot Line Adjustment Plan
Subject Location:	Located east of JH Brown Boulevard fronting on Lady Bug Drive and Nob Hill Road within the Clearview Meadow Subdivision which is north of South Little Creek Road, south of North Little Creek Road, and east of Babb Drive
Tax Parcels:	Multiple parcels ED-05-077.07-07-29.00-000 to ED-05-077.07-07-81.00-000
Owner:	Shirliz LLC
Site Area:	53 townhouse lots
Property Use:	Residential Subdivision Development under construction
Number of Dwelling Units:	Approved – 303 dwelling units (167 Single Family, 48 Duplex, 88 Townhouses) Area to be Revised: 53 Townhouses units in subject area
Sewer & Water:	City of Dover
Zoning Classification:	RM-1 (Medium Density Residence Zone)
PND Considerations:	Alternative Design Standards for PND - Townhouses Reduction in Minimum Lot Width from 22 feet to 20 feet Reduction of Minimum Lot Size from 2200 SF to 2000 SF Increase Maximum Lot Coverage from 50% to 75%

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: June 8, 2016

APPLICATION: Clearview Meadow Planned Neighborhood Design: Townhouse Lots 213-265 Minor Lot Line Adjustment Plan and Consideration of Alternative Bulk Standards

FILE #: MI-16-07 REVIEWING AGENCY: City of Dover Planning

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

This Application pertains to the Review of a Minor Lot Line Adjustment Plan to resize fifty-three (53) townhouse lots within the Clearview Meadows Planned Neighborhood Design subdivision. Thirty-one (31) lots will be reduced in width from 22 feet to 20 feet; the remaining lots will be enlarged. The plan is accompanied by a request for the following Alternative Bulk Standards for the Clearview Meadows PND: to allow a minimum lot width of 20 feet for townhouses; reduction in minimum lot size to 2,000 SF for townhouses; and a lot coverage of 75% for townhouse units. The properties (Lots 213-265) subject to the Minor Lot Line Adjustment Plan are located east of JH Brown Boulevard fronting on Lady Bug Drive and Nob Hill Road. The properties are zoned RM-1 (Medium Density Residence Zone). The owner of record is Shirliz, LLC. Tax Parcels ED-05-077.07-07-29.00 to ED-05-077.07-07-81.00. Council District 2.

BACKGROUND

Clearview Meadow is a Planned Neighborhood Design development on 88.2524 acres +/- of land. The Concept Plan for Clearview Meadow PND (C-04-01) and the Preliminary Subdivision Plan (SB-04-04P) received conditional approval from the Planning Commission in April 2004 and September 2004. The Record Plan for the Subdivision was recorded on September 30, 2005 and the Final Construction Plans were approved January 19, 2006. The development, as approved, consists of the following: 167 single family detached homes, 48 duplexes, and 88 townhouses for a total of 303 dwelling units.[1] At the time of approval, PND Design Standards were adopted for each housing type establishing the parameters for lot sizing, setbacks, etc.

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1 At the time of original development of the subdivision, the property included multiple zoning districts including R-8 (One Family Residence Zone), R-10 (One Family Residence Zone), RM-1 (Medium Density Residence Zone), and RM-2 (Medium Density Residence Zone). Following the Comprehensive Rezoning Project 2009, the subdivision was rezoned to R-8 and RM-1 reflecting the housing types of the development. Initially a portion of Clearview Meadows was subject to the AEOZ (Airport Environs Overlay Zone) Noise Zone A; it was an open space area. The property was removed from the AEOZ per City Council action of March 11, 2013 with the adoption of Ordinances #2013-01 and #2013-02 for the Comprehensive Rezoning Project: AEOZ. These Ordinances and rezoning were a result of a 2010 AICUZ Study which outlined revisions to the AEOZ Noise Zone areas. (MI-12-24)

PROJECT PROPOSAL

This Application consists of two parts: a Minor Lot Line Adjustment Plan and a request for Consideration of Alternative Design Standards. The Minor Lot Line Adjustment Plan to adjust the property lines is for a series of fifty-three (53) townhouse lots identified as Lots 213-265. The overall number of dwelling units (parcels) will remain the same. This proposal just revises the lot width and lot size. There are no revisions to the platted street right-of-ways.

For the Minor Lot Line Adjustment Plan, the proposed parcels are to be in compliance with the lot requirements for townhouse units of the *Zoning Ordinance* and the established Design Standards for the PND. Two off-street parking spaces must be provided for each dwelling unit and access to each townhouse lot is required to be from the alley.

The proposed Minor Lot Line Adjustment Plan is eligible for Administrative Review and does not require Planning Commission review; however, in order to make the proposed lot revisions the Planning Commission is required to authorize the use of Alternative Bulk Standards for the PND.

Request for PND: Alternative Design Standards

The applicant is requesting adjustments to the required design standards of a Planned Neighborhood Design specifically for the townhouse units in the Clearview Meadow PND Subdivision. Article 3 §24.5 of the *Zoning Ordinance* permits the Planning Commission to grant such adjustments and reads as follows:

> Article 3 §24.5. The design standards and dimensional requirements (bulk and parking regulations) shall be in accordance with article 4, sections 4.10 and 4.11, except that the planning commission may relax any of these requirements where the developer can demonstrate that such action is desirable and consistent with the objectives of this ordinance and the comprehensive plan.

Since the initial approval of the Clearview Meadow PND there have been amendments to the *Zoning Ordinance* regarding certain bulk standards for PND developments and regarding the perimeter buffer. Ordinance #2014-18 adopted October 27, 2014 amended the front and rear setback requirements and eliminated the 40-foot perimeter buffer for PND developments. (MI-14-12)

The following table presents the Design Standards as originally approved for Clearview Meadow PND and the current PND Design Standards as specified in the *Zoning Ordinance* in comparison to the applicant's request for Alternative Design Standards for the townhouse units within Clearview Meadow PND. The Design Standards where adjustments are requested are highlighted. The specific request for consideration is the townhouse lot width reduction from 22 feet to 20 feet. With the other requests pertaining to average lot area, minimum lot area, building setbacks from street and property lines, and lot coverage, the applicant seeks to utilize the recently amended PND standards. The other Design Standards for single family detached dwellings and duplex units remain as previously approved for the Clearview Meadow PND.[2]

2 The single family detached dwelling and duplex units may utilize the Design Standards of the *Zoning Ordinance* for the PND as amended in 2014 (front and rear setbacks) as the provisions of the Ordinance were made retroactive to previously approved developments.

Housing Type	***Townhouses***		
	Allowed (Adopted for Clearview Meadow PND)	***Required Per Zoning Ordinance as amended)***	***Requested***
Average Lot Area	*3,155 S.F. per dwelling unit*	*2,200 S.F. per dwelling unit*	*3,208 S.F. per dwelling unit*
Minimum Lot Area	*2,200 S.F. per dwelling unit*	*2,000 S.F. per dwelling unit*	*2,000 S.F. per dwelling unit*
Lot Width	*22 feet*	*22 feet*	*20 feet*
Lot Depth	*100 feet*	*80 feet*	*100 feet*
Off-Street Parking	*2*	*2*	*2*
Building Setback from Street	*30 feet*	*20 feet*	*20 feet*
Building Setback from Property Line (Applies to Front Yard Setback, Side Yard Setback, Rear Yard Setback)	*20 feet*	*10 feet*	*10 feet*
Building Spacing	*30 feet*	*30 feet*	*30 feet*
Building Height	*35 feet 3 stories*	*35 feet 3 stories*	*35 feet 3 stories*
Lot Coverage	*50%*	*75%*	*75%*

DEVELOPMENT OF CLEARVIEW MEADOWS PND SUBDIVISION

The development of the Clearview Meadows PND includes a series of construction plans reflecting the infrastructure and amenities of the subdivision. The development of these townhouse lots remains subject to those requirements. Key components of the development are noted below.

- The land of the Clearview Meadow Planned Neighborhood Design remains zoned R-8 and RM-1. The plan included development of a variety of housing types: single family detached dwellings, duplexes, and townhouses.
- Twenty-five percent of the total site area must be set aside and preserved for open space within a subdivision under the Planned Neighborhood Design Option. A total of 22.0650 acres +/- of open space was approved for the Clearview Meadows development which met the 25% open space requirement.
- The Active Recreation Area for this project is required at a rate of 275 square feet per dwelling unit or 0.5 acre of land, whichever is greater. Based on 303 dwelling units, 83,325 S.F. (1.9129 acres) of Active Recreation Area is required.
    - The project includes a 6.8429 acre Active Recreation Area to consist of a walking path system, play structure, swings, picnic tables, benches, swimming pool & bath house facility with associated parking lot. A portion of these elements have been constructed.
    - A proposal in 2013 to revise the Recreation Area (to eliminate the pool and create a community center building) was not approved (MI-13-04).
- The street network for Clearview Meadow PND was previously laid out with a right-of-way of sixty (60) feet and paved street widths of 32 feet (as per waiver granted in 2004). The streets in this subject area have not been formally dedicated to the City of Dover for ownership and maintenance as of yet.

- Two connections to the existing street network are required by the *Land Subdivision Regulations* based on the total number of dwelling units. Clearview Meadow has one connection to North Little Creek Road, a connection to South Little Creek Road (aligning with the Levy Court Lane), and the continuation of Babb Drive.
- The development includes pedestrian oriented amenities with sidewalk along all streets and frontage roads.
- For Clearview Meadow PND, a total of 1282 trees are required. The approved plan presented plans for the planting of street trees and a mix of tree plantings on the residential lots. Other tree plantings are proposed for the open space areas adjacent to the stormwater management facility, the active recreation/park area, and near the subdivision entrances.

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

CITY AND STATE CODE REQUIREMENTS:

1) The project must comply with the bulk standards for townhouses in the PND unless approval of Alternative Design Standards for the PND are granted by the Planning Commission.

2) Townhouse Lot 249 on Lady Bug Drive currently does not meet the minimum lot area requirement of 2000 SF as it is listed at 1999.75 SF. Revise location of proposed property lines to ensure this lot (and adjacent lots) comply with the minimum lot area.

3) Add the following to the Record Plan sheet:
   a) Property owner and engineer's certification statements and signature blocks.
   b) List as Clearview Meadow Planned Neighborhood Design (PND) in title block.
   c) A Key Plan to assist in placing this area within the overall subdivision.

4) The Record Plan drawing does not reflect the setbacks from the rear property lines as 10 feet as the Design Standards allow for townhouse units. The adjacency to the alley is not considered a street setback.

5) The Record Plan sheet must include and/or reference the General Notes of the Record Plan of Clearview Meadow PND as recorded. For clarity, please include these notes as they contain limitations and requirements of all residential lots with some specifically related to townhouses.

6) The data column needs to be updated prior to Final Approval. Some of the items which need revising are as follows:
   a) Add property ownership information.
   b) Summary tallies of number of lots.
   c) Update zoning to be RM-1.

d) General Notes #2: Update note to also indicate the "allowed" column is as approved by the Planning Commission on April 19, 2004 and September 20, 2004. Reference Applications C-14-01 and SB-04-04 Clearview Meadow PND.
e) General Notes #3: Update note to also indicate the "required" bulk standards are given as per text amendments adopted by Ordinance #2014-18 on October 27, 2014.
f) Any changes recommended and approvals by the Planning Commission.

7) Due to the proposed lot revisions, please review the construction plan set for Clearview Meadow PND to ensure there are no necessary revisions related to site improvements. This includes the General Development Plan, Plans for Utility Services, Grading Plan, Landscape Plan, etc.
   a) All tree plantings should also be clearly located on individual lots (not on the property line); some slight field planting adjustments may be necessary due to changes in property lines.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Staff Recommendations on Alternative Design Standards for PND: Staff recommends approval of the series of Alternative Design Standards for townhouse units in the Clearview Meadow PND. The reduction in lot width does not significantly impact the character of the residential development. The overall number of units is not increasing and the general layout and groupings of units remains a mix of four, five, and six-packs of townhouses. The revisions to the lot area and average lot area are related to the lot width reduction. The other design standards related to setbacks and lot coverage recognize previous amendments to the PND provisions.

ADVISORY COMMENTS TO THE APPLICANT:

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

2) In the event, that major changes and revisions to the Plan occur in the finalization of the Plan contact the Department of Planning and Inspections. Examples include lot revisions or lot layout, etc. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

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

4) Upon final approval and endorsement, the Minor Lot Line Adjustment Plan (Record Plan) must be recorded at the Kent County Recorder of Deeds Office.

5) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections and permits are required. The applicant shall be aware that Plan approval does not represent a Building Permit and associated construction activity permits. A separate application process is required for issuance of a Building Permit from the City of Dover.

6) The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units (Zoning Ordinance, Article 5 §10.6). The 50,450 S.F. of recreation area for the residential units has been constructed to date or is under permit for construction which will satisfy the Active Recreation Area requirement for 182 dwelling units. The Active Recreation Area must be 100% complete in order for the final 20% of the Building Permits (60 dwelling units) to be issued.

7) The developer shall be aware that Street Lights shall be required to be installed in conjunction with the construction of subdivision streets. The developer shall coordinate street light placement and electric utility routing and equipment with the City of Dover Electric Department.

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