CITY OF DOVER PLANNING COMMISSION
AGENDA
Wednesday, December 16, 2015 – 7:00 P.M.

City Hall Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING of November 16, 2015

COMMUNICATIONS & REPORTS

1) Reminder: The next Planning Commission regular meeting is scheduled for TUESDAY, January 19, 2016 at 7:00pm in the City Council Chambers.

2) Update on City Council Actions

3) Update on Planning activities
    a. Welcome to new Planner: Eddie Diaz

4) Schedule of Deadlines and Meeting Dates for 2016

5) Education & Training Opportunities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW DEVELOPMENT APPLICATIONS

1) C-15-04 The Grande, Building 4: Planned Neighborhood Design – Senior Citizen Housing Option – Public Hearing and Review of a Conditional Use Site Plan to establish a Planned Neighborhood Design development of Senior Citizen Housing. The plan proposes construction of a four story 62,240 SF apartment building of 48 units (Building 4) and other associated site improvements at the existing apartment complex which consists of three apartment buildings known as The Grande. With this project, the complex will consist of a total of 192 apartment units of Senior Housing. The property is 6.7326 acres ± and is zoned RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection. The owner of record is Doveview Investors, LLC. Property Addresses: 101-405 Doveview Drive. Tax Parcel: ED05-076.07-01-30.00-000. Council District 1. *Waiver Requests: Alternative Design Standards for Alternative*

Design Standards for Average and Minimum Lot Area, Building Spacing, Building Height & Number of Stories, Lot Coverage, Number of Dwelling Units Per Building and Off-Street Parking; and the Elimination of Rear Emergency Access Requirements. Project includes review of an Active Recreation Plan.

2) S-15-15 Fordham & Dominion Brewery Building Addition (Phase 2) at 1284 McD Drive – Public Hearing and Review of a Site Plan application to permit the construction of a 13,370 S.F. addition to the existing Fordham & Dominion Brewery and the associated site improvements. The property is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Noise Zones A and B and Accident Potential Zone II. The subject area is located on the south side of McD Drive near the intersection with Horsepond Road. The owner of record is William H. McDaniel, Inc. Property Address: 1284 McD Drive. Tax Parcel: ED-05-077.12-01-13.00-000 (portion). Council District 2. *Waiver Requests: Elimination of Curbing, Reduction in Parking Requirement, and Partial Elimination of Sidewalk. Application V-09-02 Fordham Brewery approved a variance to construct the building additions in the floodplain.*

3) Z-15-04 Lands of Whatcoat Community Development Inc. at 904-992 Whatcoat Drive: Rezoning from RG-1 with COZ-1 to RG-2 with COZ-1 – Public Hearing and Review for Recommendation to City Council on a rezoning application for a 4.282 acre +/- parcel. The property is zoned RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the east side of Saulsbury Road and south of Whatcoat Drive. The owner of record is Whatcoat Community Development Inc. and the equitable owner is Whatcoat Village Associates Inc. Addresses: 904, 910, 930, 950, 956, 970, 986, and 992 Whatcoat Drive. Tax Parcel: ED-05-067.19-02-11.00-000. Council District 4. Ordinance #2015-23. *A Public Hearing and Final Reading are scheduled for action before the City Council on January 11, 2016.*

4) MI-15-13 Text Amendment: Definitions of One-Family Dwelling and Manufactured Home – Public Hearing and Review for Recommendation to City Council of Text Amendments to *Zoning Ordinance*, Article 12 – Definitions to amend the definition of "one-family dwelling" and to add a definition for "manufactured home." Ordinance #2015-20. *A Public Hearing and Final Reading are scheduled for action before the City Council on January 11, 2016.*

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 December 9, 2015

CITY OF DOVER PLANNING COMMISSION
November 16, 2015

The Regular Meeting of the City of Dover Planning Commission was held on Monday, November 16, 2015 at 7:00 PM with Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Cregar, Colonel Welsh, Mr. Holt, Mr. Baldwin, Dr. Jones, Ms. Still and Mr. Tolbert. Mr. Ambruso was absent.

Staff members present were Mrs. Townshend, Mr. Jason Lyon, Mrs. Dawn Melson-Williams and Mrs. Mullaney. Also present were Mr. Joseph Petrosky and Mr. Jonathan Street. Speaking from the public were Mr. Tim Gable, Mr. Jonathan White and Mr. Jerry Dunning.

APPROVAL OF AGENDA

Mr. Cregar moved to approve the agenda as submitted, seconded by Ms. Still and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF OCTOBER 19, 2015

Colonel Welsh moved to approve the Planning Commission Meeting minutes of October 19, 2015, seconded by Mr. Cregar and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings held on October 26, 2015 and November 9, 2015.

Mrs. Townshend stated that the Commissioners had a listing of the University of Delaware's planning related training classes. December 4, 2015 is a class called *Walk This Way: Creating ADA Accessible Communities with Walk Appeal*. She thinks it's one of the first times that this class has been offered so if any of the Commissioners are interested in attending, they can let Planning Staff know and they can get them registered.

Mrs. Townshend stated that there is a flyer regarding Division Street Design Week. It is on-going this week; she just came from the first of the public workshops. They will have public workshops again tomorrow from 5:00pm to 7:00pm and Thursday will be the final presentation from 5:00pm to 7:00pm located at the Inner City Sankofa Cultural Arts Center. They had about twenty-five (25) people attend tonight. They had a lot of really good dialogue and good group activities. The focus tonight was existing conditions and the things that people like about the Division Street and Forrest Street corridor and the things that people do not like about the corridor. They got that input and they will be working on that tomorrow and then coming out with some potential vision ideas tomorrow evening. If any of the Commissioners are able to join them, it would be wonderful.

Mrs. Townshend stated that the Quarterly Workshop Meeting scheduled for this month has been cancelled.

Mrs. Townshend stated that the next Planning Commission meeting is scheduled for Monday, December 21, 2015 at 7:00pm in the City Council Chambers.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW DEVELOPMENT APPLICATIONS

1) S-15-14 Creekstone Center Development on South Governors Avenue – Public Hearing and Site Development Master Plan Review to permit construction of a commercial complex in Phases 1-4 consisting of two 2-story, 18,080 S.F. commercial/office buildings and one 5-story, 77,745 S.F. commercial/office building. One existing 2-story 18,080 S.F. office building and associated site improvements (shown as Phase 1) was previously constructed under Site Plan S-04-19. The area of the site consists of 7.6493 acres ± which is also proposed to be subdivided into two lots: Lot 1 of 5.011 acres ± and Lot 2 of 2.6328 acres ±. The property is zoned C-2A (Limited Central Commercial Zone). The subject property is situated on the west side of South Governors Avenue near the intersection with Southbee Drive. The owner of record is Creekstone Development, LLC. Property address: 1198 South Governors Avenue. Tax Parcel: ED-05-86.05-01-12.00-000. Council District #2. *Waivers Requested: Partial Elimination of Curbing, Elimination of Opaque Barrier Requirement – Fence Component. A previous Site Development Plan S-04-19 Creekstone Center Development was approved by the Planning Commission in June 2004 with Final Plan approval in May 2005. The Site Plan expired due to lack of continual construction activity following completion of the Phase 1 Building.*

Representatives: Mr. Joseph Petrosky, Creekstone Development, LLC; Mr. Jonathan Street, Becker Morgan Group

Mr. Holden recused himself from the application since his employer is the engineer on record.

Mrs. Melson-Williams stated that this is a Site Development Master Plan. It may look somewhat familiar as it was a project that previously moved through this body back in 2004 and one of the initial buildings and some of the residential portion was actually constructed. The project sits on the west side of South Governors Avenue; there is an existing two story office building. This project proposes a project of four phases with the first phase with Building 1 already being complete. Phases 2 and 3 would replicate that two story building in the area back towards where there are residential units and then Phase 4 is the southernmost portion of the site that would be proposed for the construction of a five story commercial building. The main entrance to the site is from South Governors Avenue; that interconnection with South Governors Avenue was constructed with the 2004 plan and is part of the street improvements for South Governors Avenue and Southbee Drive in that area.

As mentioned, this is a project of four phases brought to the Commission in a Master Plan format which allows for approval of the overall concept of the Master Plan and then each phase of construction is allowed to move through an Administrative Site Plan review process once the Master Plan is approved.

The property is zoned C-2A (Limited Central Commercial Zone) which is one of the commercial zones. It does allow for a variety of commercial, retail, service and office type uses. Any tenants in the buildings that are proposed will have to comply in the uses that are permitted in the C-2A (Limited Central Commercial Zone).

The project also includes a Subdivision Plan. Currently it is a tract of land of just over 7.60 acres. They are proposing a Lot 1 area that would consist of Buildings 1, 2 and 3 and then a second lot would be created that encompasses the area of Building 4 and its associated parking lot area. This is dividing the large tract of land into two parcels.

The building architecture will continue to follow the concept that was initiated with the Phase 1 building. It is a two story building or a five story building with kind of a hipped roof system. The exterior walls are clad with Dry-vit and stone veneer detailing and the first floor areas make use of awnings over window openings.

Parking for the site is required based on a square footage of the building calculation. It is required to have four hundred and forty (440) parking spaces. Their project plan is showing four hundred fifty-four (454) parking spaces and the DAC Report outlined a table of parking by phase. It does meet the requirements for each phase of the parking and then cumulatively overall for the site. The project includes a series of loading spaces located on the south side of Building 4 as that building has a loading space requirement. The project is required to have bicycle parking; they will need to identify those locations on the site as well. Currently, the site has a street frontage sidewalk that exists and there are portions of sidewalk that lead to Buildings 1 and 4. There are sidewalk areas around Buildings 2 and 3.

There are two waivers to be considered with this project. The first is a curbing waiver and that is for the partial elimination of curbing in the area between Buildings 2 and 3. This area is already constructed as it gives access to the residences on adjoining parcels of land. The curbing relief is sought by the applicant for stormwater management purposes. The second waiver is related to the opaque barrier requirement. The waiver is for the elimination of the fence component. Where the property is adjacent to residential uses, the opaque barrier is required that consists of a landscape component and this opaque component which is typically presented as a fence. They are seeking relief from construction of that fence area. The requirement for landscaping in the form of evergreen trees or a hedge system remains on the plan and cannot be waived by the Planning Commission.

The DAC Report also provides information about the comments from the other agencies including the City's Department of Public Works, the Electric Department, the Fire Marshal's Office, DelDOT, Kent Conservation District and the Dover Kent County MPO. She would bring attention to the recommendations presented on page 7 of the report from the Planning Office. They provide recommendations on the two waivers. Staff does recommend approval of the request for waiver of the curbing and of the fence component for the opaque barrier. Related to pedestrian circulation, Staff has identified while there are some sidewalks that lead into the site to Buildings 1 and 4, the sidewalk network should be continued to ensure that pedestrians can easily reach Buildings 2 and 3 towards the rear of the property. They think that they are some opportunities for some design changes to achieve that. The third recommendation is related to careful thinking about where they place HVAC equipment in relation to the buildings and how that is viewed by the public.

Colonel Welsh questioned if the applicant agrees with the recommendations of the Planning Staff? Responding to Colonel Welsh, Mr. Petrosky stated yes.

Mr. Petrosky stated that he was the developer who took the project through in 2004. They were fortunate to build the first building and then the recession hit so the market did not allow them to complete this project. As Mrs. Melson-Williams pointed out, substantial if not a majority of the infrastructure is already in place and the improvements for entrance, stormwater, utilities and all of those types of things were built with the first building. Bottom line is yes; they concur with the recommendations from the Planning Staff.

Colonel Welsh stated that he thinks it's a nice looking plan.

Mr. Tolbert opened a public hearing.

Mr. Walter Gable – 1222 South Governors Avenue Dover DE 19904

Mr. Gable stated that he was present for the first hearing to express his concern about the privacy fence that would go along the front of his property and up the driveway. Reason being is that he likes privacy and he has people walking through back there. Since the development has taken place, he thinks it looks great and he uses the VA Center himself, but it's provided a bit of a shortcut for some people to come through and cut into some of the older neighborhoods. He has actually found spots were people were sleeping in this area. He was unaware that they were even looking to waive an opaque barrier; he is very upset to hear about that. He would just like to be put on record for being opposed to the waiver for the opaque barrier and to have something put up, preferably prior to construction. The only other comment that he had was that the HVAC was addressed and he just wanted to ask where that was planned for at this time.

Mr. Petrosky questioned for which building? Responding to Mr. Petrosky, Mr. Gable stated for the big building.

Mr. Petrosky stated that the building would be roof top units. He asked Mr. Gable if his property was located in the City limits of Dover. Responding to Mr. Petrosky, Mr. Gable stated that the City of Dover limit pretty much comes right up his driveway and makes a ninety degree turn towards the Deats.

Mr. Petrosky further questioned if his property in the City limits? Responding to Mr. Petrosky, Mr. Gable stated no.

Mr. Petrosky stated that the opaque fence that he thought they were talking about was the division between the residential condominiums and the office park. When he envisioned this project it was a mixed use project so there would be a mix of residential, office and light retail. He thinks that most agencies encourage the cross utilization of sidewalks and to put a fence there just didn't make any sense. The people that live in those condominiums don't want a fence separating the office park from the residential areas. Responding to Mr. Petrosky, Mr. Gable stated that he agrees with that.

Mr. Petrosky stated that he's not sure but he is there almost every day and on his property he doesn't have any problems. Responding to Mr. Petrosky, Mr. Gable stated that he is just referring to the portion that the affects the property line that's about three to four hundred (300-400) feet going

north and south and about six hundred (600) feet going towards the road. Mr. Petrosky worked really well with him before about tree branches and everything and he appreciates that. He has been great to work with; he is very approachable.

Mr. Jonathan White – 1156 South Governors Avenue Dover DE 19904

Mr. White stated that he resides as 1156 South Governors Avenue which is a parsonage on the same property as the Dover Church of Christ; it's on the north end of this property plan. He wants to echo what the gentleman before him said; it's a very nice looking building that's there right now and more like that will be very aesthetically pleasing. His primary concern is with privacy given the topographical nature. Building 2 all of the windows along that property line would have a direct eye line sight into the entirety of his back yard and into his house. This is a concern for himself, his wife and son. His request would be that when the property was initially put in there was a six (6) foot privacy fence but because of topography at the land area where Building 2 is, is substantially higher than the elevation of his house so far any building there, the first and second floor will have a direct line of view directly into his back yard and house. He would request some trees; something taller or higher that would be able to block the line of view. Already, when people are parked in the parking lot they can see in his house and back yard. With increasing the use of that area, increasing people and windows and such he would really appreciate some trees.

Mr. Petrosky stated that on that boundary line there is currently a six (6) foot fence and there's currently a tree line.

Mr. White used the display map to show Mr. Petrosky the area where his home is located. He stated that building buildings there would allow for people to see directly into his yard and house.

Mr. Tolbert closed the public hearing.

Mr. Holt questioned if there was a Traffic Impact Study done on this property? Responding to Mr. Holt, Mrs. Melson-Williams stated that the entrance design for this project occurred back with the 2004 project. At that time the South Governors Avenue street improvement project was in the design phase and almost being built. At that point in time she believes that the applicant worked directly with DelDOT knowing what the build-out of this site was going to be to design the entrance seen there today. Also what happened in that area was Southbee Drive was re-configured which is the intersecting street right across from this entrance. As to what types of studies DelDOT may have done at that time, she is sure there were some traffic counts based on the proposed uses of the project since it was known at that point in time.

Mr. Petrosky stated that this project was designed and approved exactly how it's being presented today. At the time, DelDOT was designing the Governors Avenue improvements so they had all kinds of studies going on for Governors Avenue. The exact same square footage was analyzed at the time. The deal that he made with DelDOT was that he gave them ten to fifteen (10-15) feet of right-of-way so that they would build the entrance when the time came that they did the Governors Avenue improvements. It's kind of frustrating to him when he put all this money into this development and there's some criticism of items that were analyzed, constructed and paid for. The only reason we are here is unfortunately because of the recession this project couldn't continue construction. The City of Dover doesn't have a mechanism other than after two (2) years you have

to start over again and that's the shame of it for a person like him who has this kind of investment already in the ground and to now be criticized about something that was approved a long time ago.

Colonel Welsh stated that he didn't know that there was any criticism; he thinks it was just a question. Responding to Colonel Welsh, Mr. Petrosky stated that he was sorry.

Mr. Holt stated that the stream in that area is a Puncheon Run stream that has kind of a history of flooding or did have that a few years ago. Every time there was heavy rain, there was flooding in the area. He guesses they have a retention pond that he is assuming would accommodate that large amount of water during a flood stage or a storm.

Mr. Tolbert questioned if Mr. Holt is saying that flooding still occurs there? Responding to Mr. Tolbert, Mr. Holt stated that he was wondering if the area was going to be able to handle this.

Mrs. Townshend stated that their improvements are outside the floodplain. The properties that have continual problems with flooding are in the flood plain which is where the water goes. There's been development upstream of this area. There's been significant over-management on construction projects including the West Dover Connector, Eden Hill and those projects upstream of this site. This is not expected to make that condition any worse and all of their improvements are above the flood plain level.

Mr. Cregar moved to approve S-15-14 Creekstone Center Development Site Development Master Plan, including the two waivers requested for the partial elimination of curbing and elimination of the opaque barrier fence component in accordance with the DAC Report and all recommendations. Additionally, the Master Plan proposes a Minor Subdivision which will also require a record plat for recordation at some point. In making the motion for the approval of the Master Plan, it depicts the general layout, the buildings, the streets, the open spaces, landscape and stormwater management areas. This is a plan that was before the Planning Commission previously and meets the requirements of the Zoning Ordinance, seconded by Colonel Welsh and the motion as unanimously carried 7-0 by roll call vote with Mr. Holden recused and Mr. Ambruso absent. Mr. Cregar voting yes. Colonel Welsh voting yes, for the reason that it was previously approved, little or no change and he thinks it's a very attractive plan and will serve the City well. Mr. Holt voting yes, it has been approved and according to the plans he thinks it will be an improvement to the area and will serve the City very well. Mr. Baldwin voting yes, for the reasons previously stated. Dr. Jones voting yes, concurring with the previously stated comments and the recommendations of the DAC. She thinks it's a very attractive facility and will certainly add to Dover. Ms. Still voting yes, concurring with all the previous comments in regard to the site and it's compliance with the Code. Mr. Tolbert voting yes, concurring with all the comments made. He also wants to thank the applicants; having had a negative experience, they have been very easy to work with and they appreciate their attitude and their compliance with what's been requested of them so far.

2) MI-15-04 Text Amendment: RC Zone and Temporary Outdoor Activities – Public Hearing and Review for Recommendation to City Council on Text Amendment to *Zoning Ordinance*, Article 2 – District Regulations, Section 18 – Recreational and Commercial Zone (RC). The proposed Ordinance revisions would establish the permitted uses in the RC zone including Temporary Outdoor Activities and Temporary Camping Areas and set minimum requirements for such activities and areas. The proposed Ordinance also outlines the uses in the RC zone subject to

Conditional Use approval by the Planning Commission. The proposed Ordinance also deletes *Dover Code of Ordinances*, Chapter 14 – Amusements and Entertainments which addresses Outdoor Music Festivals. Ordinance #2015-17.

Representatives: None

Mrs. Townshend stated that this is an amendment to the *Dover Code of Ordinances*; most importantly, the *Zoning Ordinance*. There are other portions that amend other aspects of the Code but those are not under the purview of the Planning Commission. The first thing that this does is eliminates Chapter 14 - Amusements and Entertainments of the Dover Code; that is the portion that is outside of the *Zoning Ordinance.* That is an older section of Code that was used for outdoor music festivals. The most significant portions of this draft ordinance are the changes to the RC (Recreational and Commercial Zone). Most significantly is the addition of the temporary outdoor activity and temporary camping areas which are covered on lines 80 through lines 167 of the Ordinance. There are a few other cleanup things that they did while they were updating the Ordinance. One change was removing "baseball, football or boxing stadiums or arenas" and just putting "sports stadiums/arenas." They added "auto, horse and motorcycle race tracks" and "indoor and outdoor recreation and amusement establishments" as permitted uses. Under conditional uses, they took out "auto, horse and motorcycle race tracks" because that would be added to the permitted uses. They also cleaned up the language and the wording on the accessory uses.

There are fees that are listed as well. Those are actually in Appendix F; they are not actually in the *Zoning Ordinance*. The Planning Commission is certainly welcome to weigh in on the fees but it's more the substance of the Ordinance that the recommendation to City Council would include.

She went through the DAC comments so she has amendments listed on the Staff Report that would address those issued brought up in the DAC comments. The first amendment is actually something that was brought to her attention by Mr. Jerry Dunning of Dover International Speedway. It's that the Ordinance does not have casinos listed and that's supposed to be added to the draft and was overlooked in her drafting. So one amendment would be to add "casinos" and re-letter things accordingly. Lines 86 through lines 91 where it says "a plan is required" based on the Public Works comments they would add "plans must also include water supply, wastewater disposal, sanitation, erosion and sediment controls and maintenance of traffic as it relates to City streets." So that's what Public Works would be looking for on a plan submission. On line 109 where it talks about prohibited discharges, it says "no activity associated with a temporary outdoor activity shall be permitted to discharge any substance including wash-water"; it would be "including but not limited to". On lines 112 and 113 regarding the temporary camping areas it says that they would be permitted within all zones, that is a holdover from when they pulled the language from Article 6 and since this is specific to the RC (Recreation and Commercial Zone) they wouldn't want to put something would be applicable to all zones. On line 149 under camping, a comment from the Fire Marshal's Office, for recreational vehicles the requirement of ten (10) feet between recreational vehicles, the Fire Marshal has asked for the language to say that the ten (10) feet between the vehicles shall include any bump-out so if there are bump-outs they are not coming right up against another vehicle. An amendment on line 165 where the language would change to "including but not limited to" as it relates to types of discharges.

Mr. Holden questioned the language of "including" or "excluding" the bump-outs on recreational vehicles? He sees from a procedural aspect somebody holding an event could say "if I've got fifteen (15) foot trailers coming in I need twenty-five (25) foot wide spots." The challenge for somebody holding the event is how big the bump-outs on each vehicle are and how to address that? He doesn't know if Staff has had any of those discussions; he understands from a Fire Marshal's standpoint he wants to make sure he's got access. Have there been any discussions relative to if it's going to be easily and cleanly applied or are they creating a problem and do they need more discussion on that? Responding to Mr. Holden, Mrs. Townshend stated that she does not have the answer to that; Mr. Dunning from the Speedway is here. Can we wait until the public hearing to see if that question gets answered?

Mr. Holden stated absolutely, Mr. Dunning may have some comments. In the end, he understands the intent behind the language change but he doesn't want to create a problem. Responding to Mr. Holden, Mrs. Townshend stated that she understands his point, that it takes away the predictability of how wide the camping spaces need to be.

Mr. Holden stated that he wondered if the event holders know that information. Is it standard that you know you can get a spot that with bump-outs you will have a certain width. He doesn't want to create an issue that may be resolvable through some added discussion on that point.

Mr. Cregar questioned if the minimum of thirty (30) days would be enough time? Responding to Mr. Cregar, Mrs. Townshend stated that it's currently sixty (60) days in the Code for camping and they are finding that nobody turns them in sixty (60) days ahead of time. If we know that there's a big event coming, they know that they are going to get the applications so it's been able to work. It doesn't make much sense to keep it at sixty (60) days when nobody is meeting that anyway.

Mrs. Townshend stated that ultimately these are the changes to the RC (Recreational and Commercial Zone). Staff will look to bring forward in either Article 5 Supplementary Regulations and/or Article 6 Parking, something that would kind of mirror this for other zones. When we have large events, there is pretty much camping everywhere. Right now, there is the provision for recreational vehicle parking that is specifically related to motorsports events but it specifically says motorsports and recreational vehicles. What we find is that with a lot of these events, the tent camping, especially with music festivals, is becoming more popular. Staff will need to go back and change that portion of the Code as well and then there would be some provisions also for temporary outdoor events that wouldn't be quite as expansive as they are being presented in the RC (Recreational and Commercial Zone). But there are special events like carnivals held at the Dover Mall and things like that that they want to make sure they have a way to address in the *Zoning Ordinance.* This was the higher priority because Staff is working with the Speedway to annex the unincorporated areas.

Mr. Tolbert opened a public hearing.

Mr. Jerry Dunning – Dover International Speedway 1131 North DuPont Highway Dover, DE 19901

Mr. Dunning stated that he would do his best to attempt to answer the questions; however, he didn't realize or wasn't informed that there was a DAC meeting held on this subject because he would

have been there if he knew. He just received these comments tonight but there isn't any great concern with any of them.

Mr. Holden stated that he was curious on his thoughts on the Fire Marshal's recommended language change that would include bump-outs and require ten (10) feet of separation between the bump-out and the adjacent vehicle. Responding to Mr. Holden, Mr. Dunning stated that it would be difficult. Not necessarily will it affect the Speedway any differently than any other business or property owner who is trying to park RVs. He doesn't know standards that other property owners are being held to but he knows that the Speedway's parking spaces for RVs are twenty-five (25) feet wide as it exists. He has noticed over time it's getting better but there are not as many campers around for race weekends as there used to be so it's probably not as big of a problem. There used to be a lot of places with parking much closer than that and he guesses that they were the first ones to do that out of their own desire for safety. They have their own fire safety security employees and it just became important to them so that's how the standard got developed, that they were protecting the people staying in the camp grounds. If an RV only had one bump-out and they are typically 30-36 inches, it would not be a problem but in today's world RVs have bump-outs on both sides in many cases so now 6-7 feet has been added to the unit. There's a possibility to get them to still be ten (10) feet apart but it could present difficulties because people inadvertently park where they need to; they will park on the line then the bump-out goes out and is in someone else's space or vice versa. If it goes both ways, it's probably problematic. He doesn't recall any conversations that took place between the City's Fire Marshal and the Speedway's fire guys so he is puzzled by the language at this point and what the Fire Marshal's justification was for his recommendation.

Colonel Welsh questioned if this recommendation is set in stone? Responding to Colonel Welsh, Mrs. Townshend stated that it's a recommendation that's not in the Ordinance so it would need to be a separate action from the Commission to recommend it.

Colonel Welsh stated that it's an excellent point but he thinks it is virtually impossible for the City to enforce. He doesn't see how we could expect Dover Downs or any other agency to enforce that. When you accept a reservation, how do you know what the bump-out is and how do you know the size of the bump-out on the camper parked next to you is?

Mr. Holden stated that he thinks it's important to have a policy and an Ordinance that works and that's also protective to the public so he wonders if there is further discussion that might be had on this. If there's a standard width then maybe the Fire Marshal working with some of the entities that do these types of events could come up with a path that alleviates how you police it. We don't want to create an Ordinance that is setting a booby trap.

Colonel Welsh stated that you can't have someone out there with a tape measure. Something that's less specific and a little more general in nature like that the room between the campers including bump-outs would be such that it would still provide safe passage. Responding to Colonel Welsh, Mr. Dunning stated that the Ordinance does go on to say "an exception to this shall be subject to review by the Fire Marshal upon determination that the safety objectives of this subsection are achieved." So that gives the Fire Marshal lee way to approve or not he guesses.

Mrs. Townshend stated that one other option would be to just take out the sentence regarding bump-outs so that it's silent on bump-outs; she doesn't know if that helps or hurts. Or the Ordinance could be left as it is.

Mr. Holden stated that if it's at a plan level that we are approving, we have no idea where the campers are going to be parked and where the bump-outs are going to be. He thinks we should try to address this concern in a different fashion versus instituting the language as it was recommended to be included.

Mrs. Townshend stated that as it relates, there are six (6) proposed amendments. We can go through the amendments one by one and have the Planning Commission make a recommendation on each one and that can be reported with the Planning Commission action to City Council. She thinks there is valid discussion here.

Mr. Dunning questioned if they would do that independent of this meeting or if the Commission would do that tonight to keep things moving along? Responding to Mr. Dunning, Mrs. Townshend stated that they would do it tonight. They do have a little bit of time so she would say after tonight, they can re-group later this week after talking to Mr. Mullaney and Mr. Klima. If it ends up not being an issue or they decide that a discussion needs to be had before it goes to Council, then they can do that.

Mr. Dunning stated that he is open to however Mrs. Townshend wants to handle it. He is does quick math, if a bump-out is a maximum of three (3) feet that would make the unit fourteen (14) feet. You would actually have room theoretically. You would have room to always have ten (10) feet. It's based on the placement of the unit in the space. That could be somewhat subjective to people who are parking.

Colonel Welsh stated that there should be at least five (5) feet on each side of the camper and the neighboring camper should have at least five (5) feet on each side as well which would create ten (10) feet of space between each camper. He thinks that they need to think in terms of generalities and not specific feet. He thinks "to ensure safe passage" would probably be good verbiage. He doesn't think they need to tie Dover Downs or anybody else's hands to be the enforcement agency that ensures when somebody either makes a reservation or shows up at the track. He thinks that a lot of times it's first come first serve. Responding to Colonel Welsh, Mr. Dunning stated that some lots are first come first serve and other lots are reserved in advance so it's a mixed use.

Colonel Welsh questioned if there has been an issue in the past that has occurred? Responding to Colonel Welsh, Mr. Dunning stated no, not that he is aware of.

Mr. Tolbert questioned if in the past, Dover Downs marked all spaces prior to the event? Responding to Mr. Tolbert, Mr. Dunning stated yes, they always mark the spaces.

Mr. Tolbert further questioned if they continue to do that? Responding to Mr. Tolbert, Mr. Dunning stated yes, it's twenty-five (25) feet for RVs. They pretty much keep the same standard in motorsports; everybody gets twenty-five (25) feet width with forty-five (45) feet of depth.

Colonel Welsh stated that he can't imagine that twenty-five (25) feet isn't going to provide a safe distance between vehicles whether it's nine (9) feet or eleven (11) feet between each camper; it's going to be there.

Mr. Dunning stated that another thing that does happen, but it's rare, is that you get combinations of people with bump-outs side by side. Most of the time you have somebody with bump-outs and then the next guy may be a pop-up camper. It's just the way it is. Sometimes there are bump-outs on units side by side but it's probably more rare than not. Could that change in a higher valued lot? Yes, but currently the Speedway doesn't have any lots like that.

Mr. Holden stated that it sounds like the Commission could recommend that that the third amendment not be included pending the Fire Marshal working with entities to come up with plan. It seems like with the Fire Marshal, if there is a concern or has been issues can work on how the plan is laid out and if twenty-five (25) foot width is appropriate versus trying to control positioning or parking of each unit.

Mrs. Townshend stated like Mr. Dunning stated, she thinks the issue where you have things kind of jammed in a little too close are in other locations, not on the Speedway property.

Mr. Holden stated that personally he doesn't feel that the amendment is appropriate for what they have talked about so maybe the Fire Marshal can work to help develop a width standard as Dover Downs has done. Maybe a twenty-five (25) foot by forty-five (45) foot width for RV and trailers that have bump-outs and that's appropriate to allow for the variability in how people park. To him, it reads as a booby trap for someone who shows up and starts to measure the distances between campers and finds a couple that are nine (9) feet bump-out to bump-out.

Mrs. Townshend stated if it were modified to say recreational vehicle camping spaces shall be a minimum of twenty-five (25) feet in width, will that work? Responding to Mrs. Townshend, Mr. Dunning stated that was fine, that's where they are now.

Mrs. Townshend stated that could be added to Line 144 before you get to the ten (10) feet issue.

Colonel Welsh questioned if anybody knows what the purpose of the ten (10) foot separation was? Responding to Colonel Welsh, Mrs. Townshend stated that the issue is that there have been a handful of occasions where there's been a fire, typically propane related, and the ten (10) feet provides spacing so that the fire doesn't travel from one unit to another.

Colonel Welsh further questioned if it's an egress access or any kind of emergency vehicle access issue? Responding to Colonel Welsh, Mr. Dunning stated that it was done about 10-12 years ago and the intent was to separate the flammable units. If a fire got started by some means, whether somebody had a propane leak and a fire started, it helped to control the fire by them not being so close together or igniting other units close by. They were part of that; they agreed to the process of widening the spaces to twenty-five (25) feet. Their spaces prior to that were twenty (20) feet wide. The requirement was kind of uniform throughout the City at that point.

Colonel Welsh stated that makes sense but to include the bump-outs, you are not going to put your grill outside of the furthest bump-out that you have; you are going to have it up by the door.

Responding to Colonel Welsh, Mrs. Townshend stated that from a practical standpoint, the way that campers are set-up, you've got the camper and on one side of the camper you've got your social area so you're likely to have that space. At this point the Ordinance is just what you have in front of you. Any of these amendments would be addressed through a motion so you could do a series of motions to either recommend in favor of the amendment or recommend that Council does not include a certain amendment.

Mr. Dunning stated that on lines 86-91 regarding the language pertaining to "Plans also must include water supply, wastewater disposal, sanitation plan, erosion and sediment controls, and maintenance of traffic as it relates to any City streets," he doesn't know what the plan is for some parts of the RC (Recreational and Commercial Zone) even having a water or sewer requirement on them. Where the Festival is right now, the Festival organizers haven't asked for anything like that because they are controlling everything by portable means. Responding to Mr. Dunning, Mr. Lyon stated that basically what Public Works is looking for is if there's anything that's going to be connected or used from the City, any sort of water tap they want to be aware of it just so they can understand what kind of use is needed and if they need to turn on more wells. If it's something that is brought in, for Firefly the water was brought in it wasn't through the City's system, they could just say not applicable and the Public Works Department would be fine with that.

Mrs. Townshend questioned if they could in their event permit indicate that water will be brought in, wastewater will be removed from the site, they will handle all sanitation and that there is no land disturbance so there is no erosion and sediment control and there's no influence on City streets? Responding to Mrs. Townshend, Mr. Lyon stated yes, it's a resource issue; if it's anything that has to do with the City's resources then they need to know ahead of time.

Mr. Dunning stated that he is not opposed to this language; he just wanted to understand the context of why it was added in here. At some point, there may be a desire of the Festival management team to put in a bathroom somewhere in which case then there is going to be water and sewer. Responding to Mr. Dunning, Mrs. Townshend stated that would be a Site Plan because they are going to look at that separately.

Mr. Dunning stated that unfortunately it seems like it shouldn't be too early for them but it's a little early for them to decide if they are going to put permanent stuff on the site. He doesn't know what their true plans are. They are supposed to see their latest Site Plan next week or later this week and it will still be in flux. What they've got so far, he doesn't think there is anything that will require or have the desire for permanent water supply but he doesn't know for sure.

Mrs. Townshend stated that she thinks it's cleaner if the Commission makes a motion on each text amendment.

Colonel Welsh stated that he was curious on what was decided on lines 149. Responding to Colonel Welsh, Mrs. Townshend stated that the way she sees it, the Commission could simply not accept the amendment or they could accept the amendment or one thing that could be done is in lieu of that amendment on line 144 "after parking recreational vehicles" you could insert "recreational vehicle camping spaces shall be a minimum of twenty-five (25) feet in width."

Colonel Welsh stated that he likes that suggestion.

Mr. Holden stated that he thinks it works well with the specific instance that we are talking about in terms of RVs that come into Dover Downs events. He doesn't know that it works for all so he goes back to if there hasn't been an issue created by this piece of Code why do we change it before we know what we need to change it to or what problem we are trying to resolve? Do pop-up trailers at a smaller event need twenty-five (25) foot wide by forty-five (45) foot long spots? He is concerned to make that blanket change; he would lean towards leaving it as is if this Code hasn't caused a problem and we get back to what problem they are trying to resolve.

Colonel Welsh stated that he would agree with that because if it's not a problem he doesn't want to create a problem. Responding to Colonel Welsh, Mrs. Melson-Williams stated that she believed during the DAC there was some concern that they were starting to see a lot more bump-outs and the close proximity thereof. She doesn't know that they cited a certain number but it was in looking at this Code versus before it was more of a policy statement.

Mrs. Townshend stated that it's in the Article 6; everything related to RVs comes right out of that Article, the only change is the addition of tent camping.

Mr. Holden stated that maybe RVs with bump-outs need a specific citation. He is concerned to make a change. Responding to Mr. Holden, Mrs. Townshend stated that one thing that could be done would be to monitor it and if it needs to be changed in the future then it gets changed in the future. The other question is they've got twenty-five (25) foot wide spaces. If the issue isn't on these sites is it on others? This could certainly be monitored.

Colonel Welsh questioned if the Fire Marshals were are present during the course of the weekend looking at the various spots ensuring that nothing is unsafe? Responding to Colonel Welsh, Mr. Dunning stated yes, the City of Dover's Fire Marshal and assistants are out there all the time back and forth; they are always welcome. They work with the Speedway's guys on the safety side just to make sure that if anyone spots something that they feel needs to be addressed then the Speedway will address it.

Colonel Welsh further questioned if the Speedway's guys were there on a daily basis, hour by hour to inspect and enforce? Responding to Colonel Welsh, Mr. Dunning stated yes, to look at all those things.

Mrs. Townshend stated that quite honestly, once the vehicles are parked they are parked. Unless you see somebody put up something that blocks; it's impractical to require somebody to move once everything's parked. Responding to Mrs. Townshend, Mr. Dunning stated that in some cases it's really tough.

Mrs. Townshend stated that's where the City ends up working with the Speedway. That's part of the reason that they've added the standards for tents because there had been issues where tents weren't placed safely.

Mr. Dunning stated that a pop-up is still to them represents a trailer that someone's living in so they get a twenty-five (25) foot space as well. Any wheeled unit that comes in is going to get twenty-five (25) feet of space.

Mr. Tolbert closed the public hearing.

Mr. Holden questioned if it was best to address the text amendment as written and then the staff amendments after? Responding to Mr. Holden, Mrs. Townshend stated that typically it would be the opposite. It would be the amendments and then the Ordinance with the amendments as recommended.

Mr. Holden moved to recommend approval to City Council for MI-15-04 specifically the recommended amendment to Line 72 to add Item (h) Casinos and to re-letter subsequent items accordingly, seconded by Colonel Welsh and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Mr. Holden moved to recommend approval to City Council for MI-15-04 specifically the recommended amendment to Lines 86-91 to add the following language "plans must also include water supply, wastewater disposal, sanitation plan, erosion and sediment controls and maintenance of traffic as it relates to any City streets," seconded by Mr. Holt and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Mr. Holden moved to recommend approval to City Council for MI-15-04 specifically the recommended amendment to Line 109 to add the words "but not limited to" after "including," seconded by Colonel Welsh and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Mr. Holden moved to recommend approval to City Council for MI-15-04 specifically the recommended amendment to Lines 112-113 to remove the words "within all zones," seconded by Colonel Welsh and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Mr. Holden moved to recommend to City Council for MI-15-04 specifically the recommended amendment to Line 149 to keep the language as written pending further review by the Fire Marshal in coordination with local entities, seconded by Dr. Jones and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Mr. Holden moved to recommend approval to City Council for MI-15-04 specifically the recommended amendment to Line 165 to add the words "but not limited to" after "including," seconded by Ms. Still and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Mrs. Townshend stated that they need a motion for the recommendation on Ordinance #2015-17 with the amendments being addressed as previously specified.

Mr. Holden moved to recommend approval to City Council for MI-15-04 Text Amendments to the RC (Recreational and Commercial Zone) in the Zoning Ordinance Article 3 District Regulations Section 18 as previously discussed and including the recommendations for the reviewed amendments, seconded by Ms. Still and the motion was unanimously carried 8-0 with Mr. Ambruso absent.

Meeting adjourned at 8:15 PM.
Sincerely,

Kristen Mullaney
Secretary

CITY OF DOVER APPLICATIONS TO PLANNING COMMISSION FOR CONDITIONAL USE, SITE PLANS, SUBDIVISION, & REZONING 11.10.2015

Schedule of APPLICATION DEADLINES, DEVELOPMENT ADVISORY COMMITTEE meeting dates, PLANNING COMMISSION meeting dates, and CITY COUNCIL PUBLIC HEARING dates for 2016 filing deadlines. A Pre-Application Meeting must be conducted with Planning Staff prior to filing of an Application. Application filing deadline is by 4:00 P.M. on designated dates.

	January	February	March	April	May	June	July	August	September	October	November	December
Application Deadline	1/4/16	2/5/16	3/4/16	4/1/16	5/6/16	6/3/16	7/1/16	8/5/16	9/2/16	10/7/16	11/4/16	12/2/16 Rezoning 11/18/16
CITY COUNCIL – Rezoning Ordinance First Reading	1/25/16	2/22/16	3/28/16	4/25/16	5/23/16	6/27/16	7/25/16	8/22/16	9/26/16	10/24/16	11/28/16	12/12/16
D.A.C. MEETING (STAFF ONLY)	1/27/16	3/2/16	3/30/16	4/27/16	6/1/16	6/29/16	7/27/16	8/31/16	9/28/16	11/2/16	11/30/16	12/28/16
D.A.C. MEETING (APPLICANT)	2/3/16	3/9/16	4/6/16	5/4/16	6/8/16	7/6/16	8/3/16	9/7/16	10/5/16	11/9/16	12/7/16	1/4/17
PLANNING COMMISSION - Public Hearings, Rezoning Recommendations	2/16/16	3/21/16	4/18/16	5/16/16	6/20/16	7/18/16	8/15/16	9/19/16	10/17/16	11/21/16	12/19/16	1/17/17
CITY COUNCIL Action on Rezonings: Consideration of PC Recommendation and Public Hearing/Final Reading – Rezoning Ordinance	3/14/16	4/11/16	5/9/16	6/13/16	7/11/16	8/8/16	9/12/16	10/10/16	11/14/16	12/12/16	1/9/17	2/13/17

***Planning Staff will advise applicant as to the Committee Meetings schedule if applicable to the Application submission.

For Information Contact:

City of Dover Department of Planning & Inspections, City Hall, 15 Loockerman Plaza P.O. Box 475, Dover DE 19903
(302)736-7196 Phone (302)736-4217 Fax www.cityofdover.com Email: planning@cityofdover.com

City of Dover

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF December 9, 2015

PLANNING COMMISSION MEETING OF December 16, 2015

Plan Title:	The Grande, Building 4: Planned Neighborhood Design – Senior Citizen Housing Option
Plan Type:	Conditional Use Site Plan for PND
Property Location:	West of Saulsbury Road and on the north side of Forrest Avenue
Property Addresses:	101-405 Doveview Drive
Owner/Applicants:	Doveview Investors, LLC
Tax Parcel:	ED-05-076.07-01-30.00-000
Present Zoning:	RG-5 (General Residence for Mid Rise Apartments Zone) COZ-1 (Corridor Overlay Zone)
Site Area:	6.7326 ac. +/-
Present Use:	3 Apartment Buildings (Total 144 units)
Proposed Use:	Planned Neighborhood Design Senior Citizen Housing Option 4 Apartment Buildings (Total 192 units)
Building Areas:	Existing Building 1 62,144 S.F. Existing Building 2 61,992 S.F. Existing Building 3 62,240 S.F. Proposed Building 4 62,240 S.F. TOTAL 248,616 S.F.
Off Street Parking:	Required – 432 spaces Proposed – 250 spaces
Sewer & Water:	City of Dover
PND Considerations:	Alternative Design Standards for PND: Average Lot Area per Dwelling Unit Minimum Lot Area per Dwelling Unit Off-Street Parking Reduction

Building Spacing
Building Height
Number of Stories
Lot Coverage
Average Number of Dwelling Units Per Building

Waiver Requested: Elimination of Rear Emergency Access Requirement

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 9, 2015

APPLICATION: The Grande, Building 4: Planned Neighborhood Design – Senior Citizen Housing Option

FILE #: C-15-04 REVIEWING AGENCY: City of Dover Planning

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

PLAN SUMMARY:

This Conditional Use Site Plan Review is for The Grande, Building 4 to establish a Planned Neighborhood Design development of Senior Citizen Housing. The plan proposes construction of a four story 62,240 SF apartment building of 48 units (Building 4) and other associated site improvements at the existing apartment complex which consists of three apartment buildings known as The Grande. With this project, the complex will consist of a total of 192 apartment units of Senior Housing. The property is 6.7326 acres ± and is zoned RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection. The owner of record is Doveview Investors, LLC. Property Addresses: 101-405 Doveview Drive. Tax Parcel: ED05-076.07-01-30.00-000. Council District 1.

Previous Applications

The site was previously approved as a Planned Neighborhood Design: Senior Citizen Housing Option known as DoveView Senior Apartments (C-06-02) for four (4) buildings with 192 dwelling units.[1] The C-06-02 plan was reviewed by the Planning Commission on August 22, 2006 and Final Plan Approval was granted on October 23, 2007. Construction commenced on two of the proposed apartment buildings. Construction ceased on the site for more than a year and the Site Plan and Building Permits expired leaving two partially constructed buildings on the site.

The Planning Commission reviewed a rezoning request for the property from IO (Institutional and Office Zone) to RG-5 (General Residence for Mid Rise Apartment Zone) and subject to COZ-1 (Corridor Overlay Zone) on February 22, 2011 and City Council approved the rezoning request on April 11, 2011. (MI-11-01/Z-11-03)

In order to resume the construction of the apartment complex, a new application as Site Development Plan S-11-12 Doveview Apartments (Buildings 1-3) was submitted and

[1] The property was initially proposed as a Planned Neighborhood Design – Senior Citizen Housing Option project with Conditional Use Site Plan C-03-08 Fountainview Senior Housing Option in 2003-2004 but it expired prior to Final Plan approval. The project scope was revised and resubmitted as application C-06-02.

conditionally approved by the Planning Commission in August 2011. The project was proposed for development under the provisions for mid-rise apartments in the RG-5 zone. The project proposed completion of the two partially constructed apartment buildings and construction of a third 4-story building for a total of 144 apartment units. The project received with Final Plan approval in July 2012 and construction has been completed as proposed in Site Plan S-11-12.

CURRENT PROJECT

The current project proposes the development of a fourth apartment building at the complex known as The Grande. The plan is seeking approval as a Planned Neighborhood Design – Senior Citizen Housing Option. With this proposed 48 unit apartment building, the apartment complex will consists of a total of 192 units.

Review Process for Planned Neighborhood Design: Senior Citizen Housing Option:

The Planned Neighborhood Design for the Senior Citizen Housing Option (see *Zoning Ordinance*, Article 3, Section 24.1 (b)) involves a two or three-step review and approval process. In the first step, the developer meets with the City Council and presents a general sketch plan to determine whether or not the proposed project is of such a design and type that warrants further review by the Planning Commission.

On April 14, 2014, the City Council reviewed project and determined that further review was warranted (MI-14-06). The second step is a more detailed Conditional Use Site Plan review and public hearing process before the Planning Commission. (Note: A third review step with the Planning Commission may be required depending on the type, physical size, and complexity of the project application. This is not required for this project.) The current application C-15-04 to the Planning Commission represents the second step in the review process for The Grande: Building 4.

The PND: Senior Citizen Housing Option is permitted all zoning classifications (with the exception of the M, IPM and C-4 zoning classifications) as a conditional use. Article 3 §24.1b notes that "preference shall be given to those projects which are within close proximity to public transit services and which are situated within one-quarter (1/4) mile of a grocery store, pharmacy, restaurant, physician offices, senior center or similar convenience service establishment." The PND: Senior Citizen Housing Option is intended to "…encourage the development of high quality housing opportunities design to accommodate the particular needs of senior citizens" by allowing the Planned Neighborhood Design Option through the Conditional Use process. The PND must present a community design that is in accordance with the goals and policies of the Comprehensive Plan.

It is important to keep in mind that a PND proposal does not involve a rezoning of the land. The Planned Neighborhood Design – Senior Citizen Housing Option is plan specific. The land would remain zoned RG-5 (General Residence Zone for Mid-Rise Apartments). The PND option allows for a greater variety of housing types and allows for commercial uses while requiring open space. Also by the *Zoning Ordinance* provisions, in the PND-SCHO the units shall be deed restricted to require that the head of household for each housing unit be at least 55 years of age or older; a copy of document recorded 7/29/2015 restricts the property to older persons per the Fair Housing Act (on file in Planning Office).

Comprehensive Plan Recommendations

The City of Dover *2008 Comprehensive Plan as amended* recommends that this property be

utilized for Residential High Density development. As described in the *Comprehensive Plan*, High Density involves a development pattern of eight or more dwelling units (page 147-148). The proposed The Grande, Building 4: PND-SCHO project involves a site density of 28.5 dwelling units per acre.

The *Comprehensive Plan* also establishes stated goals for various types of land uses within the City limits. The stated goal for Residential Land Uses is "to develop and maintain an adequate supply of housing of varying type, size, and densities that are aesthetically pleasing and located within neighborhoods designed or redesigned to promote convenience, conservation, and access to the greater community, but which are properly buffered through distance and landscaping from incompatible land uses."

The *Comprehensive Plan* also acknowledges the fact that the residents aged 65+ is a rapidly growing segment of the population that will require more specialized services (page 23). This trend was also identified in previous Comprehensive Plans and in response, a previous Comprehensive Plan implementation strategy recommended the development of a Zoning Code amendment permitting Senior Citizen housing developments near the community services and transit routes that senior citizens depend upon. As a result, the Planned Neighborhood Design: Senior Citizen Housing Option Ordinance was developed and adopted by City Council on July 14, 1997. Multiple projects have utilized these provisions.

Plan of The Grande PND-SCHO Site

This project proposes to develop 6.7326 acres +/- with a series of four (4) apartment buildings for the senior citizen community. There are three (3) existing apartment buildings on the project site. This continuation of The Grande project proposes the construction of a fourth apartment building as the housing unit style. Overall, this complex would provide 192 dwelling units.

Site Layout:

The apartment buildings are arranged a quad of buildings facing a central open space where the stormwater management pond is located. Surrounding the outside perimeter of the building quad are the parking lot areas. A series of sidewalks and walking paths around the pond link the buildings of the site. There are recreation areas at the northeast and southwest corners of the building quad.

Project Density:

With the PND - Senior Citizen Housing Option the "project density shall be generally compatible with the development pattern and existing or potential zone densities of the surrounding area." The Plan for this project shows a site density of 28.5 dwelling units/acre. Article 3 §24.47 states that "the applicant shall demonstrate to the satisfaction of the planning commission that the project density proposed is compatible with the development pattern and density potential of the surrounding area." The project adjoins the Modern Maturity Center on the west, the site of the Dover Academy Charter School on the north, and commercial uses on the east and south with retail, pharmacy, and a bank. To the northwest of the site is the residential neighborhood of Bicentennial Village which primarily consists of single family detached dwellings.

Planning Staff notes the following in comparison with other senior housing developments within

the City: the Luther Towers complex on Kings Highway has a site density of 34.2 dwelling units/acre and Luther Village PND-SCHO (only Phases 1-3 constructed to date) is proposed to ultimately have a site density of 15.6 dwelling/units per acre.

Request for PND: Alternative Design Standards

The applicant is requesting adjustments to the required design standards of a Planned Neighborhood Design: Senior Citizen Housing Option. 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.

The following table presents the Design Standards of the *Zoning Ordinance* for a Planned Neighborhood Design in comparison to the applicant's request for Alternative Design Standards for The Grande. The Grande is being developed with the conventional housing type of apartments thus Article 3 §24.52i refers to the bulk standards given in Article 4 § 4.11. The Designs Standards where adjustments are requested are highlighted.

Housing Type	**Garden Style Apartments**	
	Required	***Requested***
Average Lot Area	1,800 S.F. per dwelling unit	*1527.4 S.F. per dwelling unit*
Minimum Lot Area	1,800 S.F. per dwelling unit 1 acre per building	*1527.4 S.F. per dwelling unit* *1.68 acre per building*
Lot Width	100' per building	*>100' per building*
Lot Depth	125' per building	*>125' per building*
Off-Street Parking	2	*1.25 per dwelling unit with parking for office based on square footage. See discussion of parking waiver request.*
Building Setback from Street	50 feet	*>50 feet*
Building Setback from Property Line Front Yard Setback Side Yard Setback Rear Yard Setback	50 feet	*>50 feet* *Apartment Building #4: >50 feet*
Building Spacing	50 feet	*<50 feet (Approximately 37 feet and 40 feet)*
Building Height Number of Stories	35 feet 2 stories	*Unknown number of feet* *4 stories*
Lot Coverage	60%	*72.5%**
Average Number of Dwelling Units Per Building	24	*Average = 48* *Each Building (as existing and the proposed building) consists of 48 units*

COZ-1: Corridor Overlay Zone

The subject site involved with this application is located within the COZ-1 (Corridor Overlay Zone). The Zoning Ordinance details the requirements of the COZ-1 in Article 3 §26 and its

subsections. The Corridor Overlay Zone as a planning and growth management tool is designed to foster and attractive, efficient, and economically vibrant urban corridor along Route 8/Forrest Avenue and Saulsbury/McKee Roads. To this end, more stringent standards are applied to development taking place in the corridor. A discussion of the provisions of the COZ-1 which apply to this application follows below.

The plan as presented is in compliance with the requirements listed below.

- The COZ-1 specifies a required front yard setback (40 ft. minimum and 60 ft. maximum) for residential properties in this segment of the corridor; however, the lot configuration (drive aisle entry right-of-way) dictates a building setback much greater. Building 4 is placed 60 feet from the southern property line of the main lot area.
- The building must sit parallel to the road with the longest side facing the road; the design achieves this concept. The long side of the building is parallel to Forrest Avenue.
- Related to the parking lot layout/arrangement, since the existing conditions place the parking lot location is closer to the street than the building the Planning Commission can consider acceptance of this arrangement if the project is of "superior urban design."
- A landscaped buffer (varying width) and sidewalk combines to meet the minimum total of 12 feet that is required between Building 4 and parking/drive aisles. *Ensure sidewalk is 6 feet in width.*
- Building exceeds with the allowable number of stories in the COZ-1; however, alternative bulk standards can be considered for the PND-SCHO project.
- The proposal meets the requirement that 25% of the lot consist of landscaped open space. As shown 27.5% of the lot is open space.
- Non-frontages (side and rear yards) are required to have landscaped open space of 15 feet when adjacent to residential uses and landscaped open space of 5 feet when adjacent to non-residential uses and to provide one tree per 75 (seventy-five) feet.
- The building shall have a corridor elevation with specific architectural features (See Building Architecture discussion).

<u>BUILDING ARCHITECTURE</u>

A series of photographs presenting the elevations of the existing apartment buildings were submitted noting that the proposed fourth building will replicate the same architecture. For these four story buildings, the exterior finish begins with a stone veneer watertable. The stone veneer is also located on the front faces of the stair towers/entry locations (3 locations per building elevation). The exterior finish for the remaining wall surfaces is vinyl siding. Balconies will be provided on floors 2-4 creating a covered patio area for the first floor unit. The pitched roof will have asphalt shingles. There are gable roof elements located along the roof line at the balcony locations. There are windows placed on all facades the building.

This building is subject to the Architectural Review requirements found in Article 3 §27.69 for properties located within the Corridor Overlay Zone with specific architectural elements for the corridor elevation of the building. As currently proposed, the corridor elevation (south elevation of this apartment building includes a windows on each floor which qualify as functioning windows and three sets of main entrance doors highlighted by a small pent roof over entry and stone detailing. The plan as submitted begins to comply with the second requirement of the corridor elevation (items a and c) by providing some tree plantings immediately adjacent to the front of the building to meet a landscaping element and also providing a variety of architectural

relief on the corridor façade (material changes, balconies, and appearance of multiple sections).

SITE CONSIDERATIONS

Delaware 8 Concept Plan and Operations Study

In 2007, the Dover/Kent County Metropolitan Planning Organization developed and approved the *Delaware 8 Concept Plan and Operations Study* to identify circulation improvements along the Route 8 corridor on the west side of Dover, from the railroad tracks to Artis Drive. The study identifies a number of north/south connector roads to relieve traffic conditions along the Route 8 corridor. The *Study* identifies the improvement of an interconnection between Dove View and Modern Maturity Center (pages v, 7-4).

Entrance

The Grande PND-SCHO site has two points of ingress and egress. The main entrance for the apartments is located off of Forrest Avenue and is known as Doveview Drive. This entrance is a shared entrance between the apartments, bank, pharmacy, and the vacant parcel of land to the west. The second entrance is located off of Saulsbury Road in the form of a drive aisle network providing cross access among several properties. Cross access to the Modern Maturity Center property to the west is shown as a wide walking path only.

PARKING SUMMARY

Request for PND Alternative Design Standards: Parking Reduction

For the housing type of apartments, the parking requirement is based on a rate of two parking spaces per dwelling unit with one (1) parking space per 200 SF of office space and 0.25 parking spaces per dwelling unit to serve as visitor spaces. Based on a total of 192 units, the project requires 432 parking spaces. The Grande PND-SCHO Plan shows 250 parking spaces for the entire complex with including handicapped parking spaces.

The applicant is seeking a reduction in the number of parking spaces and has proposed a rate of 1.25 parking spaces per dwelling unit. Parking for office area is proposed at one parking space. The submission explains a rational for the proposed parking rate based on current experience at the site related to the number of vehicles registered to residents and parking counts of actual usage.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on 250 parking spaces, thirteen (13) bicycle parking spaces would be required. The plan proposes the location of twenty-four (24) bicycle parking spaces. The locations of the bicycle racks are located throughout the site at the front entries of Buildings 1, 3, and 4 and within the Shuffleboard and Swing Set area (Open Space Area #1) adjacent to Building 2.

Sidewalks

Zoning Ordinance, Article 5 §18 requires sidewalks to be installed along the public street frontages of a property. The site has existing sidewalks along the street frontage of Forrest Avenue and along the main entrance drive of Doveview Avenue which leads to the complex from Forrest

Avenue. Sidewalk is existing or proposed around all four apartment buildings with connections into the site toward the walking path that surrounds the central stormwater management pond.

Dumpsters

Dumpsters for trash collection are required for the development of the site. Based on the number of apartment units, eight (8) dumpster pads are required. The plan proposes eight (8) dumpsters paired as two units in each enclosure throughout the site.

Lighting

Lighting is provided on the plan through a series of light poles in the perimeter of the parking lots.

Waiver Request: Elimination of Emergency Rear Access Requirement for Apartment Building

The *Zoning Ordinance* requires a 24 foot primary fire lane to provide emergency access to the rear of the four story apartment buildings (Article 5 §17.5(a)). The Ordinance provides for consideration of a waiver of the emergency access requirements; see Code citation as follows:

> **Article 5 Section 17. - Emergency access requirements.**
> (1) *General purpose.* The purpose of this section is to establish standards and requirements for the fire protection of structures and inhabitants by providing emergency vehicle access to structures that enable the City of Dover Bureau of Fire to approach and attack fires in such a way that there is a reduced threat to the lives and safety of citizens.
>
> (2) *Waiver.* Should the planning commission determine, after demonstration by an applicant, that alternative means of fire protection can be provided which are equivalent to or greater than the public safety protection provided by this ordinance, then the planning commission may recommend to [the] city council to waive certain provisions of this ordinance that are not required under other city or state laws.

The plan currently does not provide this rear fire lane; the applicant is requesting a waiver for the elimination of this requirement. The building has fire protection requirements under the Fire Codes including the following: required the building to be sprinklered (wet and dry fire protection systems), fire alarms in the building and fire lane coverage of the building. A written waiver request was submitted to the Planning Office for consideration by the Planning Commission. Planning Commission will make a recommendation to the Safety Advisory and Transportation Committee and City Council who has the final authority to grant the request for the elimination of the emergency rear access for the apartments.

RECREATION/ OPEN SPACE:

As part of the Plan review process, the applicant prepared a Recreation Plan to illustrate how The Grande: Building 4 development will provide recreation amenities. The Landscape and Recreation Plan (sheet L-100) illustrates how the building will provide recreation amenities to comply with the design specifications described in Article 5 §10 of the *Zoning Ordinance*. See Active Recreation Area Plan Report.

Due to the property size and unit density, this project qualifies for active recreation area exemption for small developments under *Zoning Ordinance*, Article 5 §10.514. The Active Recreation Area for this project is required at a rate of 150 square feet per dwelling unit or 10,000 SF whichever is greater. Based on a total of 192 dwelling units, 28,800 SF of active recreation area is required. The

Plan indicates that 21,925 S.F. of land would be reserved as Active Recreation Area. **This leaves a deficiency of 6,875 SF of active recreation area for The Grande PND-SCHO project; the applicant is considering the cash-in-lieu payment option to satisfy this deficiency.**

The Active Recreation Areas are in central locations on the site. There are three areas of activity: 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 Project Narrative with the plan submission also notes that each resident's lease includes payment of the annual membership fee to the adjacent Modern Maturity Center.

At their meeting of December 14, 2015 the Parks, Recreation and Community Enhancement Committee will consider the Active Recreation Plan for The Grande project (part of C-15-04). The Planning Commission must act upon the Active Recreation Plan as part of any motion regarding this project, or as a separate motion if necessary.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan includes the Landscaping details. Based on the 293,272 S.F. property, a total of 98 trees are required. The plan recognizes the planting of 95 existing trees with two (2) existing trees to be relocated and three (3) new tree plantings proposed to meet the requirement. The proposed new trees will be near Building 4. The existing trees are a mixture including deciduous and ornamental trees; the existing planting locations are shown on the concept plan (but not the tree varieties). All proposed tree planting locations should avoid conflicts with existing and proposed utility lines and paved areas.

COZ-1 Landscaping Requirements

The COZ-1 (Corridor Overlay Zone –1) requires that a minimum of 25% of the site be landscaped open space. For this site approximately 27.5% is open space. Article 3 §27.53 C requires a landscaped buffer area of twelve (12) feet in width between the building and the parking lot or drive areas inclusive of a minimum six (6) foot wide sidewalk. The COZ-1 also includes the specific tree planting requirements along property lines of one tree per 75 feet on the non-frontage perimeters.

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 Planning Commission must determine the appropriateness of the proposed density for the PND-SCHO project site as part of their review process. **The burden is upon the applicant to demonstrate to the satisfaction of the Planning Commission through the Conditional Use process that the project density proposed will be compatible.**

2) The project must comply with the bulk standards for apartments in the PND unless waivers Alternative Design Standards for the PND-SCHO are granted by the Planning Commission

for the following (see written request in Project Narratives from the applicant):

a. Average Lot Area per Dwelling Unit
b. Minimum Lot Area per Dwelling Unit
c. Off-Street Parking Reduction
d. Building Spacing
e. Building Height
f. Number of Stories
g. Lot Coverage
h. Average Number of Dwelling Units Per Building

3) The project must comply with the requirements for the emergency rear access provisions for the apartment units unless a waiver is granted. Significant redesign of the development project will be required if this waiver is not granted. A written waiver request was submitted for the elimination of the emergency rear access for consideration by the Planning Commission.

4) The project must comply with the requirements for the parking requirements unless a waiver is granted. A written waiver request was submitted for the reduction in parking for consideration by the Planning Commission.

5) The proposed plan presents a series of existing areas of amenities constructed with the three existing Apartment Buildings as the Active Recreation Area for this project overall. **With the addition of Building 4, the plan is required to provide 28,800 SF of Active Recreation Area and it is currently shown as proposing 21,925 SF of Active Recreation Area. The project is deficit 6,875 S.F. of Active Recreation Area**.
   a. **The deficiency of Active Recreation Area must be satisfied**. There are multiple options to achieve this including, but not limited to, a reduction in the project unit count and/or size of the proposed building to increase outdoor open space availability, the addition of interior recreation space, or a cash-in-lieu donation for the recreation area.

6) The Final Plan set must include notes indicating the action taken by the Planning Commission in regards to any PND Alternative Design Standards, waivers and listing any additional conditions of approval. The plan set is be revised to reflect all changes recommended by the Planning Commission.

7) Cover Sheet F-100:
   a. Update contact number for Public Works Office.
   b. Site Data Column:
      i) Clarify proposed building size versus building footprint area under Proposed Use and Building Area listings.
      ii) List building height in feet.

8) A number of the handicapped accessible parking spaces do not following the appropriate format for striping in order to provide the access aisle adjacent to the parking space.
   a. Identify accessible parking space locations for Building 4 that do not involve crossing of the drive aisle to reach the building.
   b. Add marked crosswalk on the east side of Doveview Drive at the intersection with

the parking lot drive aisle loop.

9) Landscape Plan:
   a. The plan must present the information and certifications as required in *Zoning Ordinance*, Article 5 §16.81 specific to this site.
   b. Existing trees to be retained/preserved must be identified by species.
   c. Additional landscaping is required between Building 4 and the sidewalk (on the south elevation) to satisfy the corridor elevation requirements of the COZ-1.
   d. Ensure the southeast property line area (adjacent to bank) complies with the COZ-1 tree planting requirement of one tree per 75 feet.

10) Recreation Area Plan:
   a. Updates to the plan set as identified in the Summary Report of the Active Recreation Area Plan component (Report for 12/14/2015 PRCE Meeting) and as per recommendations of the Planning Commission.

11) Provide construction details sheet for items including the following items but not limited to: barrier free sidewalk, curbing, paving section, bicycle racks, lighting fixtures, etc.
   a. Sidewalk is required to be six (6) feet in width per the COZ-1 requirements.

12) Ensure barrier free access ramps are installed at all intersections of sidewalks with the roadways and parking areas.
   a. Confirm accessibility of walking path connection to the Modern Maturity Center.
   b. Add designated marked crosswalk to this path connection from the apartment complex's internal sidewalk network.

13) Ensure plan set reflects paving striping/markings for traffic control measures such as stop signs, stop bars, crosswalks, fire lane markings, etc.

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

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

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

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

1) Staff Recommendations on Waiver Requests:
   a) <u>Alternative Design Standards for PND-SCHO:</u> Staff recommends approval the series of

Alternative Design Standards for the PND: SCHO pertaining to the lot area; building elements of spacing, height, stories, and unit count; and lot coverage. These Alternative Design Standards will allow for expansion of an existing apartment complex in an urban setting where existing infrastructure already exists and adjacent properties are commercial in function. It also places Senior Citizen Housing in a location within proximity to service needs. The Lot Coverage Alternative as proposed at 72.5% continues to comply with the COZ-1 limitations.

b) Reduction in Parking: Staff recommends approval of the reduction in number of parking spaces to a minimum rate of 1.25 parking spaces per dwelling unit with additional parking spaces provided to accommodate any office space or meeting rooms in the building. The applicant has shown the current vehicle registration levels and parking usage to be compatible with such parking rate based on occupancy as Senior Citizen Housing. Staff encourages the project development to ensure access to other modes of transportation i.e. transit, bicycle, and pedestrian are available to the residents via sidewalk and multi-modal path systems.

2) Recommendations on Waivers Requested:
   a) Emergency Rear Access Requirement – Staff recommends approval of the Waiver Request to eliminate the 24 foot rear fire lane requirement. The existing and the proposed Building #4 are (or proposed to be) sprinklered and include fire alarm systems. The Fire Marshal's Office has provided comments regarding compliance with fire protection regulations. Staff recommends approval of this waiver request finding that the building will be sprinklered and will include the other required fire lane coverage per NFPA and State Fire Prevention Regulations.

3) Staff notes the recommendations of the *Delaware 8 Concept Plan and Operations Study* and the COZ-1 (Corridor Overlay Zone) provisions of Article 3 § 27.64 (d) Cross access which recommend interconnections/cross access between properties to provide linkages as an alternative to re-entering the Route 8 (Forrest Avenue) corridor.
   a) Currently, only a pedestrian (and golf cart) path exists from the DoveView apartment complex to the Modern Maturity Center. There is an existing cross access easement of 20 feet in width at this location.
   b) The *Study* and provisions recommend design of a connection between the DoveView and Modern Maturity Center properties to also accommodate vehicular access. The applicant and the adjacent property owner oppose such access due to pedestrian safety and cut-thru traffic concerns.
   c) In 2011 related to consideration of the rezoning of the DoveView property to RG-5, the Planning Commission voted to remove a requirement for a vehicular cross access between the Modern Maturity Center and the DoveView site (PC Meeting of 7/21/2011: Vote 7-1) but retained the requirement to provide a cross access between the sites for golf carts and pedestrians.

4) Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent property owners and adjacent buildings, adequately screened from public view and the overall visible impact. Consideration must also be given to equipment placement in proximity to public facades of the buildings.

ADVISORY COMMENTS TO THE APPLICANT:

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

2) The Planning Commission should provide recommendations to City Council in regards to the elimination of the rear emergency rear access. The City Council and associated Committee meeting will be scheduled to review this request.

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

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

5) 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 insure that the common open space land shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.

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

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

9) For building new construction, the requirements of the building code and the fire code must be complied with. Consult with the Chief Building Inspector and City of Dover Fire Marshal for these requirements. The resolution of these items may impact the site design

including such items as building dimensions and height, building openings, and fire protection needs, etc.

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

11) Construction will have an effect on the adjacent buildings on the site and site access. Any work requiring the closing or rerouting of residents or visitors to the adjacent buildings, and site access shall be coordinated as to offer the least amount of inconvenience.

12) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign may require a Sign Permit from the City of Dover prior to placement of any such sign in accordance with Zoning Ordinance Article 5 §4.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: DECEMBER 2, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **THE GRANDE, BUILDING 4 : PLANNED NEIGHBORHOOD DESIGN – SENIOR CITIZEN HOUSEING OPTION**

FILE #: **C-15-04**

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

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

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

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: http://www.cityofdover.com/Public-Documents-4017/.
2. The roadway and curbing must be in.
3. The right-of-way must be within 6" of final grade.
4. The property corners must be staked.
5. Owner is responsible for locating all water, sewer, and storm sewer lines.
6. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
7. Owner is responsible for site and/or street lighting.
8. Meter locations will be determined by City of Dover Engineering Department.
9. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
10. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
11. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
12. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
13. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
14. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.

15. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER

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

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
    a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
    b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as

"…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.

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

STORMWATER

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

STREETS

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

SANITATION / GROUNDS

1. None

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

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

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Owner/Electrical Contractor (E.C.) to fill out **Electrical Load** Sheet & return to Electric Department. Owner may be responsible for additional fees associated with upgrade of existing transformer. Existing 300 kVA 208Y/120 volt transformer No. 1178/1T811 may need to be replaced based on requested load requirements.

2. E.C. to extend customer-owned secondary conductors & connect in transformer 1T811 (new upgraded transformer) if necessary.

3. E.C. to install customer-owned secondary conductors from transformers 1T808 & 1T811 to meter assembly on Building No. 4. All "House" meter sockets must contain **lever-operated by-pass**.

4. Any relocation of existing utility required will be at the owner's expense.

WATER

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

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, the sanitary sewer system plans must be submitted to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater Impact Fees will be required for this project.

STORMWATER / GROUNDS / STREETS

1. None.

SANITATION

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

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

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

C-15-04

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: **December 9, 2015**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **The Grande, Building 4: Planned Neighborhood Design-Senior Citizen Housing Option**

FILE #: **C-15-04** REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Matthew Brown, Deputy Fire Marshal** PHONE #: **(302) 736-4457**

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposed building is a 4 story Apartment building. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Fire lanes can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover 35% of the proposed building.

2. Emergency access to rear building areas compliant with City of Dover Code (Article 5-Supplementary Regulations, Section 17); all four stories and greater buildings require 24ft fire lane at the rear. All two to three story apartment structures require an 18ft Secondary Fire Lane at the rear. All townhouses (3-8 units) with no fire protection require a 16ft alley at the rear.

3. The closest edge of fire lanes shall not be located further than 50ft from the exterior wall if one or two stories in height; 40ft if three or four stories in height; or 30ft if over four stories in height.

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

5. Speed Reduction devices or any other like device used to reduce vehicle speed are prohibited per City of Dover Code of Ordinances.

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

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

8. Perimeter access will be 75% and clearly shown on the plans. Perimeter Access minimum width shall be 15ft measured from the face of the building at grade with a maximum slope of 10%. Plantings and utility services shall be permitted within the perimeter access and shall not interfere with emergency services fire ground operations.

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

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

11. Full building and fire plan review is required.

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

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

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

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

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

17. Fire Alarm System required per occupancy code requirements.

18. Knox Box required on all buildings.

19. Standpipes required.

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

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

22. Project to be completed per approved Site Plan.

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

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. **Impact protection required for Natural Gas Meters. Protection on existing buildings does not meet current City of Dover code.**

2. Provide updated plans showing 35% Fire Lane coverage

3. Provide updated plans showing 75% Perimeter access. The 35% used for Fire Lane coverage can be used towards the perimeter access, leaving an additional 40% required.

4. Please provide waiver in regards to the Rear Emergency Access as defined by the City of Dover code. This office received no objection from the Dover Fire Department in regards to the waiver. Therefore, this office will consider a waiver when officially received.

5. Plans shall provide compliance as specified in the "City and State Code requirements" section of this document. Provide verbiage or show compliance for each specified area that applies.

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: December 2, 2015

D E L D O T

==========

APPLICATION: The Grande, Building 4: Planned Neighborhood Design
Senior Citizen Housing Option

FILE#: C-15-04 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Waylon Sprowl PHONE#: 760-2262

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

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

CITY & STATE CODE REQUIREMENTS:

- In accordance with Section 3.4 of the Development Coordination Manual, a record plan shall be prepared prior to issuing "Letter of No Objection". The following information will be required for the "Letter of No Objection" review:

  Copy Initial Stage Fee Calculation Form
  Copy Initial Stage Review Fee
  Gate-Keeping Checklist – Site Plan
  Record Plan Review Design Checklist
  Auxiliary Lane
  Sight Distance Spreadsheet
  Site/Record Plan
  Conceptual Entrance Plan
  Submission of the Area-Wide Study Fee (If applicable)

- Referring to Section 3.4.1 of the Development Coordination Manual, if the proposed development would generate more than 200 vehicle trips per day, a Pre-Submittal Meeting is required before plans are submitted for review. The form needed to request this meeting is available http://www.deldot.gov/information/business/subdivisions/Meeting_Request_Form.pdf.

- Referring to Section 3.4.2 of the Development Coordination Manual, the Initial Stage review fee shall be assessed to this project.

- If roadway improvements are warranted, then referring to Section 4.3 of the Development Coordination Manual, the Construction Stage review fee shall be assessed to this project.

- Again, if roadway improvements are warranted, then referring to Section 4.3 of the Development Coordination Manual, an entrance plan shall be prepared prior to issuing entrance approval. The following information will be required for Entrance Plan review:

  Copy of the Construction Stage Fee Calculation Form
  Copy of the Construction Review Fee
  Gate-Keeping Checklist – Entrance Plan
  Entrance Plan Review Checklist
  Entrance Design Checklist
  Application for Commercial Entrance Permit
  Pipe/Angle Spreadsheet (if applicable)
  Entrance Photo
  Entrance Plan
  SWM Report, Calculations and DA Maps
  Sediment & Stormwater Management Project Design & Review Checklist

ADVISORY COMMENTS TO THE APPLICANT:

- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is available at http://www.deldot.gov/information/business/subdivisions/.
- A Traffic Impact Study (TIS) will be required for this project if the proposed development exceeds 50 VPH (Vehicle per Hour) or 500 VPD (Vehicle per Day). When the study is completed, DelDOT will review it and send the recommendations of the improvements to the City. The improvements contained in the study will be implemented by the developer per DelDOT's discretion. To set up a scoping meeting for this project, please contact Mr. Troy Brestel at (302) 760-2167 or via e-mail at Troy.Brestel@state.de.us.
- Please check to determine whether any utilities will need to be relocated as part of this project
- Please Note- Future comments will be added when the above referenced project goes through official plan review.

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
December 2015

APPLICATION: The Grande Building 4

FILE #: C-15-04

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. The Kent Conservation District has no objection to the conditional use approval of the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

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

2. The DAC plans submitted provide an existing and proposed impervious cover in percentage. The impervious coverage provided could not be verified. Upon project closeout, the impervious is listed at 64.5%. The DAC submittal has the existing impervious as 74.0%.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 2, 2015

Dover/Kent County Metropolitan Planning Organization

APPLICATION: The Grande, Building 4: Planned Neighborhood Design-Senior Housing Option

FILE #: C-15-04 REVIEWING AGENCY: Dover/Kent County MPO

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

The MPO requested the opportunity to bring the recommendations on issues of our concern to the City of Dover. 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 12/16/2015
Project Review
C-15-04 The Grande Building 4

The proposal for the overall project site was previously reviewed. The elements the MPO cited have been addressed before the Planning Commission. This new building removes a substantial amount of parking. Those previous reviews were based on the revised model that the units would be considered market rate, open to any tenant. The use for The Grande has reverted to a 55+ apartment community. The plans for the use originally intended use (approved in 2006) offered reduced parking requirements, allowed increased density and included a requirement for a driveway between The Grande (as it's previous incarnation as Doveview). This interconnection was suggested by the Route 8 Concept Plan as approved by the MPO Council in March 2008 and presented to the City of Dover Planning Commission in March 2009. Among the recommendations of the report were changes in how local traffic might access properties in their vicinity:

> **Interconnections between properties along Route 8 -** The longer-term improvement option that should be explored would be a continuous service road connection between Mifflin Road all the way through to Independence Boulevard. This would allow local trips to use this service road to access businesses without the need to use Route 8. As redevelopment occurs the following connections should be made:
>
> - A 2-way connection between McDonald's and the signal to Kenton Road.

- An interconnecting street from Independence Boulevard to Mifflin Road. The street would be a City street and designed to city street standards.
- An interconnection between Independence Blvd and Bennington Street.
- An interconnection between Dove View and Modern Maturity Center
- Interconnection between Heatherfield Way and Stoney Drive; and Heatherfield and Cranberry Run

This Recommendation of the Plan, endorsed by the MPO, should be considered by the Planning Commission as a requirement with approval of the fourth building which is only allowed under the conditional use Planned Neighborhood Design-Senior Citizen Housing Option. Traffic controls to dissuade 'cut-through' drivers may be required on or adjacent to the site.

The location of the apartments is currently served by transit. There are three stops that serve the complex, only one, however, offers access on the adjoining major roads without crossing them. The bus stop on Saulsbury Road at the driveway directly east of the buildings and across from Carver Rd has a stop immediately south of the intersection. The other two stops are on the other side of the arterials. The primary bus stop for residents, therefore is the previously mention Saulsbury Road stop. Residents have no safe means of accessing the stop because there is no sidewalk along the east driveway. The Planning Commission should consider a sidewalk and related crosswalk in the parking lot as essential for transit riding residents. When the building is complete, a crosswalk on Doveview Drive connecting the east side of the Division Street entrance to the new sidewalk should be provided.

Please contact Tremica Cherry of DTC Planning to develop other proposals. She can be reached at Tremica.Cherry@state.de.us or at (302) 739-3278, the main line for DTC Dover.
Please contact me if there are any questions at james.galvin@doverkentmpo.org or 302.387.6028.

Northpoint Engineering
Civil Engineering ~ Land Planning ~ Landscape Architecture

The Grande
Project Narrative / Waiver Request
December 9, 2015

Average Lot Area and Minimum Lot Area

We hereby request an alternative to Article 3 Section 24 – Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, requiring that the Average Lot Area = 1,800 s.f. per dwelling unit and the Minimum Lot Area = 1,800 s.f. per dwelling unit be reduced to 1,527.4 s.f. per dwelling unit. The proposed Building #4 will replicate the existing Building #3 on the site with an additional 48 age-restricted dwelling units in the building.

Building Spacing

We hereby request an alternative to Article 3 Section 24 – Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, requiring that the Building Spacing = 50 feet be reduced to approximately 37 feet between proposed Building #4 and existing Buildings #1 and #3.

Lot Coverage

We hereby request an alternative to Article 3 Section 24 – Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, requiring that the Lot Coverage = 60% be increased to allow the Lot Coverage to be 72.5% after the construction of Building #4.

The Grande
Project Narrative / Waiver Request
November 6, 2015

The original approved Site Plans for Doveview were prepared by Larson Engineering, Inc. in 2006. The Larson Plans were approved with 4 buildings utilizing the Senior Housing Option in place at that time, which required that the head of household must be at least 55 years of age.

Those plans were superseded by the Becker Morgan Group and then Northpoint Engineering plans renamed The Grande. The plans proposed 3 buildings and were compliant with the current City of Dover Code at the time for apartments. There was no age restriction put on the site due to uncertainty in the housing market at the time. The Final Site Plan application for The Grande (S-11-12) was approved by the City of Dover Planning Commission on August 15, 2011. The site was constructed to those approved plans with 3 buildings compliant with the apartment regulations.

The apartments are fully leased with a waiting list. A Declaration of Restrictions was recorded on July 29, 2015 to restrict the age of the residents of the units. The Declaration of Restrictions is revocable as it stands.

Once construction was completed, the Site was finalized. Therefore any changes to the site – such as adding a 4th building – will require a new complete application and will follow the procedure for new plans in the City of Dover.

A Conceptual Sketch Plan - Application MI-14-06 The Grande Planned Neighborhood Design – Senior Citizen Housing Option was submitted in 2014.

Dwelling Units / Building and Building Height

The three (3) existing buildings on the site are 4-story with 48 dwelling units / building. The buildings each have 3 elevators per building, with each elevator serving 4 dwelling units per floor.

We hereby request an alternatives to Article 3 Section 24 – Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, requiring that the Maximum Building Height = 2 stories, and Maximum Dwelling Units per Building = 24. We propose to construct a 4th building on the site, 4 stories in height with 48 dwelling units, to be similar to existing Building #3 on the site, with 3 elevators in the building to serve 4 units per floor.

Parking

Parking for the Approved Plans in effect at this time require 2.25 spaces / dwelling unit (144 DU's) = 325 spaces. There are currently 325 spaces provided on the site.

We hereby request an alternatives to Article 3 Section 24 - Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, to provide 1.25 spaces / dwelling unit (192 DU's) = 240 spaces. Our plan proposes 250 spaces on the site.

The apartments are fully leased and 131 vehicles are registered to those residents at this time. Parking counts were conducted from October 31 thru November 2 and the results are as shown below.

Saturday - October 31, 2015 at 7:00 AM = 128 vehicles
Saturday - October 31, 2015 at 7:00 PM = 115 vehicles
Sunday - November 1, 2015 at 7:00 AM = 111 vehicles
Sunday - November 1, 2015 at 7:00 PM = 133 vehicles
Monday – November 2, 2015 at 7:00 AM = 129 vehicles
Monday - November 2, 2015 at 11:00 AM = 121 vehicles
Monday - November 2, 2015 at 7:00 PM = 121 vehicles

Our plan proposes one additional building with 48 DU's and will provide 250 parking spaces on the site.

Active Recreation Area

The current plans are already utilizing an exception to the Article 5 Section 10 – Open space and other public facilities, which requires 275 SF / dwelling unit (144 DU's) = 39,600 SF active recreation area. The current plans require 150 SF / dwelling unit (144 DU's) = 21,600 SF active recreation area. The actual active recreation area on the site is 21,975 SF.

This plan proposes an additional 48 age-restricted dwelling units on the site. According to the calculations - 150 SF / dwelling unit (192 DU's) = 28,800 SF, these plans require an additional 6,825 SF of active recreation area. With the proposed 4th building on the site, there is no area available to provide this additional area.

In addition, as part of the each resident's lease, the annual membership fee for the adjoining Modern Maturity Center is paid yearly.

Waiver Request

We are hereby requesting a waiver of the requirements of Article 5 Section 17 – Emergency access requirements, which requires a 24' wide primary fire lane at the rear of the building.

Attached is Sheet 1 of 4 of the Approved Fire Pump and Site Underground Plans as approved by the City of Dover Fire Marshal in 2008. The plans were approved for 4 buildings on the site. The site was constructed in accordance with the approved plans, with the exception of Building 4, which was not built.

The existing buildings on site each have a wet fire protection system for floors 1, 2, 3, an4, and a dry system for the attic floor. The buildings are fully sprinklered. Smoke detectors are hard-wired and located in the kitchen, bathroom and hallways of each unit and in each elevator, per the National Electric Code. Each init and hallway also has horns and strobes for Fire Protection. There are 3 accesses to each building in the front and 3 in the rear. The fire protection system is fed by public water – City of Dover – and a Fire Pump located on site.

Building #4 will be constructed in accordance with the approved plans and will have the same fire protection system as is currently installed in Buildings 1, 2, and 3.

DATA SHEET FOR RECREATION PLAN REVIEW
PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF December 14, 2015
Planning Commission Meeting of December 16, 2015

Plan Title:	The Grande, Building 4 (C-15-04) Planned Neighborhood Design – Senior Citizen Housing Option
Plan Type:	Conditional Use Site Plan for Planned Neighborhood Design Active Recreation Area Plan
Property Location:	West of Saulsbury Road and on the north side of Forrest Avenue
Property Addresses:	101-405 Doveview Drive
Tax Parcel Number:	ED-05-076.07-01-30.00-000
Owner:	Doveview Investors, LLC
Site Area:	6.7326 Acres +/-
Proposed Use:	Planned Neighborhood Design Senior Citizen Housing Option 4 Apartment Buildings (Total 192 units)
Zoning:	RG-5 (General Residence for Mid-Rise Apartments Zone) COZ-1 (Corridor Overlay Zone)

Project Summary:
The project for The Grande, Building 4 will be reviewed as a Conditional Use Site Plan to establish a Planned Neighborhood Design development of Senior Citizen Housing. The plan proposes construction of a four story 62,240 SF apartment building consisting of 48 units (Building 4) and other associated site improvements to join the existing apartment complex which consists of three apartment buildings now known as The Grande (previously developed under Site Plan S-11-12 Dove View).[1] With this project for a fourth building, the complex will consist of a total of 192 apartment units of Senior Citizen Housing.

[1] The property was initially proposed as a Planned Neighborhood Design – Senior Citizen Housing Option project with Conditional Use Site Plan C-03-08 Fountainview Senior Housing Option and then again with Conditional Use Site Plan C-06-02 DoveView Senior Apartments. Two apartment buildings were partially constructed as a part of Plan C-06-02 before it expired. The project resumed construction of Buildings 1 and 2 and completed Building 3 under Site Plan S-11-12 DoveView as an apartment complex. Each of these previous plans had Active Recreation Area Plans. For C-06-02, the plan consisted of proposed amenities and a cash-in-lieu payment. For S-11-12, a series of amenities were constructed.

Active Recreation Area Plan Summary:

As part of the Plan review process for this project, the applicant prepared a Conceptual Recreation Plan which illustrates how The Grande: Building 4 development will 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.

This 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 Active Recreation Area proposal for The Grande PND-SCHO project is depicted in the plan submission of Sheet L-100 Landscape and Recreation Plan and in a Project Narrative. Due to the property size and unit density, this project qualifies for active recreation area exemption for small developments under *Zoning Ordinance,* Article 5 §10.514. The Active Recreation Area for this project is required at a rate of 150 square feet per dwelling unit or 10,000 SF whichever is greater. Based on a total of 192 dwelling units, 28,800 SF of active recreation area is required. The Plan indicates that 21,925 S.F. of land would be reserved as Active Recreation Area. **This leaves a deficiency of 6,875 SF of active recreation area for The Grande PND-SCHO project.**

The Active Recreation Areas are in central locations on the site. There are three areas of activity: 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 Project Narrative with the plan submission also notes that each resident's lease includes payment of the annual membership fee to the adjacent Modern Maturity Center.

The following table provides information from the submitted Plan (dated 11/6/2015) for the Active Recreation Area as proposed including the existing amenities:

	Required	***Provided on Plan***
Common Open Space in PND – Senior Option (Article §24.61b)	Useable open space following the area requirement of Active Recreation Area	Existing walking paths, horseshoe pits, shuffleboard, swing set, benches, picnic tables Annual membership to the Modern Maturity Center
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: 21,925 SF ***Deficient: 6,875 SF***	Shuffleboard, swing set, gazebo, and picnic tables area = 6,329 SF Walking Area with Benches and picnic tables = estimated at 10,433 SF Horseshoe pits with picnic tables = 5,163 SF
Active Recreation Amenities (Article 5 §10.15)	Accessible	Located through the development and accessible via existing sidewalk system.
Active Recreation Amenities (Article 5 §10.15)	Age Oriented to development	The walking area with benches and picnic; the horseshoe pits with picnic tables; and shuffleboard court with swing set and picnic tables would serve all ages.
	Parking	The particulars of the proposed active recreation do not have associated parking needs. There are on-site parking areas for the apartment complex.
	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.
	Landscaping	The project shows tree planting around the site and within the various recreation areas.

Staff Recommendations:

The following are comments and recommendations from Staff of the Planning Office following review of the Active Recreation Area Plan.

1. The proposed plan presents a series of existing areas of amenities constructed with the three existing Apartment Buildings as the Active Recreation Area for this project overall. **With the addition of Building 4, the plan is required to provide 28,800 SF of Active Recreation Area and it is currently shown as proposing 21,925 SF of Active Recreation Area. The project is deficit 6,875 S.F. of Active Recreation Area**.
    a. **The deficiency of Active Recreation Area must be satisfied**. There are multiple options to achieve this including, but not limited to, a reduction in the project unit count and/or size of the proposed building to increase outdoor open space availability, the addition of interior recreation space, or a cash-in-lieu donation for the recreation area.

2. Staff recommends approval of the existing walking path, benches, picnic tables, horseshoe pits, shuffleboard court, gazebo, and swing set. The specific areas around each of these amenities have been delineated on the plan and can be accepted towards meeting a portion of the Active Recreation Area requirement.

3. Submit documentation of the agreement, details, recreation amenities, regulations, etc. of the annual membership at the Modern Maturity Center. Insufficient information has been provided for consideration of this activity as counting towards satisfying the Active Recreation Area requirement.
    a. If this activity is accepted as part of the Active Recreation Area, there must be an accessible route for pedestrians and/or vehicles 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.

4. Per *Zoning Ordinance*, Article 5 §10.514 if construction of portion of the required active recreation area is not practical, the commission shall require a cash-in-lieu donation for the active recreation area determined as not practical. The amount of the cash-in-lieu is based on information from an appraisal prepared for construction financing. This method of cash-in-lieu payment is one potential option to satisfy the 6,875 S.F. deficiency of the Active Recreation Area.

5. The following items should be included on the Plan to clarify the Recreation Area improvements:
    a. Provide size of Existing Active Open Space Area #2 (Walking Path area).
    b. Provide a summary list of the proposed features on the Active Recreation Plan (i.e. the number of benches, picnic tables, etc.).
    c. Provide a listing and area tally of the three Active Recreation Areas and other items approved to satisfy the Active Recreation Area requirement.
    d. Identify the protective ground covering material under the swing set.
    e. The Landscape Plan must include the necessary design professional certification per the *Zoning Ordinance.*

6. Ensure existing amenities are in good repair and working order and complete any necessary maintenance to allow for continual safe use by the residents.

7. 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.

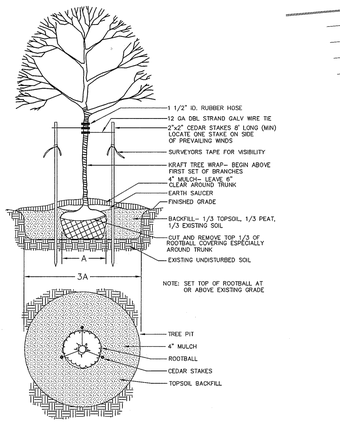
8. There shall be provisions which ensure that the common open space land (including the active recreation areas) shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land or provide for and establish one (1) or more organizations for the ownership and maintenance of all common open space i.e. a Homeowners Association. The organization shall be responsible for maintenance, insurance and taxes on the common open space.

9. 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 impacting Active Recreation Areas. 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.

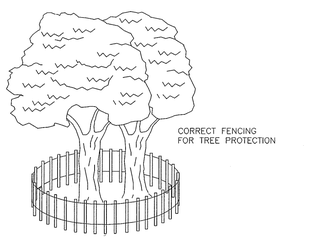
The Parks, Recreation, and Community Enhancement Committee shall submit to the Planning Commission a report detailing the recommendations as to the Recreation Area Plan.

Attachments:

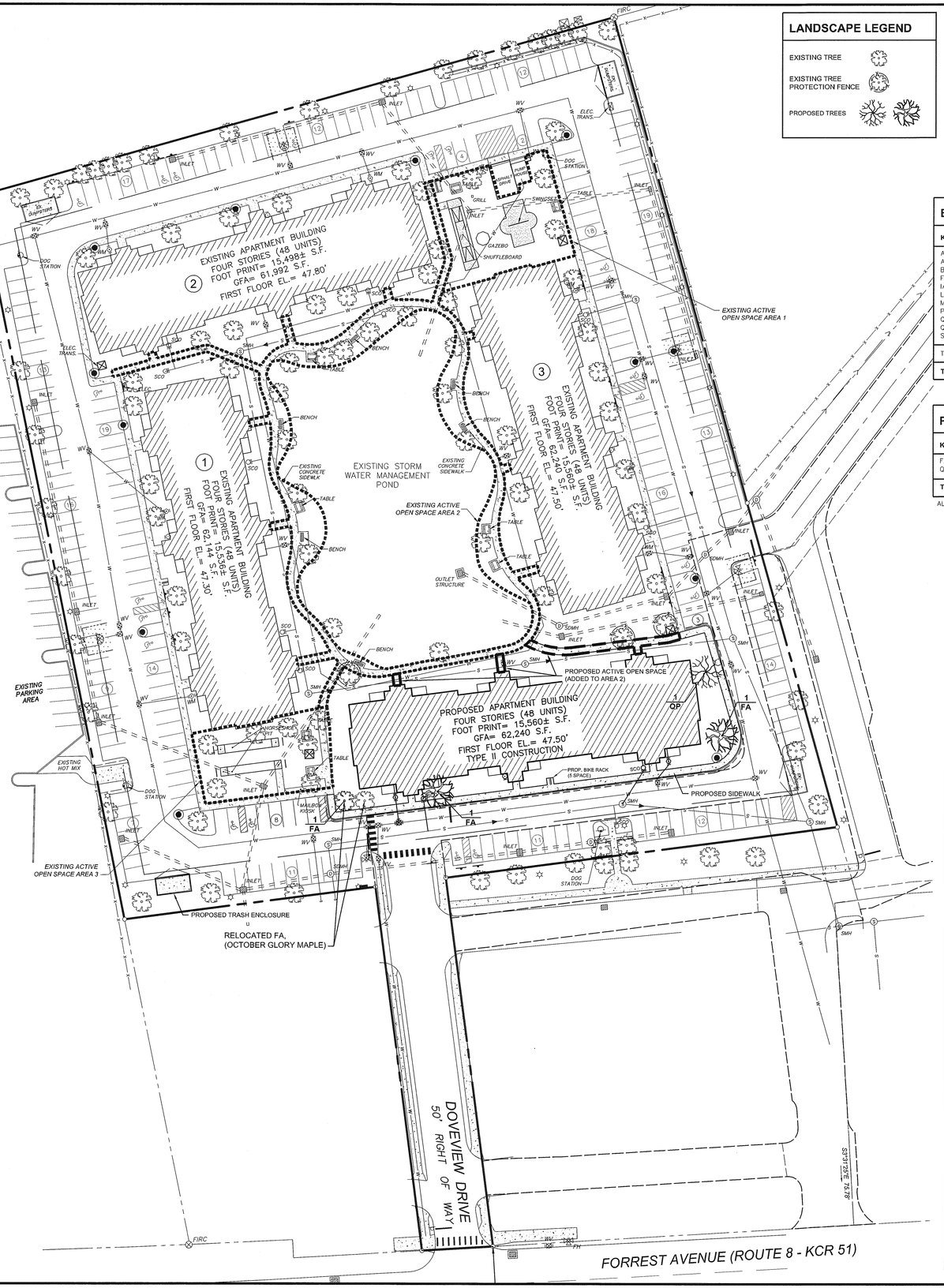
- Active Recreation Plan as Sheet L-100 Landscape and Recreation Plan dated 11/6/2015
- Project Narrative for The Grande dated 11/6/2015



B L-100 DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



C L-100 TREE SAFETY FENCE DETAIL
NOT TO SCALE



LANDSCAPE LEGEND

- EXISTING TREE
- EXISTING TREE PROTECTION FENCE
- PROPOSED TREES

OPEN SPACE REQUIREMENTS:

1. PASSIVE OPEN SPACE REQUIREMENT: REQUIRED: 25% OF TOTAL LOT AREA (293,272 S.F. x .25 = 73,318 S.F.) EXISTING: 97,731 S.F. PROVIDED: 100,444 S.F.± (EXCLUDES PARKING ISLANDS)
2. ACTIVE OPEN SPACE REQUIREMENT: REQUIRED: 150 S.F. PER DWELLING UNIT (192 D.U. x 150 S.F./D.U. = 28,800 S.F.) EXISTING: 21,925 S.F.

TREE DENSITY REQUIREMENTS:

1. TREE DENSITY REQUIREMENT: 1 TREE PER 3,000 S.F. OF DISTURBANCE TOTAL AREA OF SITE: 293,272 S.F. / 3,000 S.F. = 98 TREES
2. TREES PROVIDED: EXISTING: 95 TREES PROPOSED: 3 TREES TOTAL: 98 TREES

EXISTING PLANT LIST:

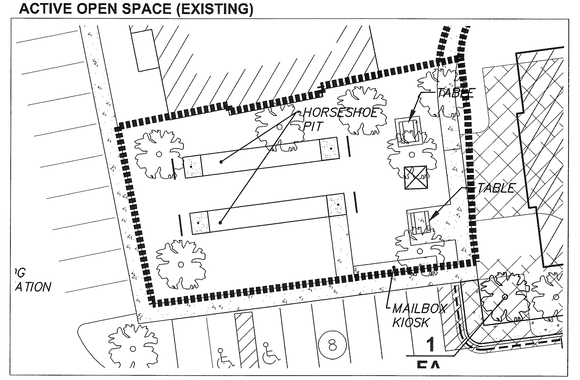
KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
AC	5	AMELANCHIER CANADENSIS	SERVICEBERRY	5–6'	B&B	
AR	16	ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	2" CAL.	B&B	
BN	6	BETULA NIGRA	RIVER BIRCH	7–8'	B&B	
FA	22	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY MAPLE	2" CAL.	B&B	
IA	7	ILEX ATTENUATTA	FOSTER'S HOLLY	5–6'	B&B	
LI	6	LAGERSTROMIA	WHITE CREPE MYRTLE	5–6'	B&B	
MV	4	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	5–6'	B&B	
PS	8	PINUS STROBUS	EASTERN WHITE PINE	5–6'	B&B	
QB	4	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL.	B&B	
QP	12	QUERCUS PHELLOS	WILLOW OAK	2" CAL.	B&B	
SA	3	SALIX ALBA	WEEPING WILLOW	2" CAL.	B&B	
TWO EXISTING TREES FROM PREVIOUS APPROVED PLAN CONTINUE TO REMAIN						
TOTAL	**95**					

PROPOSED PLANT LIST:

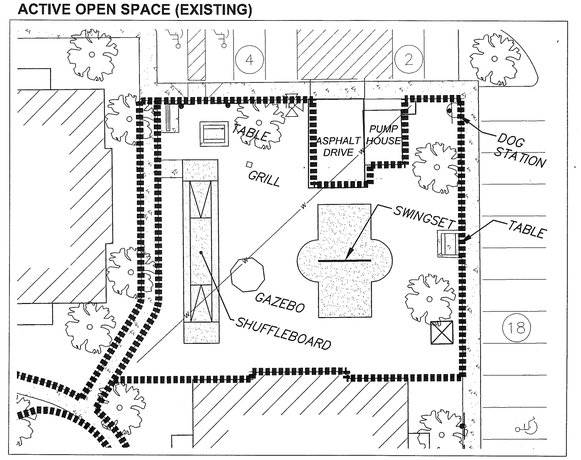
KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
FA	2	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY MAPLE	2" CAL.	B&B	
QP	1	QUERCUS PHELLOS	WILLOW OAK	2" CAL.	B&B	
TOTAL	**3**					

ALL TREES TO HAVE A ONE YEAR REPLACEMENT GUARANTEE

HORSESHOE PIT AREA: 5,163 S.F.
ACTIVE OPEN SPACE (EXISTING)

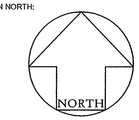


SHUFFLEBOARD AND SWING SET AREA: 6,329 S.F.
ACTIVE OPEN SPACE (EXISTING)



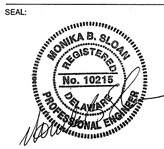
NORTHPOINT ENGINEERING
102 LARCH CIRCLE, SUITE 203
NEWPORT, DE 19804
TEL: 302-992-9881
FAX: 302-658-0618
EMAIL: msloan@northpoint-eng.com

PLAN NORTH:



KEY MAP:

SEAL:



PROJECT:

APPLICATION NO:
CONDITIONAL USE SITE PLAN

THE GRANDE

DOVEVIEW DRIVE
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET:
LANDSCAPE AND RECREATION PLAN

NO. DATE REVISION

SCALE: 1" = 40'

0 20 40 80

DATE:
NOVEMBER 6, 2015

PROJECT:
11-001

SHEET:
L-100

SHEET 6 OF 7

W:\11\11-001\CAD\CU\FOURTH BUILDING\11-001-CONDITIONAL USE SITE PLAN.dwg Layout: L-100 102 Printed: Fri, 06-Nov-2015 - 10:15AM

The Grande
Project Narrative / Waiver Request
November 6, 2015

The original approved Site Plans for Doveview were prepared by Larson Engineering, Inc. in 2006. The Larson Plans were approved with 4 buildings utilizing the Senior Housing Option in place at that time, which required that the head of household must be at least 55 years of age.

Those plans were superseded by the Becker Morgan Group and then Northpoint Engineering plans renamed The Grande. The plans proposed 3 buildings and were compliant with the current City of Dover Code at the time for apartments. There was no age restriction put on the site due to uncertainty in the housing market at the time. The Final Site Plan application for The Grande (S-11-12) was approved by the City of Dover Planning Commission on August 15, 2011. The site was constructed to those approved plans with 3 buildings compliant with the apartment regulations.

The apartments are fully leased with a waiting list. A Declaration of Restrictions was recorded on July 29, 2015 to restrict the age of the residents of the units. The Declaration of Restrictions is revocable as it stands.

Once construction was completed, the Site was finalized. Therefore any changes to the site – such as adding a 4th building – will require a new complete application and will follow the procedure for new plans in the City of Dover.

A Conceptual Sketch Plan - Application MI-14-06 The Grande Planned Neighborhood Design – Senior Citizen Housing Option was submitted in 2014.

Dwelling Units / Building and Building Height

The three (3) existing buildings on the site are 4-story with 48 dwelling units / building. The buildings each have 3 elevators per building, with each elevator serving 4 dwelling units per floor.

We hereby request an alternatives to Article 3 Section 24 – Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, requiring that the Maximum Building Height = 2 stories, and Maximum Dwelling Units per Building = 24. We propose to construct a 4th building on the site, 4 stories in height with 48 dwelling units, to be similar to existing Building #3 on the site, with 3 elevators in the building to serve 4 units per floor.

Parking

Parking for the Approved Plans in effect at this time require 2.25 spaces / dwelling unit (144 DU's) = 325 spaces. There are currently 325 spaces provided on the site.

We hereby request an alternatives to Article 3 Section 24 - Planned Neighborhood Design (PND) Option and Article 4 – Zoning Bulk and Parking Regulations, to provide 1.25 spaces / dwelling unit (192 DU's) = 240 spaces. Our plan proposes 250 spaces on the site.

The apartments are fully leased and 131 vehicles are registered to those residents at this time. Parking counts were conducted from October 31 thru November 2 and the results are as shown below.

Saturday - October 31, 2015 at 7:00 AM = 128 vehicles
Saturday - October 31, 2015 at 7:00 PM = 115 vehicles
Sunday - November 1, 2015 at 7:00 AM = 111 vehicles
Sunday - November 1, 2015 at 7:00 PM = 133 vehicles
Monday – November 2, 2015 at 7:00 AM = 129 vehicles
Monday - November 2, 2015 at 11:00 AM = 121 vehicles
Monday - November 2, 2015 at 7:00 PM = 121 vehicles

Our plan proposes one additional building with 48 DU's and will provide 250 parking spaces on the site.

Active Recreation Area

The current plans are already utilizing an exception to the Article 5 Section 10 – Open space and other public facilities, which requires 275 SF / dwelling unit (144 DU's) = 39,600 SF active recreation area. The current plans require 150 SF / dwelling unit (144 DU's) = 21,600 SF active recreation area. The actual active recreation area on the site is 21,975 SF.

This plan proposes an additional 48 age-restricted dwelling units on the site. According to the calculations - 150 SF / dwelling unit (192 DU's) = 28,800 SF, these plans require an additional 6,825 SF of active recreation area. With the proposed 4th building on the site, there is no area available to provide this additional area.

In addition, as part of the each resident's lease, the annual membership fee for the adjoining Modern Maturity Center is paid yearly.

Waiver Request

We are hereby requesting a waiver of the requirements of Article 5 Section 17 – Emergency access requirements, which requires a 24' wide primary fire lane at the rear of the building.

Attached is Sheet 1 of 4 of the Approved Fire Pump and Site Underground Plans as approved by the City of Dover Fire Marshal in 2008. The plans were approved for 4 buildings on the site. The site was constructed in accordance with the approved plans, with the exception of Building 4, which was not built.

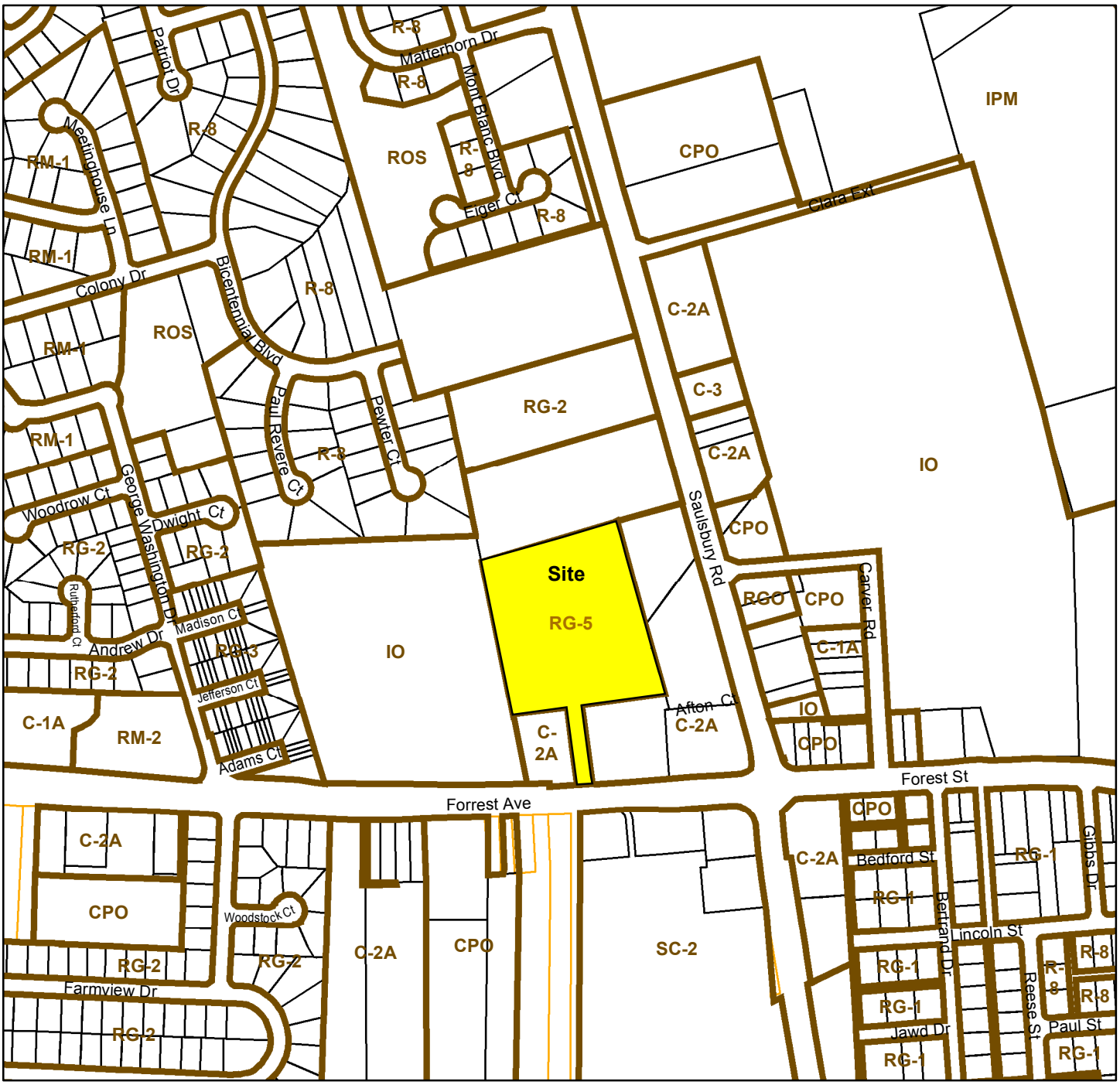
The existing buildings on site each have a wet fire protection system for floors 1, 2, 3, an4, and a dry system for the attic floor. The buildings are fully sprinklered. Smoke detectors are hard-wired and located in the kitchen, bathroom and hallways of each unit and in each elevator, per the National Electric Code. Each init and hallway also has horns and strobes for Fire Protection. There are 3 accesses to each building in the front and 3 in the rear. The fire protection system is fed by public water – City of Dover – and a Fire Pump located on site.

Building #4 will be constructed in accordance with the approved plans and will have the same fire protection system as is currently installed in Buildings 1, 2, and 3.

City of Dover

Department of Planning & Inspections

Application No.: C-15-04



Title: The Grande, Building 4: Planned Neighborhood Design – Senior Citizen Housing Option
Address: Multiple addresses on Doveview Dr
Parcel ID: ED05-076.07-01-30.00-000
Zoning: RG-5
Owner: Doveview Investors, LLC
Date: 11/24/2015

Legend

- Zoning
- Dover Parcels
- Kent County Parcels
- Subject Property

N
W
E
S

0 300 600 1,200 Feet

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF December 9, 2015

PLANNING COMMISSION MEETING OF December 16, 2015

Plan Title:	Fordham & Dominion Brewery Building Addition (Phase 2) (S-15-15)
Plan Type:	Site Development Plan
Applicant:	William H. McDaniel, Inc.
Location:	South side of McD Drive near the intersection with Horsepond Road
Address:	1284 McD Drive
Tax Parcels:	ED-05-077.12-01-13.00-000 (portion)
Site Area:	Project Area: 5.6185 Ac. +/- Total Parcel: 42.0 Ac. +/-
Zoning:	IPM (Industrial Park Manufacturing Zone) AEOZ (Airport Environs Overlay Zone): Noise Zones A and B and Accident Potential Zone II
Use:	Brewery (no change)
Building Type:	Commercial/Industrial
Building Areas:	Existing: 19,086 SF Phase 2 Addition: 13,370 SF Total: 32,456 SF
Lot Coverage:	Existing: 16.5% Proposed: 22.0%
Off Street Parking:	Required: 36 Proposed: 24
Waivers Requested:	Elimination of Curbing Requirement Reduction in Parking Requirement Sidewalk Waiver

Previous Applications:

V-09-02, Variance to construct building additions in the floodplain, March 11, 2009
S-09-10, Site Plan for building addition, June 19, 2009

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 9, 2015

APPLICATION: Fordham & Dominion Brewery Building Addition (Phase 2) Dover, DE

FILE #: S-15-15 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Bill Cook, Planner I PHONE #: 302.736.7196

PLAN SUMMARY

This is a Site Plan Review to permit the construction of a 13,370 SF building addition to an existing commercial/industrial structure. This plan is an expansion of the existing 19,086 SF built improvements, bringing the total proposed building area to 32,456 SF. The project area consists of a 5.6185 ac +/- portion of a 42.0 ac +/- parcel.

The subject area is located on the south side of McD Drive near the intersection with Horsepond Road. The owner of record is William H. McDaniel, Inc. Property Address: 1284 McD Drive. Tax Parcel: ED-05-077.12-01-13.00-000 (portion). Council District 2.

Previous Approvals

The submission of this plan (S-15-15) is required because previous plan approvals and extensions expired. Site Development Plan S-09-10 was approved by the Planning Commission on June 15, 2009 to permit the construction of additions to the then existing building in two phases. Final Plan approval was granted by staff on November 2, 2009. Phase 1 construction activity of the approved plan was completed and a Certificate of Occupancy issued on May 20, 2010, thus requiring Phase 2 of construction to have begun by May 31, 2011. At its meeting of April 18, 2011 the Planning Commission approved a one year extension of Phase 2. The commission approved a second one year extension on March 19, 2012, the maximum time as permitted by the *Zoning Ordinance*. Phase 2 Construction did not commence prior to May 31, 2013 and the plan expired.

Zoning and Land Use

The property is zoned IPM (Industrial Park Manufacturing Zone) and is subject to the AEOZ (Airport Environs Overlay Zone): Noise Zones A and B and Accident Potential Zone II.

The use as a brewery complies with provisions of *Zoning Ordinance,* Article 3 §20 which permits manufacturing and processing operations, to include food and beverage production facilities within the IPM zone. The use is also compatible as directed by the provisions of the

AEOZ found in *Zoning Ordinance,* specifically Article 3 §22.6 ("Land use compatibility table") whereby "food & kindred products; manufacturing" is permitted in the APZ II sub-area. The regulations related to noise reduction provision of the AEOZ are certified during the building permitting phase of the project.

Environmental

A portion of the property is located within the 100-year floodplain and is thus subject to regulations of *Dover Code of Ordinances,* Chapter 50 related to construction in a flood hazard area. The Board of Adjustment approved variance V-09-02 on March 11, 2009 to permit construction of building additions within the 100-year floodplain (a variance of the provisions of Zoning *Ordinance,* Article 5 §11.21).

Flood proofing of the building must be done in accordance with the requirements of Chapter 50 and comply with codes that are enforced as part of the Building Permit process.

BUILDING ARCHITECTURE

The existing building is a two story metal building with a split-face brick façade on the front elevation. Other sides of the building are solely metal. The proposed addition is clad in metal and appears to be the same material used on the existing building as shown in the submitted plan set (Sheet A1).

The proposed building is twenty-two (22) feet in height and complies with limits for the IPM zone (35 feet) and the AEOZ (60 feet).

SITE CONSIDERATIONS

Parking

Parking Spaces

The minimum parking requirements for this project is one parking space for every 800 SF of floor area or one space per employee, whichever is greater. Based on the proposed total building area of 32,456 SF, forty-one (41) parking spaces are required. Phase 1 construction as approved (S-09-10) consisted of mechanical equipment (coolers) that were not calculated viewed as usable floor area. Subtracting that area from the total proposed building area in this plan, plus existing construction, the adjusted total floor area is 28,456 SF requiring a minimum of thirty-six (36) spaces. (Table 1)

The site plan as submitted shows twenty-four (24) parking spaces.

Parking Surface

A portion of the existing parking area is identified as surfaced in asphalt millings and concrete. *Zoning Ordinance*, Article 6 §3.6 related to drainage and surfacing of parking areas and access drives requires that such areas be provided with "paved asphalt, concrete or other hard, paved, dust-free surface."

Table 1

S-15-15 Parking Summary

REQUIRED	Spaces
Proposed Construction, total	
Adjusted Floor Area: 28,456 SF	**36**
Constructed Floor Area: 32,456 SF	41
PROVIDED	
*Existing Condition**	
Adjusted Floor Area: 15,086 SF	**24**
Constructed Floor Area: 19,086 SF	
PROPOSED	
Adjusted Floor Area: 28,456 SF	**24**
Constructed Floor Area: 32,456 SF	

* Parking waiver previously approved for S-09-10

Improvements to the parking areas and access drives must be an approved surface per the requirements of the *Zoning Ordinance* and the Fire Marshal's Office comments as related to requirements for fire lanes.

A request for a reduction in parking was made and approved with the previous Site Plan (S-09-10). As required, a reserved area was shown on the previous Final Plan for the number of parking spaces being reduced so that future construction could occur if deemed necessary.

Waiver Request: Parking Reduction

Per *Zoning Ordinance,* Article 6 § 3.9 the Applicant may request a waiver in regards to the total amount of required parking on site, not to exceed a 50% reduction in the parking requirement. A Waiver Request has been submitted requesting a reduction in parking of 12 spaces, to provide a total of 24 parking spaces in lieu of the required 36 spaces. A written request was submitted for consideration.

If a parking waiver is granted, the Final Plan is required to reserve space to accommodate the parking being reduced so that future construction could occur if deemed necessary. The (Revised) submitted plan shows the twelve (12) reserved spaces. See Revised 11x17 size Plan sheet.

Bicycle Parking

The *Zoning Ordinance* calculates required bicycle parking facilities in Article 6 §3.10 based on required parking for automobiles. Two (2) bicycle parking spaces are required on the site following construction of Phase 2. Bicycle parking is shown on the (revised) submitted plan and will be required to be shown on the Final Plan.

Sidewalk

Sidewalks are required along public street frontages per *Zoning Ordinance,* Article 5 §18.1. The submitted plan shows sidewalk installed along Horsepond Road, which is a public street. The installation of sidewalk there was a requirement of the previous plan approval.

Article 5 §18.3 requires that non-residential developments have sidewalk installed to provide pedestrian access from parking areas to building entrances and to provide linkages to the existing sidewalk network in the neighborhood. No sidewalk connectivity from the Horsepond Road frontage sidewalk to the building entrance is provided.

Waiver Request: Partial Elimination of Sidewalk

The applicant may request a modification of or waiver from the sidewalk requirements per the criteria outlined in Article 5 §18.4. A Waiver Request has been submitted requesting that the requirement for the sidewalk from the Horsepond Road frontage sidewalk to the building entrance be waived.

Dumpster

Based on the size and use of the building one (1) dumpster pad is required for the first, 40,000 SF of floor area. The proposed building area requires one (1) dumpster pad. The existing pad is shown in the northwest corner of the property. An enclosure is required and currently exists.

Lighting
Per *Zoning Ordinance* Article 5 §7 lighting of commercial uses shall provide no less than 1½ footcandles at grade. Light shall be deflected away from adjacent residential areas and shall not be distracting to traffic on adjacent roads. Site lighting is not shown on the plan. Per the objectives of Article 10 §2.24, the Site Plan must additionally include the power, direction, and time of outdoor lighting, and demonstrate no adverse effect upon adjacent properties.

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

Waiver Request: Elimination of Curbing Requirement
Per *Zoning Ordinance* ,Article 6 § 3.6.b, the Planning Commission may relax the requirement for a portion of the parking area when there is a demonstrated need as it relates to stormwater management. A Waiver Request has been submitted requesting that the requirement for curbing be waived.

TREE PLANTING AND LANDSCAPE PLAN
One (1) tree is required for every 3,000 SF of land area. The tree planting requirement is based on the land area. Based on the 244,742 SF of project area, less the existing woodlands to be preserved, 79 trees are required. The submitted plan shows 78 trees. The site plan must be updated to show the required 79 tree plantings on the plan before Final Plan approval.

The trees are located throughout the site. Several groupings of Crepe Myrtle trees are featured along the McD Drive entrance drive. Groupings of deciduous and ornamental trees are shown between the building and Horsepond Road and to the south and west of the building.

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:
Note the following comments and corrections to be resolved in preparation for completing the Final Plan.

1) Sheet 1: Site Plan Title Sheet
   a) Correct county in project title block.
   b) Data Column corrections/revisions:
      i) #2: Check lessee name spelling.
      ii) #12: Consolidate parking calculations to reflect current conditions and requirements related to this submitted plan. (i.e. Consider this plan a new submission. "Existing" and "Phase 1" are now "Existing" for purposes of this plan.) Check this for other data points throughout the Data Column.
      iii) #16: Confirm date.
      iv) #21, 22, and 23: Will need updates to reflect current information.
      v) Final Plans should be updated with notes and date regarding Planning Commission action on any waiver requests.

2) Landscape Plan Sheet
   a) Identify the woodland preservation area and label the dimensions.
   b) Update the plan to reflect the requirement for 79 trees.

3) Bicycle parking spaces must be shown in the final plan set.

4) The project must comply with the parking requirements. A written Waiver Request for reduction in the parking requirement was submitted for consideration by the Planning Commission.

5) Sidewalk from road frontage sidewalk to building entrance not shown: the plan must be revised to show the required sidewalk. A written Waiver Request for a partial elimination of sidewalk was submitted for consideration by the Planning Commission.

6) Curbing not shown on the plan as required for all parking areas. A written Waiver Request for the elimination of upright curbing was submitted for consideration by the Planning Commission.

7) Lighting details for the site must be demonstrated before Final Plan approval.

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

9) Staff notes that architecture for the building will be evaluated at the time of Building Permit application for compliance with the architecture as approved by the Planning Commission. The building architecture may be required to come before the Planning Commission for additional review if significant design changes to the buildings' exterior finishes in form or materials.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver Request: Elimination of Curbing Requirement: Staff recommends approval of the wavier for the elimination of curbing around the parking areas as the elimination of curbing will provide for drainage into the stormwater management areas. Staff recommends the installation of parking bumpers as a condition of approval of the elimination of curbing in order to control vehicle movements for safety purposes, better identify and demarcate parking spaces, and to prevent parking on adjacent unpaved areas.

2) Waiver Request: Partial Elimination of Sidewalk: Staff recommends denial of the waiver request for the elimination of connecting sidewalk from Horsepond Road to the building entrance. This connecting sidewalk can be designed to serve pedestrians at the site who also utilize the street frontage sidewalk system. There is frontage sidewalk in the area, such as farther south at the property addressed as 725 Horsepond Road (Dover Behavioral Health System) which also has sidewalk along the entrance drive leading to the building. Sidewalk

also exists along nearby Maggie's Way, with sidewalks leading from the street frontage into each parcel. While the sidewalk network in the surrounding area is indeed discontinuous, the expectation throughout the City is that as properties develop and redevelop, infrastructure is put in place and upgraded so that improvements are progressively phased in over time.

Staff Comment: Staff believes that the requirement for sidewalk from the Horsepond Road frontage to the building entrance, if enforced, could provide an opportunity for a sidewalk design along McD Drive leading to the brewery property that could satisfy multiple objectives. A suitable sidewalk design could satisfy the code requirements, but possibly be configured in a way that improves connectivity between the two building areas and also provides a path that is clearer, safer, and more comfortable to use. Striping improvements and permanent or temporary directional signage could further enhance such connectivity and ensure safe, orderly and successful events.

3) Waiver Request: Parking Reduction: There is evidence that the currently provided parking is not sufficient for the events and activities taking place at the facility as it currently exists, as described earlier in this report as accessory or incidental uses. The Fire Marshal's Office has noted and provided photographs of parking taking place on grass and in areas not designated as parking. Therefore, Staff recommends denial of the request for a parking reduction so that the required total 36 parking spaces shall be provided with this building expansion project.

   Staff Comment: The applicant stated in the Parking Waiver request letter that visitors and event participants at the subject site may utilize parking provided at the front and rear of the adjacent building to the north that's held under common ownership. Staff agrees this could be a workable "overflow" parking area for events at the brewery, although there is concern that the on-site parking at the brewery may remain deficient even during non-event periods if the existing parking lot of twenty-four (24) spaces was retained and not increased in number of parking spaces.

ADVISORY COMMENTS TO THE APPLICANT:

1) The manufacturing use of the facility is an approved use under the provisions of the IPM (Industrial Park Manufacturing Zone) and the Accident Potential Zone II provisions of the AEOZ (Airport Environs Overlay Zone). Additional functions such as tastings and special events occur on the site. These activities attract members of the general public and increase the occupancy of the facility beyond the occupancy associated with the manufacturing use and occupancy by employees. Such functions may be considered accessory or incidental uses to the primary manufacturing use as related to the IPM zone. The provisions of the AEOZ permit temporary uses that may include public gatherings, celebrations and outdoor entertainment. Comment from Dover Air Force Base has been provided indicating that at the present time the activities being conducted on site are compliant with the AEOZ and there is not cause for concern.

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

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

4) In the event that major changes and revisions to the Site Development Plan occur in the finalization of the Site Plan contact the Planning Office. Examples include reorientation of the site improvements, relocation of site components like stormwater management areas, building architecture, and increases in floor area or building addition. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

5) The FEMA FIRM Map 10001C0118J effective date July 7, 2014 shows portions of this property impacted by the Special Flood Hazard Area (100 year floodplain). As part of the City of Dover's participation in the National Flood Insurance Program, development and new construction activities within such floodplain areas must be compliance with the regulations of *Dover Code of Ordinances*, Chapter 50 – Floods and the flood load and flood-resistant construction provision of the building code.

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

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

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

9) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCTOBER 28, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Fordham & Dominion Brewery Building Addition (Phase 2) at 1284 McD Drive**

FILE #: **S-15-15**

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

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

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

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

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

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
    a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
    b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
    c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan.
4. Water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine the size of the domestic and irrigation (if applicable) water meter for the proposed building. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. The proposed water meter must be installed in a pit per City of Dover requirements and manufacturer's recommendations. Also, a dual check valve is required downstream of the meter.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Please confirm the existing size of the water main that is within McD Drive, our records indicate the portion west of the six-inch (6") service line is eight-inches (8"), not twelve-inches (12").

WASTEWATER

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

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

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

STORMWATER

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

STREETS

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

SANITATION / GROUNDS

1. None.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. The Department of Public Works reserves the right to provide additional comments as it pertains to any administrative plans submitted for review that are associated with this master plan.
3. No structures, including permanent signage, may be located within ten feet (10') of water and wastewater utility infrastructure.
4. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

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

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Owner/Electrical Contractor (E.C.) to fill out **Electrical Load** Sheet & return to Electric Department. Owner may be responsible for additional fees associated with upgrade of existing transformer. Existing 300 kVA transformer, No. 1947/4T343 may need to be replaced depending on requested load requirements.

2. E.C. to extend customer-owned secondary conductors & connect in transformer 4T343 (new upgraded transformer) if necessary.

3. E.C. to install customer-owned secondary conductors from transformers 4T343 Building if necessary.

4. Any relocation of existing utility required will be at the owner's expense.

WATER

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

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, the sanitary sewer system plans may be required to be submitted to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. Wastewater impact fees may be required for this proposed site plan.

STORMWATER / GROUNDS / STREETS

1. None.

SANITATION

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

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial

Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

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

S-15-15

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: **December 9, 2015**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **Fordham & Dominion Brewery Building Addition (Phase 2) at 1284 McD Dr.**

FILE #: **S-15-15** REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

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

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposed building is Industrial. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Fire lanes can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover 75% of the proposed building. Fire Lanes shall be constructed of an approved surface.

2. The closest edge of fire lanes shall not be located further than 50ft from the exterior wall if one or two stories in height; 40ft if three or four stories in height; or 30ft if over four stories in height.

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

4. Speed Reduction devices or any other like device used to reduce vehicle speed are prohibited per City of Dover Code of Ordinances.

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

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

7. Perimeter access will be 50% and clearly shown on the plans. Perimeter Access minimum width shall be 15ft measured from the face of the building at grade with a maximum slope of 10%. Plantings and utility services shall be permitted within the perimeter access and shall interfere with emergency services fire ground operations.

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, values, regulators, etc., must have impact protection per City of Dover Code of Ordinances.

10. Full building and fire plan review is required.

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

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

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

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

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

16. Fire Alarm System required per occupancy code requirements.

17. Knox Box required.

18. Standpipes required.

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

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

21. Gates are to be operational with Fire Department Opti-Con Systems approved by Delaware Department of Transportation. All gates are required to have one manual and one automated means for opening. To be considered accessible for fire department apparatus the actual clear openings shall be not less than 14ft, the paved surface through the gate shall be not less than 12ft and the gate shall be setback from the perpendicular street by at least 50ft.

22. Project to be completed per approved Site Plan.

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

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. **Please schedule a meeting with Timothy Mullaney Jr., Fire Marshal and myself prior to the December 9, 2015 D.A.C. meeting to discuss the above items. An updated site plan will be needed addressing all of the items above.**

2. **Phase 1B concrete & asphalt millings needs to be constructed of an approved surface.**

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: December 2, 2015

D E L D O T

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APPLICATION: Fordham & Dominion Brewery Building Addition (Phase2)
At 1284 McD Drive

FILE#: S-15-15 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Waylon Sprowl PHONE#: 760-2262

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

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

CITY & STATE CODE REQUIREMENTS:

- If roadway improvements are warranted, then referring to Section 4.3 of the Development Coordination Manual, an entrance plan shall be prepared prior to issuing entrance approval. The following information will be required for Entrance Plan review:

  Copy of the Construction Stage Fee Calculation Form
  Copy of the Construction Review Fee
  Gate-Keeping Checklist – Entrance Plan
  Entrance Plan Review Checklist
  Entrance Design Checklist
  Application for Commercial Entrance Permit
  Pipe/Angle Spreadsheet (if applicable)
  Entrance Photo
  Entrance Plan
  SWM Report, Calculations and DA Maps
  Sediment & Stormwater Management Project Design & Review Checklist

ADVISORY COMMENTS TO THE APPLICANT:

- Please be advised that as of August 1, 2015, all new plan submittals and re-submittals, including major, minor and commercial plans, shall be uploaded via the PDCA (Planning Development Coordination Application) with any review fee paid online via credit card or electronic check. Guidance on how to do this is

available at http://www.deldot.gov/information/business/subdivisions/.

- A Traffic Impact Study (TIS) will be required for this project if the proposed development exceeds 50 VPH (Vehicle per Hour) or 500 VPD (Vehicle per Day). When the study is completed, DelDOT will review it and send the recommendations of the improvements to the City. The improvements contained in the study will be implemented by the developer per DelDOT's discretion. To set up a scoping meeting for this project, please contact Mr. Troy Brestel at (302) 760-2167 or via e-mail at Troy.Brestel@state.de.us.
- Please check to determine whether any utilities will need to be relocated as part of this project
- Please Note- Future comments will be added when the above referenced project goes through official plan review.

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
December 2015

APPLICATION: *Fordham & Dominion Building*

FILE #: S-15-15

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 above referenced site receiving permits for construction of the proposed building. Phase 2 of the project is included within an existing plan that is still valid.

ADVISORY COMMENTS TO THE APPLICANT:

1. The applicant must contact the Kent Conversation District to schedule a pre-construction meeting prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 2, 2015

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Fordham & Dominion Brewery Building Addition (Phase II) at 1284 McD Dr.

FILE #: S-15-15 REVIEWING AGENCY: Dover/Kent County MPO

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

The MPO requested the opportunity to bring the recommendations on issues of our concern to the City of Dover. 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 12/16/2015
Project Review
S-15-15 Fordham & Dominion Brewery Addition: Phase 2

The proposal and current site have the elements the MPO considers under it's bailiwick; transit access and bicycle and pedestrian access. The site has sidewalk facilities and bicycle parking available. Bicycle and pedestrian access into the site will be improved with this proposal. These facilities do need to be connected to the greater network available in the city but that responsibility is not that of the applicant at this point. As Horsepond Road is improved to serve a functioning air cargo ramp and facilities near the Kent Aeropark, all modes will be considered. New construction will be required to include additional pedestrian and bicycle facilities and access, as well as a potential for transit service. Though it is not currently in the MPO's Long Range Transportation Plan, we intend to include it in the mix of problems and needs in the next Plan in 2017.

On the request to waive the parking requirements, it is evident when visiting the brewery on Friday evenings that is stops being just a brewery and becomes a destination for community members. The City and Brewery should evaluate the parking needed for the various uses of the property as compared to the requirements and request.

The location of the brewery is not currently served by transit. The nearest stop on Route 107 is at the entrance to Tudor Industrial Park, over a half mile away on South Little Creek Road. DART has determined that there is insufficient potential use in the area of the brewery to warrant transit service. If so, contact Tremica Cherry of DTC Planning to develop a proposal. She can be reached at Tremica.Cherry@state.de.us or at (302) 576-6065.

Please contact me if there are any questions at james.galvin@doverkentmpo.org or 302.387.6028.

File S-15-15

Cook, William T.

From: JORDAN, MATTHEW W GS-11 USAF AMC 436 CES/CENPL <matthew.jordan.9@us.af.mil>
Sent: Monday, December 07, 2015 10:07 AM
To: Townshend, Ann Marie
Cc: Cook, William T.
Subject: Fordham & Dominion Brewery

Hello Ms. Townshend,

Upon reviewing the plan for Fordham & Dominion Brewery we see no issues with the expansion. The problem would be if it were to turn into an eating and drinking establishment (SLUCM 58) which is considered incompatible with APZ II. I will be unable to attend the meeting on Wednesday due to a scheduling conflict. Please let me know if I can provide any more information for you. I hope to attend the planning meetings at Dover as often as I can. If I don't talk to you again soon I hope you have a Merry Christmas !

V/R

Matt

Matt Jordan
Community Planner
436 Civil Engineering Squadron
U.S. Air Force
Dover AFB Delaware
(302) 363- 9115

William H. McDaniel, Inc.

14 East 40th Street, Wilmington, DE 19802 ■ 302.764.2020 ■ 302.764.7585 **Fax**

December 9, 2015

Mr. William Cook
City of Dover Planning Office
P O Box 475
Dover, DE 19903

RE: Fordham + Dominion Brewery Building Addition (Phase 2)
S-15-15
Parking Waiver

Mr Cook

In conjunction with the submission of the site plan for the Fordham and Dominion Brewery at 1284 McD Drive we are a requesting a reduction in the number of parking spaces required in accordance with Article 6, Section 3.9 of the City of Dover Zoning Ordinance, which allows the Planning Commision to reduce the number of parking spaces required in an amount not to exceed fifty percent.

The initial construction of 15,086 square feet of floor area had 16 parking spaces.

A site plan was submitted and approved in 2009 for the building expansion. The plan was split into phases. A parking waiver was granted as follows:

Phase 1	Spaces
Constructed Floor Area: 19,086 SF	24
Adjusted Floor Area: 15,086 SF	19
Phase 1 Required	16
Phase 2	
Constructed Floor Area: 32,456 SF	41
Adjusted Floor Area: 28,456 SF	36
Phase 2 Required	21

In 2013 a site plan for Phase 1B for drive aisle and parking was approved.

Phase 1 B (Parking for Phase 2)	Spaces
Constructed Floor Area: 32,456 SF	41
Adjusted Floor Area: 28,456 SF	36
Phase 1B Required	21
Phase 1B Installed	24

In the current submission proposed parking

Proposed	Spaces
Constructed Floor Area: 32,456 SF	41
Adjusted Floor Area: 28,456 SF	36
Phase 2 Requested	24

We are requesting approval of the 24 installed spaces. This would be a reduction of 12 spaces or 33%. The site plan shows the location of the full amount of required parking spaces if needed in the future.

In addition the brewery has access to additional parking across McD Drive. In these adjacent building, owned by William H McDaniel, Inc, we have 23,600 sf of space. Based on the required one parking space for 800 sf of floor area 30 parking spaces are required for the 3 buildings.

We have 65 spaces in the front of the buildings with additional parking behind the buildings. There are 35 spaces to share with the brewery.

The brewery also rents a unit for storage in the adjacent building. This space has three parking spaces allocated to it. Thirty eight spaces are available to be shared with the brewery.

Please contact me if you need additional information.

Sincerely,

Kathy McDaniel

Kathy McDaniel
President

William H. McDaniel, Inc.

14 East 40th Street, Wilmington, DE 19802 ■ 302.764.2020 ■ 302.764.7585 Fax

December 8, 2015

Mr. William Cook
City of Dover Planning Office
P O Box 475
Dover, DE 19903

RE: Fordham + Dominion Brewery Building Addition (Phase 2)
S-15-15
Sidewalk Waiver

Mr Cook

We are requesting a waiver of the requirements of Article 5, Section 18.3 of the City of Dover Zoning Ordinance in non-residential developments to install sidewalk to provide pedestrian linkages to the existing sidewalk network in the neighborhood area.

In the previous approved plan for this site a sidewalk was installed along Horsepond Road from McD Drive south to the property line. It is the only sidewalk in the area. No network of sidewalks exist in the neighborhood area.

The proposed expansion will not generate or attract pedestrian trips. Because of the location traffic to and from this site is anticipated to be exclusively vehicular.

If you have any question or need additional information please contact me.

Sincerely,

Kathy McDaniel

Kathy McDaniel
President

William H. McDaniel, Inc.

14 East 40th Street, Wilmington, DE 19802 ■ 302.764.2020 ■ 302.764.7585 Fax

December 8, 2015

Mr. William Cook
City of Dover Planning Office
P O Box 475
Dover, DE 19903

RE: Fordham + Dominion Brewery Building Addition (Phase 2)
S-15-15
Curb Waiver

Mr Cook

We are requesting a waiver of the requirements to install curb around the parking area. In accordance with Article 6, Section 3.6.b,of the City of Dover Zoning Ordinance, the Planning Commision may relax this requirement when there is a demonstrated need to convey stormwater to a proposed or approved stormwater management area.

We are requesting that a waiver to the curb installation be granted thoughout this site as the existing site has been developed to allow all runoff to flow from the impervious areas into the grass prior to entering the stormwater management system. The design of the proposed expansion maintains the existing drainage patterns, and the installation of the curb would only serve to increase the concentrated flow at any points of discharge on the site.

If you have any question or need additional information please contact me

Sincerely,

Kathy McDaniel

Kathy McDaniel
President

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the
Dover Planning Commission
December 16, 2015

Applicants/Owners:	Whatcoat Community Development Inc.
Address:	904-992 Whatcoat Drive
Location:	East side of Saulsbury Road south of Whatcoat Drive
Tax Parcel ID #:	ED-05-067.19-02-11.00-000
Size:	4.282 +/- acres
Present Use:	Apartments
Proposed Use:	Apartments
Comprehensive Plan Designation:	Residential High Density
Present Zoning:	RG-1 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RG-2 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
File Number:	Z-15-04
Ordinance Number:	2015-24

Existing Property
The property is currently zoned RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). It consists of 4.282 +/- acres that includes 78 apartment units in five apartment buildings, as well as the associated parking. The apartments are a legal non-conforming use in the RG-1 zone.

Surrounding Land Uses:
The subject property is located on the south side of Whatcoat Drive. The property on the north side of Whatcoat Drive is also zoned RG-1 and is developed as the Whatcoat United Methodist Church. The Whatcoat United Methodist Church also owns a vacant lot immediately east of the church property. The property south of the subject property is the Edgewell (formerly Playtex) manufacturing plant and is zoned IPM (Industrial Park and Manufacturing Zone). The adjacent properties to the north and south are also subject to the COZ-1. The properties to the west, across Saulsbury Road are zoned CPO (Commercial and Professional Office) and ROS (Recreation and Open Space). Two are developed, one as an office and the other as a daycare center/preschool.

Comprehensive Plan:
The *2008 Comprehensive Plan* depicts the subject area as Residential High Density land use classification on Map 12-1: Land Development Plan Map. This rezoning request is consistent with this classification and with the existing use on the property.

Request for RG-2 (General Residence Zone)
The uses permitted in the RG-2 zoning district are listed in Article 3 §2 of the *Zoning Ordinance*. Permitted uses and include any use permitted in the one-family residence zone and garden apartments. Multiple dwellings, duplex units, and townhouses are permitted in the RG-2 zone as a Conditional Use.

The principal difference between the RG-1 zone and RG-2 zone is the allowance of apartments.

Recommendation of the Planning Staff:
Staff supports the rezoning request from RG-1 to RG-2. The rezoning is consistent with the *2008 Comprehensive Plan*, and it would allow for improvement of the apartment complex, including the construction of a community building to serve the residents.

This recommendation is being made without the benefit of hearing the comments of surrounding landowners and residents. A public hearing is required on this matter and the Planning Commission should give those comments consideration.

ADVISORY COMMENTS TO THE APPLICANT:

1) The applicant shall be aware that following any decision made by City Council in regards to approval of this rezoning, that a Site Plan, Subdivision Plan and or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a use or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.

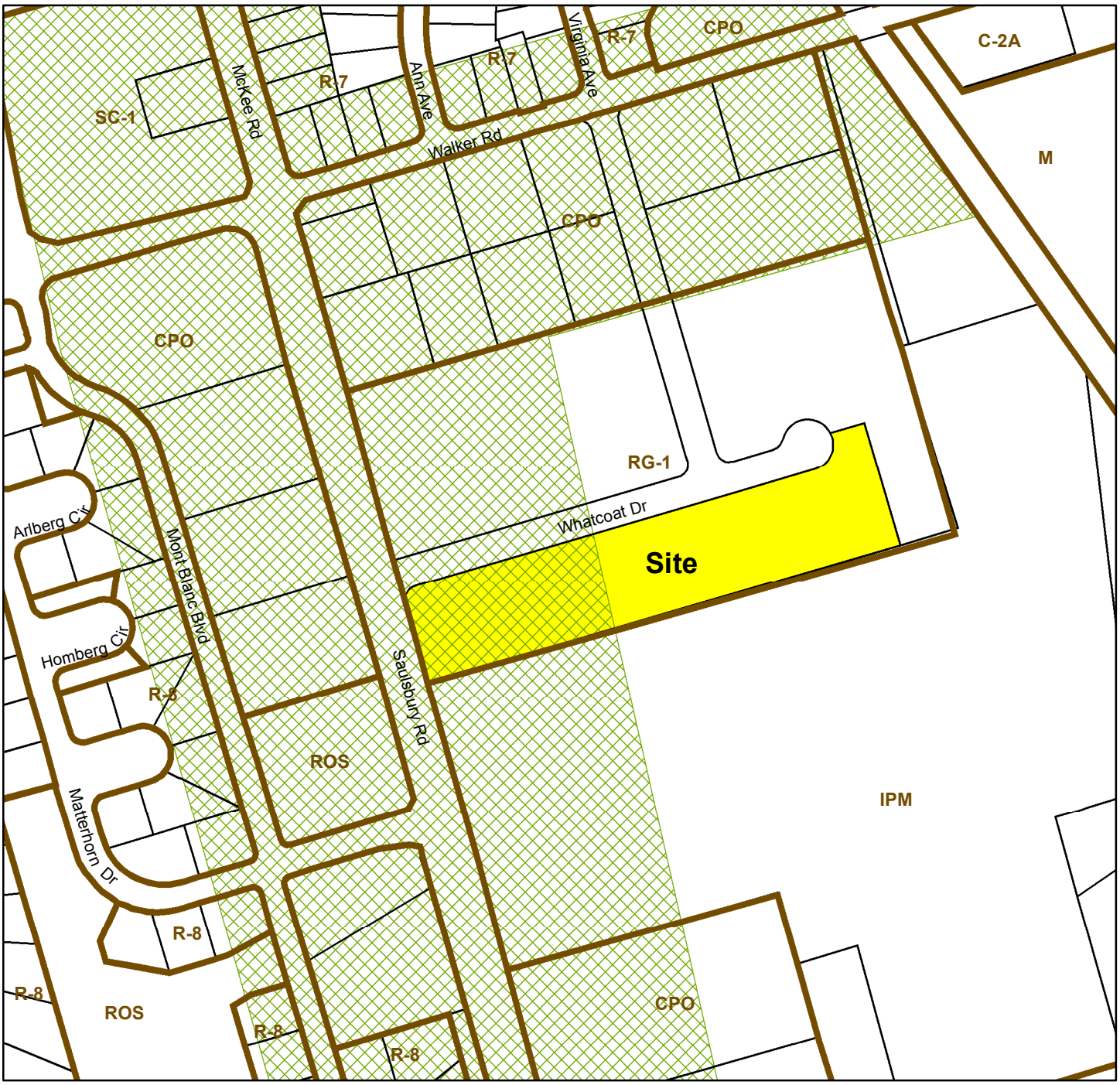
2) The applicant shall be aware that approval of any rezoning application does not represent a Building Permit, other construction activity permit approval, or authorization to establish a use. A separate application submission showing proposed improvements is required before issuance of permits by the City of Dover.

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

City of Dover

Department of Planning & Inspections

Application No.: Z-15-04



Title: Lands of Whatcoat Community Dev Inc
Address: 904-992 Whatcoat Drive
Parcel ID: ED-05-067.19-02-11.00-000
Existing Zoning: RG-1 (General Residence Zone) and COZ-1 (Corridor Overlay Zone)
Proposed Zoning: RG-2 (General Residence Zone) and COZ-1 (Corridor Overlay Zone)
Owner: Whatcoat Community Dev Inc
Date: 11/10/2015

Legend

- Zoning
- Dover Parcels
- Corridor Overlay Zone
- Subject Property

W E S

0 175 350 700 Feet

Z-15-04

CITY OF DOVER FIRE OF MARSHAL

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 9th, 2015

APPLICATION: Lands of Whatcoat Community Development Inc. at 904-992 Whatcoat Drive: Rezoning from RG-1 with COZ-1 to RG-2 with COZ-1.

FILE #: Z-15-04 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Timothy P. Mullaney Jr., 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:

1. No objection to rezoning.

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

STAFF D.A.C. MEETING DATE: DECEMBER 2, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF WHATCOAT COMMUNITY DEVELOPMENT INC. AT 904-992 WHATCOAT DRIVE**

FILE #: **Z-15-04**

REVIEWING AGENCY: **City of Dover**

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 / STREETS / SANITATION / GROUNDS

Our office has no objection to the rezoning of:

ED-05-067.19-02-11.00-000

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations and or change of use projects must ensure that the water and wastewater service is brought up to current requirements. This may include relocating the water meter outside or changing service line sizes. Please ensure you schedule a meeting with the Department of Public Works during the planning phase for this site. Additional impact fees may apply for future development.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / 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.

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
December 2015

APPLICATION: Lands of Whatcoat

FILE #: Z-15- 04

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 re-zoning plan for the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 2, 2015

D E L D O T

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APPLICATION: Z-15-04 Lands of Whatcoat Community Development INC at 904-992 Whatcoat Drive

FILE#: Z-15-04 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Waylon Sprowl PHONE#: 760-2262

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

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

CITY & STATE CODE REQUIREMENTS:

- The Department has no comments for the above mentioned project.
  - DelDOT Planning has issued a LONC for this Project

ADVISORY COMMENTS TO THE APPLICANT:

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

PETITION TO AMEND ZONING ORDINANCE TEXT

Report to the
Dover Planning Commission
December 16, 2015

Proposed Change:	Amendment to *Zoning Ordinance*, Article 12 –Definitions, to add a definition for "manufactured home" and to amend the definition for "dwelling, one family" to preclude manufactured homes under this designation.
Summary of Amendment:	Following the issuance of a building permit for the construction of a manufactured home on a property within the R-8 (One Family Residence Zone), several residents and members of City Council expressed concerns about the appropriateness of this housing type within the One Family Residence Zones. Staff subsequently reviewed literature available about manufactured housing and has developed recommendations for amending the code to prohibit manufactured housing in the One Family Residence Zones and to update code requirements in the Dover Code of Ordinances, Chapter 66 – Manufactured Homes and Trailers, and Appendix B – Zoning. The recommendation is for an immediate amendment to the definition of "dwelling, one family" and a review and update of other code sections over the next year.
Ordinance Number:	2015-20
File Number:	MI-15-13

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2015-20

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

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by inserting the text indicated in bold, blue, as follows:

Dwelling, one-family: A **permanent** dwelling unit **placed on a permanent foundation and** designed and intended for use by only one family. **One-family dwellings shall not include manufactured homes or mobile homes but shall include modular homes constructed to the standards of the Dover Code of Ordinances, Chapter 22 - Buildings and Building Regulations.**

***Manufactured Home*: A factory-built housing unit designed and constructed to meet the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes."**

ADOPTED: *

SYNOPSIS

The proposed amendment revises and adds definitions

(SPONSORS:)

Actions History
11/09-2015 - Introduce at City Council meeting

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-20 APPENDIX B - ZONING, ART 12 - DEFINITIONS\ORDINANCE #2015-20 APPENDIX B - ZONING, ART 12 - DEFINITIONS-FIRST READING.wpd

Draft

MI-15-13

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: **December 9th, 2015**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **Text Amendment: Definitions of One-Family Dwelling and Manufactured Home**

FILE #: **MI-15-13** REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Timothy P. Mullaney Jr., 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:

1. **No objection to text amendment.**

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

STAFF D.A.C. MEETING DATE: DECEMBER 2, 2015

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: **TEXT AMENDMENT: DEFINITIONS OF ONE-FAMILY DWELLING AND MANUFACTURED HOME**

FILE #: **MI-15-13**

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. Our office has no objections to the proposed text amendments

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

1. None

ADVISORY COMMENTS TO THE APPLICANT

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

1. None.

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