CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, August 17, 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 July 20, 2015

COMMUNICATIONS & REPORTS

1) Reminder: The Planning Commission Quarterly Workshop is scheduled for WEDNESDAY, August 19, 2015 at 12 noon in the City Hall Conference Room.

2) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, September 21, 2015 at 7:00pm in the City Council Chambers.

3) Update on City Council Actions

4) Update on Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval:
   A. C-13-05 The Redeemed Christian Church of God Eagles' Wings Chapel at 896 South State Street – Request for one year extension of Planning Commission approval granted on August 19, 2013 to the Conditional Use Site Plan for the establishment of a church within the existing 2,030 SF building located at 896 South State Street. The property is zoned RGO (General Residence and Office Zone). The property is located on the west side of South State Street north of Wyoming Avenue. The owner of record is Basilio Bautista. Address: 896 South State Street. Tax Parcel: ED-05-077.17-03-53.00-000. Council District 2.

2) Revised Plan Information and Request for Extension of Planning Commission Approval:
   A. C-13-11 Dover Christian Church at 1738 Forrest Avenue – Information on Revisions to Conditional Use Site Plan and Request for one year extension of Planning Commission approval granted October 21, 2013 to Plan for construction of one story 9,600 SF place of worship (church building) and associated site improvements. The existing residence on the property is proposed for demolition. The property is 1.5576 acres and is zoned R-10 (One Family Residential Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Forrest Avenue and west of Dover High Drive. The owner of record is Dover Christian Church, Inc. Address: 1738 Forrest Avenue.

Tax Parcel: ED-05-075.00-01-04.00-000. Council District 1. *The proposed Revisions consist of reduction of building size, reduction of number of parking spaces, reduction of impervious coverage, and revisions to building architecture and materials.*

NEW DEVELOPMENT APPLICATIONS

1) C-15-03 Cellco Partnership dba Verizon Wireless at 1255 College Park Drive – Public Hearing and Review of Conditional Use Site Development Plan to construct 158 foot telecommunications tower and facilities with associated site improvements on a 1.05 acre +/- parcel. The property is zoned M (Manufacturing Zone). The property is located off College Road, at the end of College Park Drive, abutting the southwest side of the railroad right-of-way. The owner of record is Bay Developers Inc. Property Address: 1255 College Park Drive. Tax Parcel: ED-05-067.00-02-12.06-000. Council District 3. Waiver Request: Elimination of Sidewalk. *This application is associated with V-15-08 approved by the Board of Adjustment on June 17, 2015.*

2) S-15-10 Revised Active Recreation and Open Space Plan Review of Eden Hill Farm TND Residential District – Public Hearing and Review of Revised Active Recreation and Open Space Plan design consisting of a Central Open Space area of 9.22 acres proposed on the southern portion of the Residential District, a 4,493 SF clubhouse building with amenities and office space, outdoor swimming pool, game/play areas, community garden, outdoor site furnishings and associated site improvements. The zoning is TND (Traditional Neighborhood Design Zone). The property is located south of West North Street and Wemyss Road and southeast of the intersection of West North Street and Saulsbury Road. The owner of record is Eden Hill Residential, LLC. Tax Parcels: Multiple parcels on Map ED-05-076.04. Council District 2. *This application is associated with S-15-07 Revised Residential District Implementation Plan conditionally approved by the Planning Commission at its meeting of May 18, 2015.*

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 August 7, 2015

CITY OF DOVER PLANNING COMMISSION
July 20, 2015

The Regular Meeting of the City of Dover Planning Commission was held on Monday, July 20, 2015 at 7:00 PM with Chairman Colonel Welsh presiding. Members present were Mr. Holden, Mr. Cregar, Mr. Tolbert, Mr. Holt, Ms. Still, Mr. Ambruso and Colonel Welsh. Mr. Baldwin and Dr. Jones were absent.

Staff members present were Mrs. Townshend, Mr. Cook, Mr. Jason Lyon and Mrs. Mullaney. Also present were Mr. Rhett Ruggerio, Mrs. Erin Barrett and Mr. Michael Hynansky. Speaking from the public was Mr. Eric Czerwinski.

APPROVAL OF AGENDA

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

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF MAY 18, 2015

Ms. Still moved to approve the Planning Commission minutes of May 18, 2015, seconded by Mr. Tolbert and the motion was unanimously carried 7-0 with Mr. Baldwin and Dr. Jones absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that the next Planning Commission meeting is scheduled for Monday, August 17, 2015 at 7:00pm in the City Council Chambers.

Mrs. Townshend stated that the next Planning Commission Quarterly Workshop is tentatively scheduled for Wednesday, August 19, 2015 at noon. The Board of Adjustment at their meeting held last week expressed some interest in meeting with the Planning Commission to discuss some potential Code changes based on some of the variance applications that they have received. She suggested that this may be a venue and that she would bring that idea to the Planning Commission to see if there is an interest and if so, Staff will schedule accordingly.

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings held on May 26, 2015, June 8, 2015, June 22, 2015 and July 13, 2015. Mr. Ambruso, Mr. Holt and Mr. Holden were reappointed to Planning Commission for three (3) year terms to expire June 1, 2018.

Mrs. Townshend stated that Central Delaware Habitat for Humanity completed a Builders Blitz during the week of June 8, 2015 where they completed two (2) homes on South Kirkwood Street. The third home is under construction on the unit block of South Kirkwood Street by Central Delaware Habitat for Humanity. They will complete five (5) houses by the end of 2015 on this block of South Kirkwood Street.

Restoring Central Dover was awarded an Implementation Grant in the amount of $750,000 over five (5) years from the Wells Fargo Regional Foundation. NCALL is administering that grant and they are currently searching for an Implementation Manager to oversee the implementation of the strategies identified in the Restoring Central Dover Plan. They have had three or four full days of interviews; she is on the Selection Committee and she thinks they are going to get a good person.

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

2) Re-evaluation of Conditional Use:

A. C-14-04 109 East Division Street: Professional Office – Re-evaluation Annual Review including a Public Hearing for a Conditional Use Permit to establish professional offices at an existing 1,689 S.F. structure on an 11,340 S.F. ± parcel. The application was reviewed by the Planning Commission on June 16, 2014 with approval of the professional office use conditional upon a one-year review among other conditions. The property is zoned RG-1 (General Residence Zone) and subject to the H (Historic District Zone). Planned interior renovations will convert the use from residential to office. The property is located at the north side of East Division Street between Pennsylvania Avenue and Maple Lane. The owner of record is Leg Hall, LLC c/o Rhett Ruggerio. Property Address: 109 East Division Street. Tax Parcel: ED-05-077.05-02-55.00-000. Council District 3.

Representatives: Mr. Rhett Ruggerio, Leg Hall LLC

Mr. Cook stated that this is a Re-evaluation Annual Review including a Public Hearing for a Conditional Use Permit to establish professional offices at an existing 1,689 S.F. structure on an 11,340 S.F. parcel. The application was reviewed by Planning Commission on June 16, 2014 with approval of the professional office use conditioned upon a one (1) year review among other conditions which were in the DAC Report at that time. The property is zoned RG-1 (General Residence Zone) and subject to the H (Historic District Zone). The planned interior renovations will convert the use from residential to office. The property is located on the north side of Division Street between Pennsylvania Avenue and Maple Lane. The owner of record is Leg Hall, LLC c/o Rhett Ruggerio. Property address is 109 East Division Street. Tax Parcel is ED-05-077.05-02-55.00-000. Council District 3.

Staff gave a Memorandum with an update on the property describing the actions that have occurred. As previously mentioned, this was approved last year in June with a condition of a one (1) year review of the occupancy of the use. There is a note in the memorandum that there was a subsequent decision by the Solicitor regarding a condition relating to the ownership of the property that the Commission decided at the time and that condition was struck. Actions to date regarding the property were a Plumbing Permit last year and Staff has been working with the landscape architect and the owner of the property to complete the details of the Final Plan. The details of the Final Plan were primarily some landscaping to screen a parking pad in the back; there was exterior landscaping on the front. There are plans to construct a brick sidewalk from the rear parking area to the rear entrance and that work has been scheduled. There is one (1) amendment that is not in the memorandum that they wanted to mention. This is a request from the applicant to amend the Final Plan to reduce the parking from four (4) spaces to three (3) spaces. The conditions of the DAC Report were for four (4) parking spaces. They had a garage in the back off of the alley and three (3)

parking spaces adjacent. The applicant has requested to change that count down to three (3) total parking spaces.

Mrs. Townshend stated that the reduction in parking is from the applicant due to some of the dialogue with neighbors and wanting to not have it look commercial and have it look more residential and reduce the amount of parking that they would have in the back.

Colonel Welsh questioned if the applicant could request amendments to the original application? Responding to Colonel Welsh, Mrs. Townshend stated that this is a little unique in that they are in the Check Print process so it was just in the last week that they looked at the plans that had that change in parking. Since they were bringing it back for a one (1) year review, Staff thought that they should mention it to the Planning Commission. The public was notified that this application would be coming before the Commission so she thinks that it would be appropriate for the Commission to make a decision on that this evening.

Mr. Ruggerio stated that last year they worked with the neighbors and the Commission was grateful enough to allow them so time to work on the issues that concerned the neighbors and he feels they did that.

Mr. Ambruso questioned if everything currently still in agreement with the original DAC Report? Responding to Mr. Ambruso, Mrs. Townshend stated yes.

Colonel Welsh opened a public hearing.

Mr. Eric Czerwinski – 34 Maple Lane Dover DE 19901

Mr. Czerwinski stated that he did receive a notification of this meeting. He has nothing to oppose what's been done to the exterior of the house or to the property. He and the neighbors have talked amongst each other and have been very happy with what they have seen. It states that he is continuing to convert this property from residential to an office. The Conditional Use of these residential houses, it's his understanding that they should be able to be readily reverted back to residential use. Does that mean that the internal modifications can't be made to remove kitchens and bathrooms or does that not stop somebody from doing that? Responding to Mr. Czerwinski, Mrs. Townshend stated that bathrooms are required regardless of what occupancy. The Code doesn't specifically state that you can't take out a kitchen. The idea is that you don't break up the space so much that you wouldn't be able to restore a residential use. She thinks it has more to do with how you deal with walls because if you take out the kitchen appliances, they can always be reinstalled at a later date but if you make it so that there are not bedrooms then it will be harder to convert back to residential.

Mr. Czerwinski stated that his concern is also the removal of plumbing. He understands what Mrs. Townshend is talking about because they now have a second house that's being used as an office on that street. He was just curious about how far it could be modified internally from its original use. Other than that they are really happy with the way things are going.

Colonel Welsh closed the public hearing.

Mr. Cregar stated that he works in this area and he goes by this place ten (10) to twelve (12) times a day at different times. What he has observed is that you would hardly know that there is activity going on in this building at all. He hasn't seen any parking issues. Would the Commission not have concern if he wanted to reduce the number of parking spaces as long as he had the appropriate number of spaces for his employees? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Holt stated that the report states something about the Conditional Use being invalid. Responding to Mr. Holt, Mrs. Townshend stated that when this application came to the Planning Commission last year, Planning Commission approved the Conditional Use but tied it to the ownership of the property being under Mr. Ruggerio's ownership. They received an inquiry following the Planning Commission action and consulted with the Deputy City Solicitor who said that a condition that is based on ownership of the property not use of the property would not be a valid condition so that condition was not to be applied.

Mr. Holt questioned if Mr. Ruggerio moves out would the property revert back to residential? Responding to Mr. Holt, Mrs. Townshend stated that her recollection is that the motion was for the government relations office so if Mr. Ruggerio moved out and another government relations office that employed the same number of people moved in then that would be okay but you couldn't turn it into a medical office or change the nature of the use; it would still need to comply with the conditions regarding the use that were set by the Commission.

Mrs. Townshend stated that the motion would need to state if the Commission needs to see it back again or is the one year review sufficient enough to see if it's compatible.

Mr. Cregar stated that Staff was in the Check Print phase so once that's approved by Staff and they are in compliance with all of the other conditions, with other Conditional Uses they would not necessarily have to see that again. Responding to Mr. Cregar, Mrs. Townshend stated that was correct.

Mr. Cregar moved to approve C-14-04 109 East Division Street Professional Offices regarding the Conditional Use since it is meeting the conditions that the Commission had set and established and it's meeting the DAC requirements, to include an amendment to reduce four (4) parking spaces to three (3) parking spaces as part of this re-conditional approval, seconded by Ms. Still and the motion was unanimously carried 7-0.

NEW DEVELOPMENT APPLICATIONS

1) Z-15-03 Lands of Barrett at 35 and 39 North New Street: Rezoning from RG-1 to RG-3 – Public Hearing and Review for Recommendation to City Council for a rezoning application for two (2) parcels consisting of 0.137 acres and 0.089 acres for a total of 0.226 acres ± (9,844 SF ±). The properties are currently zoned RG-1 (General Residence Zone). The proposed zoning is RG-3 (Group Housing Zone). The properties are located at the southeast corner of North New Street and Fulton Street. The owners of record are Robert & Erin Barrett and Erin L Cooper. Property Addresses: 35 North New Street and 39 North New Street. Tax Parcels: ED-05-076.08-05-39.00-000 and ED-05-076.08-05-40.00-000. Council District 4. Ordinance #2015-12.

Representatives: Mrs. Erin Barrett, Owner

Mrs. Townshend stated that this application is a rezoning request at the southeast corner of New Street and Fulton Street. The properties are 35 and 39 North New Street. The current zoning classification is RG-1 (General Residence Zone); the applicant has requested RG-3 (Group Housing Zone). Just a clarification, the *Zoning Ordinance* says Group Housing Zone. What they mean by that is a townhouse zone. The RG-3 (Group Housing Zone) reads: any use that is permitted in the One Family Residence Zone which would be everything that's permitted in the RG-1 (General Residence Zone) as well and one family group dwellings such as townhouses and row houses. This is the kind of scenario where they need to clean up the language because she doesn't think townhouses are called group houses and it creates some confusion but that's for another date.

This is a property that is within the Downtown Development District; it is within the Restoring Central Dover study area where the City is working to try to promote homeownership and residential re-development. In this case, Staff is working on some ordinance changes that they would have to bring forward that would allow townhouses and duplexes within the RG-1 (General Residence Zone). Those ordinances are not in place yet so given that set of circumstances; Mr. and Mrs. Barrett have requested their re-zoning to RG-3 (Group Housing Zone) so that they could build townhouses on the lots.

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

Mr. Tolbert moved to recommend approval to City Council for Z-15-03 Lands of Barrett at 35 and 39 North New Street: Rezoning from RG-1 to RG-3, seconded by Mr. Holden.

Mrs. Townshend stated that she would like the motion clarified to state for the reasons stated in the DAC Report including that it's consistent with the *Comprehensive Plan*, the Restoring Central Dover Plan and the Downtown Development District.

The motion was amended to include the reasons stated in the DAC Report including that it's consistent with the Comprehensive Plan, the Restoring Central Dover Plan and the Downtown Development District, seconded by Mr. Holden and the motion was unanimously carried 7-0 by roll call vote. Mr. Holden voting yes, for the reasons stated in the motion and no resident displeasure with the action. Mr. Cregar voting yes, for all reasons previously stated comments. Mr. Tolbert voting yes, in concurrence with what's been previously stated and that the petition is consistent with the Comprehensive Plan. Mr. Holt voting yes, it's consistent with the Comprehensive Plan. Ms. Still voting yes, as it's consistent with the Comprehensive Plan according to the DAC Comments and she thinks it will be an improvement. Mr. Ambruso voting yes, it's consistent with what the City is trying to do in that area concerning the RG-1 (General Residence Zone). Colonel Welsh voting yes, for all of the reasons previously stated.

2) US-15-01 Winner Volkswagen and Subaru: Comprehensive Signage Plan – Public Hearing and Review of a Unified Comprehensive Signage Plan application to permit the construction and implementation of signage for the 5.505 acre parcel to include illuminated freestanding signage and illuminated wall signage on two (2) showroom buildings. The property is zoned C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located on the east side of North DuPont Highway and northwest of the entrances to

Dover Mall. The owner of record is 1387 DuPont Highway LLC c/o Michael Hynansky. Property Address: 1387 North DuPont Highway. Tax Parcel: ED-05-057.00-01-15.00-000. Council District 3. *This application is associated with V-15-05 approved by the Board of Adjustment on March 18, 2015 and S-14-05 approved by the Planning Commission on April 21, 2014.*

Representatives: Mr. Michael Hynansky, 1387 DuPont Highway, LLC

Mr. Cook stated that is was a review of a Unified Comprehensive Signage Plan to permit the construction and implementation of signage for the 5.505 acre parcel to include illuminated freestanding signage and illuminated wall signage on two (2) showroom buildings. The property is zoned C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located on the east side of North DuPont Highway and northwest of the entrance to Dover Mall. The owner of record is 1387 DuPont Highway LLC c/o Michael Hynansky. Property address is 1387 North DuPont Highway. Tax Parcel: ED-05-057.00-01-15.00-000. Council District 3.

There are copies of a Site Plan and the Map Plan Book in tonight's packet. The Map Plan Book is just like other plans that the Commission might receive. There are some minor corrections and Staff has been in contact with the sign company but otherwise it's pretty close to complete.

The Commission reviewed the Site Plan in April 2014 and the Site Plan was for the addition of a new Dover Volkswagen showroom building which is going to be slightly south of the existing showroom building. The application is also associated with a Variance which was heard in March of 2015 and that relates to one of the freestanding signs.

There is an existing showroom building that has subsequently been renovated extensively so it has a totally different look than what is being seen in the previous picture. There are two (2) freestanding signs existing: a Subaru sign and a Volkswagen sign. Those are considered non-conforming by today's Code because they are rather close together. Today's Code would require those to be fifty (50) feet apart; however, those are being replaced. There will be three (3) freestanding signs and thirteen (13) wall signs altogether distributed amongst the two (2) buildings. On Site Plan, the locations of the three (3) are as follows: one (1) is located just north of the new re-aligned entrance to the property; it's going to be a Subaru pylon sign. That's the sign that required a variance due to the setback. The property there is a little bit tight because of the pre-existing building so in order to make that work the applicant requested a Variance from the normal setback requirement which is fifteen (15) feet. He believes the Variance was to bring that setback down to nine (9) feet. The second proposed freestanding sign is going to be farther south in the corner of the property and that will be the Volkswagen pylon sign. It will be located near the new Volkswagen showroom building. There is another sign, a small post and panel monument sign, that's going to be near the potential future re-aligned entrance to the property. If the Dover Mall access entrance is ever re-aligned then there will be access from that road. The two (2) pylon signs are less than thirty (30) feet in height and both of them are less than one hundred (100) square feet in area so they would comply as a pylon sign. The differences by bringing this before the Planning Commission is that they have the ability to increase the number, area or the height of signs. For the overall total package, they would only be allowed to have one (1) freestanding sign because the number of freestanding signs is determined by the entrances and they only have one (1) entrance. The Commission has the ability to allow the one (1) additional pylon sign.

Mr. Cook presented a slide show of what each sign would look like.

Mr. Cook presented a slide showing the façade of the Subaru Building which was the renovated building. Due to the way the City's Sign Regulations work, this would be considered four (4) signs because there is a sign that's over the garage entrance and then three (3) on the top. The way that the City counts the area and groups it together, it counts as four (4) signs. Under the standard Sign Regulations they would only be allowed two (2) signs per building. The total number of signs for this building was included with the Variance request for the setback for the pylon sign. The reason for that was due to constriction phasing. The applicant had to get the Setback Variance for the pylon sign and they elected to request for the number of wall sign increase at that time and the Board of Adjustment decided to grant that as well. They are including them in this overall Sign Plan because the way that a Comprehensive Sign Plan works for the total area that's added up when you are approving it. The applicant can increase to a certain percentage in the future without having to come back to the Planning Commission. It's all included here so that they have a baseline.

The next slide shows the Volkswagen Building. Again, there is signage on the front and some signage on the side that will be facing the north bound traffic. This one is a little unique in that it does actually have signage on the back as well and that would be facing the ring road around the Dover Mall.

Mr. Hynansky stated that the reason for the semi-drastic change from what is existing to what he is doing now is when he contracted the previous owner to buy this business, he had to negotiate sales and service agreements with both Volkswagen of America and Subaru of America to become a dealer there. They have requirements whenever there is a change of hands, to bring the building and the representation up to the then current standard of their facility. That's basically the reason for the request for this number of signs to make them consistent with both Volkswagen of America and Subaru of America.

Mr. Tolbert questioned if the Board of Adjustment has preapproved some of the signs as he understands so is the action that the Commission is taking this evening redundant or will it impact what the Board of Adjustment has done? Responding to Mr. Tolbert, Mrs. Townshend stated that it will not impact what the Board of Adjustment has done, in some ways it's redundant which was actually part of the reason that Staff had recommended against it at the Board of Adjustment but again there was a timing issue and they did act in that regard. She thinks the main thing is that anything that the Board of Adjustment has already granted, the Commission can't change. In some ways the Commission's action will solidify what the Board of Adjustment has done but again they want to make sure that the Comprehensive Sign Plan has all of the signage in it even if it's already been granted by the Board of Adjustment because it does affect signage in the future. It's important that the plan that the Commission approves includes everything.

Mr. Tolbert further questioned what impact that would have on any motion that the Commission would make? Responding to Mr. Tolbert, Mrs. Townshend stated that she didn't think it would have an impact.

Colonel Welsh stated that he didn't think it would have an impact and that he should also point out that Staff is in support of all of the recommendations and approvals by the Board of Adjustment. There is no additional verbiage required.

Mr. Holt stated that he didn't have any questions, it looks fine and it looks like it's going to be a good package. People will certainly be able to find their way to the showroom.

Mr. Ambruso questioned if the applicant was happy with what was coming out of the City in regards to their requests? Mr. Hynansky stated yes, the City has been very helpful in the process. There's been a lot of work with the manufacturer but they are happy with the results.

Colonel Welsh stated that he was impressed that Mr. Hynansky would show up tonight as the owner and represent his application. It shows dedication and he appreciates that.

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

Mr. Holt moved to approve US-15-01 Winner Volkswagen and Subaru: Comprehensive Signage Plan, seconded by Ms. Still and the motion was unanimously carried 6-0 by roll call vote. Mr. Holden abstained from the vote; his employer has worked on the overall project. Mr. Cregar voting yes, believes that the package that's presented will be a plus for the size and complexity of this automobile campus for sales. It will be a positive for safely getting the public in and out and to identify the areas where they need to be. Mr. Tolbert voting yes, the plan that was submitted is a well thought out plan and it will add something to the overall appearance in Dover. Sometimes they can get signs all over the place that makes the City look a little ugly and tacky; this Sign Plan is well thought out and it's beautiful. Mr. Holt voting yes, he feels like it's a well thought out plan and will definitely aid Volkswagen and Subaru with their sales. Ms. Still voting yes, in concurrence with the comments made previously by Mr. Cregar and Mr. Tolbert. Mr. Ambruso voting yes, for all of the reasons previously stated. Colonel Welsh voting yes, it's a very well thought out plan, it's very attractive and he thinks it's certainly an enhancement to the existing property.

NEW BUSINESS

1) Nomination and Election of Officers (Chairman and Vice-Chairman)

Nominations for Chairman were opened to the floor.

Mr. Cregar nominated Mr. Tolbert to serve as the Chairman.

Mr. Ambruso moved that the nomination for Chairman be closed on the said name, seconded by Mr. Cregar. Mr. Tolbert will serve as Chairman.

Nominations for Vice-Chairman were opened to the floor.

Mr. Tolbert nominated Ms. Still to serve as the Vice-Chairman, seconded by Mr. Cregar.

Mr. Cregar moved that the nomination for Vice-Chairman be closed on the said name, seconded by Mr. Holden. Ms. Still will serve as Vice-Chairman.

2) Appointment of the Architectural Review Oversight Subcommittee of Planning Commission (in accordance with *Zoning Ordinance,* Article 10 §2.28)

Mrs. Townshend stated that the current two (2) Planning Commission members are Ms. Kathy Still and Mr. Dean Holden. In addition, Ms. Sarah Kiefer, Director of Planning Services for Kent County and Dr. R. G. Chandler, Director of Architecture at Del-Tech Community College as the outside design professional.

Colonel Welsh questioned if they are willing to continue? Responding to Colonel Welsh, Mrs. Townshend stated that they have not talked to them but since they have never met she is sure that they would gladly meet if they needed them.

Colonel Welsh moved to approve that Ms. Still, Mr. Holden, Ms. Sarah Keifer and Dr. Chandler continue on the Committee for the next year, seconded by Mr. Tolbert and the motion was unanimously carried 7-0.

Meeting adjourned at 7:49 PM.

Sincerely,

Kristen Mullaney
Secretary

Harvey, Tracey

From: mikesollazzo@comcast.net
Sent: Friday, August 07, 2015 11:23 AM
To: Harvey, Tracey
Cc: Byler, Jr., Bill
Subject: From William Byler Jr Architect: Re: Redeemed Christian Church - 896 S. State Street

Tracey Harvey,

William Byler, Jr., Architect is, by this email, officially requesting a 12-month extension to the permit for the Site Plan for Redeemed Christian Church - 896 S. State Street, Application No. C-13-05. Please place this item on the agenda for the Planning Commission meeting on August 17th.

Thank You,

Michael A. Sollazzo,
William Byler Jr. Architect, Inc.

From: "William Byler" <billjr77@gmail.com>
To: mikesollazzo@comcast.net
Sent: Friday, August 7, 2015 10:49:59 AM
Subject: Fwd: Redeemed Christian Church - 896 S. State Street

---------- Forwarded message ----------
From: **Harvey, Tracey** <Tharvey@dover.de.us>
Date: Thu, Aug 6, 2015 at 4:34 PM
Subject: RE: Redeemed Christian Church - 896 S. State Street
To: William Byler <billjr77@gmail.com>

Bill,

Ann Marie suggested that you apply for an extension for application C-13-05 for the site plan that was approved August 13, 2013. It expires on 8/31/15 if a permit has not been issued. If you apply for an extension and don't need it, we can just remove it from the agenda from the next Planning Commission meeting on August 17th. The deadline is tomorrow.

Tracey Harvey

City of Dover Planning Department

City of Dover

15 Loockerman Plaza

Dover, DE 19901

(302) 736-7196

From: William Byler [mailto:billjr77@gmail.com]
Sent: Thursday, August 06, 2015 2:35 PM
To: Harvey, Tracey
Subject: Redeemed Christian Church - 896 S. State Street

Hello Tracey.....You had called about extending an approval for this project. I did speak with Bill Cook when you were out. We are trying to get in by tomorrow for the building permit. It may be Monday though. Is this still working with the approval that is about to expire? By the way what previous approval are we referring to?

Thanks you,

Bill Byler

C-13-11

BECKER MORGAN GROUP

ARCHITECTURE
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PLANNING OUR
CLIENTS' SUCCESS

RECEIVED

JUL 31 2015

CITY OF DOVER
PLANNING & INSPECTIONS

July 30, 2015

Mrs. Dawn Melson-Williams, AICP
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19903-0475

RE: **Conditional Use Approval Update**
PROPOSED DOVER CHRISTIAN CHURCH
Dover, Delaware
2012072.02

Dear Mrs. Melson-Williams:

On behalf of our client, Dover Christian Church, we are hereby submitting revised plans for the previously approved Conditional Use Application. This is submitted for consideration at the August Planning Commission Meeting, under old business. It is our understanding that the changes we discussed in a meeting on July 23, 2015 and as outlined below will not require the project to go back through the public hearing process, however we would like the Planning Commission to be informed of the changes that were made. We are providing the following:

1. Fifteen (15) copies of the Site Plan and Landscape Plan (Sheets C-001 and L-101)
2. Fifteen (15) copies of the building renderings.
3. A CD containing PDF's of the plan sheets and architectural renderings.

Due to stormwater limitations of the site and overall budget concerns, the following changes have been made to the plans:

a. Building square footage was reduced from 9,600 to 6,914 (approximate). In addition, the building was shifted to the west to accommodate a stormwater facitlity since it was found that an underground stormwater infiltration system was not feasible as previously shown.
b. Parking was reduced from 67 spaces to 50 spaces.
c. Impervious coverage was reduced from 62.9% to 52.6%.
d. The exterior materials of the building was generally revised from masonry and metal paneling to brick and siding.

In addition, it is our understanding that the conditional use approval will expire on October 13, 2015 – two (2) years from the approval date. Therefore, we respectfully request a one (1) year approval extension for the project. Please feel free to contact me if you require any additional information.

Sincerely,

BECKER MORGAN GROUP, INC.

Jon Falkowski

Jon S. Falkowski
Associate

JSF/jsf

Cc: Waldberg Bryant – Dover Christian Church, Inc.

201207202ak-ltr.doc

BECKER MORGAN GROUP, INC.

ARCHITECTURE & ENGINEERING

309 SOUTH GOVERNORS AVENUE
DOVER, DELAWARE 19904
302.734.7950
FAX 302.734.7965

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

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

ARCHITECTURE & PLANNING

3205 RANDALL PARKWAY, SUITE 211
WILMINGTON, NORTH CAROLINA 28403
910.341.7600
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www.beckermorgan.com

City of Dover

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 5, 2015

PLANNING COMMISSION MEETING OF August 17, 2015

Plan Title:	Cellco Partnership dba Verizon Wireless (C-15-03)
Plan Type:	Conditional Use Site Plan
Property Location:	End of College Park Drive in College Business Park, abutting railroad right-of-way
Property Address:	1255 College Park Drive
Tax Parcel Number:	ED-05-067.00-02-12.06-000
Owner:	Bay Developers Inc.
Property Area:	1.05 Acres +/-
Present Use:	Vacant
Proposed Use:	Telecommunications monopole and associated facilities
Building Area:	147 S.F.
Off Street Parking:	Required – N/A Proposed – 1 space
Zoning Classification:	M (Manufacturing Zone)
Waiver Request:	Elimination of Sidewalk Requirement

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 5, 2015

City of Dover Planning Office

APPLICATION: Cellco Partnership dba Verizon Wireless at 1255 College Park Drive

FILE #: C-15-03 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Bill Cook, Planner I PHONE #: (302) 736-7010

PLAN SUMMARY

This is a Conditional Use Site Development Plan to permit the construction of a 158 foot telecommunications monopole and associated equipment compound. The project is located on one parcel of land consisting of 1.05 +/- acres and is zoned M (Manufacturing Zone).

The property is located with College Business Park and on College Park Drive, a private dead-end street located northeast of McKee Road that extends approximately 1,600 feet from College Road. The parcel is located on the cul-de-sac and the rear of the property abuts the railroad right-of-way.

At its meeting of June 18, 2015, the Board of Adjustment approved variance V-15-08 for a 123 foot increase in the maximum height permitted for the subject property to allow the construction of the 158 foot monopole. The maximum height for a structure in the M (Manufacturing Zone) is 35 feet.

PROJECT DESCRIPTION

This Conditional Use Site Development Plan proposes construction of a 158 foot telecommunications monopole and associated equipment compound. In addition to the monopole, a small 147 SF equipment shelter is proposed, as well as pads for meters, a generator, and other equipment. The fenced compound area is 1600 SF +/-. The shelter is to house equipment and is not for human occupancy and is thus exempt from certain zoning and building code provisions.

ZONING

Zoning Ordinance Article 3 §19 outlines requirements for uses with the M (Manufacturing Zone). All uses in the M zone are Conditional Uses subject to review and approval by the Planning Commission per Article 3 §19.1.

Pursuant to *Zoning Ordinance* Article 5 §21.42 relating to Public Utility Infrastructure, the project consists of private utility infrastructure and is thus subject to all zoning requirements for the zone in which it is sited.

The project complies with the bulk standards of the M zoning district related to setbacks. Variance V-15-08 relating to maximum building height was approved by the Board of Adjustment. The compound and monopole are located at the rear southwest corner of the property and partly screened by vegetation existing on the site.

SITE CONSIDERATIONS

Existing Condition
The current property is vacant with trees and other vegetation. There is currently has a truck trailer on site (shown on the submitted plan) in the approximate location of the compound. There are dirt and masonry piles shown on the plan, with the masonry piles labeled to be removed.

Site Access
The private street College Park Drive is not curbed. There is a gravel entrance at the end of the cul-de-sac leading into this property, which is shown on the plan to be expanded and continued to become the access drive running along the property perimeter to the location of the proposed compound.

Sidewalks
There is existing partial sidewalk system along parts of College Park Drive as shown on the aerial photograph in Exhibit B. There is currently no sidewalk installed along the frontage of the subject property. Submitted plans do not show a proposed sidewalk.

Zoning Ordinance Article 5 §18.2 requires that standard City of Dover sidewalk be installed by the developer when a private road within a development is proposed. This project is the first development activity on this parcel and the sidewalk should be implemented at this time.

Potential Waiver Request: Elimination of Sidewalks
The applicant has submitted a waiver request (Exhibit E) to eliminate the requirement to install sidewalks for the current project on the site. The rationales cited include: 1) the relative isolation of the site within the office park and lack of potential connection with other properties due to the railroad, 2) the unoccupied use which would not generate pedestrian trips, 3) that the proposed development plan is an accessory use and a future development plan for a primary use is the more appropriate time for sidewalk installation, 4) sidewalk installation at this time may conflict with future development plans for the property, and 5) sidewalk installation would cause disturbances to topography and vegetation that should be delayed until a plan for the entirety of the site is developed.

Final Plans shall be corrected and noted to reflect the decision of the Commission.

Parking
The Bulk and Parking Regulations for the M zone (*Zoning Ordinance* Article 4 §4.16) requires the greater of at least one (1) parking space per 800 S.F. of floor area, or one (1) per employee per largest working shift. One (1) space is proposed adjacent to the gate to the fenced compound. Staff finds this sufficient since the equipment shed is not for human habitation, is an accessory structure to the monopole, and due to the nature of the use of the property which will be unattended and not regularly staffed. Additionally, neither the monopole nor the equipment shed have characteristics that meet the criteria for “floor area” per the definition in Article 12, which

exclude maintenance and operational areas:

> *Floor area:* The sum of the gross horizontal areas of the several floors of the building or buildings on a lot, measured from the exterior faces of exterior walls, or from the center line of party walls separating two buildings. For purposes of calculating minimum parking and loading space requirements and calculation of floor area ratio, the "floor area" tabulation shall exclude cellar and basement areas used only for storage or for maintenance and operation of the building; shall exclude exterior stair towers; and shall exclude enclosed or partially enclosed garage parking and loading space areas, but shall include all outdoor storage and sales areas in use for more than 21 days in a calendar year.

Staff has determined that per the *Zoning Ordinance* parking is not required for the utility use. This determination influences other requirements related to driveways, surfacing, curbing, bicycle parking, and ADA accessibility.

Access Drive, Surfacing, Curbing
A 12 foot wide access drive is proposed along the eastern property line, parallel to the railroad right of way and leading to the compound location at the rear of the property. Plans appear to show this drive to be surfaced in gravel. Staff finds the surface appropriate for a utility access use, and *Zoning Ordinance* requirements for hard, paved surface do not apply because the provided areas are not parking areas per the Ordinance. Requirements for 6 inch upright curbing of all permanent parking areas is not applicable to this use.

Bicycle Parking/ADA Access
Provisions do not apply because the site is not for general public access, and the requirements are not invoked due to the lack of a parking requirement.

Dumpsters/Trash
Zoning Ordinance Article 5 §6 does not specify trash and dumpster requirements for utility uses. Refer to Department of Public Works comments relating to trash service.

Fences
The compound area is proposed to be enclosed with 8 foot chainlink fencing topped with barbed wire. The appropriate access for emergency personnel must be provided per any Office of the Fire Marshal comments.

TREE PLANTING AND LANDSCAPE PLAN
The submitted plans include details related to existing topography, soils, tree removal and tree planting. The existing site includes mixed trees and vegetation, and a portion (58%, 25,274 SF) of the site qualifies as woodlands per Code definition. Selective tree clearing is proposed along the eastern boundaries of the property to make way for the access drive and compound. The amount of woodland area being removed is 11.6%, (2,925 SF). Based on the area of non-woodlands remaining on site (21,211 SF), eight (8) trees are required to be planted (1 per 3,000 SF of non-woodland area). Details of the tree clearing and planting requirements are shown on Sheet Z-1 as submitted.

Nine (9) trees are proposed. These are evergreens and deciduous trees to be planted outside the fenced perimeter of the compound as shown on Sheet Z-2.

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:
The following corrections, revisions, and clarifications are required prior to Final Plan approval.

1) Sheet T-1:
   a) Site Information: Change "Landlord" name and address to "Owner".

2) Sheet Z-1:
   a) Update *Impervious Coverage* table to include the area of the access drive and parking/turnaround areas.
      i) Gravel, crushed stone, and similar surfaces are calculated as impervious for purposes of lot coverage.
      ii) In the table, please show calculations for pre- and post-construction conditions.
   b) Clarify the surfacing of the access drive and parking. Does the "existing gravel" at the entrance continue for the entirety of the drive?
   c) A Grading Plan should be shown relating to the compound and access drive if site grading is proposed.
   d) Clarify the labelling of the 20' access on the east side of the property. Unless there is a recorded access easement, change to "access drive", "tenant access" or some other description.
   e) Add a legend to help identify fence lines, surfaces, tree protection, tree lines, etc.
   f) In the *Bulk Requirements* table, add a reference to a General Note containing a statement regarding approved variance V-15-08 approved by the Board of Adjustment at its meeting of June 18, 2015 to allow a 123 foot increase in the maximum building height.

3) Sheet Z-2
   a) Label the dimensions of the parking space/turnaround area.
   b) Show setback lines.
   c) Consider consolidating the tree density and clearing details from Sheet Z-1 onto a single landscape sheet that includes the planting plan and plant schedule.
   d) Per the requirements of *Zoning Ordinance,* Article 5 §16.8 the tree preservation, clearing and planting plan must include details of the design professional responsible for preparation of the plan (See §16.2, Definitions).
   e) Note that all design professionals require City of Dover Business Licenses, contact 302-736-7010 for more information or visit the Department of Inspections front counter at 15 Loockerman Plaza, City Hall.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Recommendations on Waiver Request:
   a) Waiver Request for Elimination of Sidewalk: Staff recommends approval of the waiver request for the reasons stated by the applicant, in reference to this specific Site Development Plan. The proposed plan is for a private utility structure that will be unoccupied and not serve the public in physical way. This waiver shall apply to this project only, and not apply to any future Site Development Plan proposal for the parcel.

ADVISORY COMMENTS TO THE APPLICANT:

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

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

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

4) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meeting and permits/licenses are required.

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

6) The applicant shall be aware that Site Plan approval does not represent a 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.

C-15-03

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 29, 2015 for Planning Commission on **August 17th, 2015**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **Cellco Partnership dba Verizon Wireless at 1255 College Park Drive**

FILE #: **C-15-03** 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:

CITY AND STATE CODE REQUIREMENTS:

1. The proposed use of the property is an Industrial type use.
2. The proposed use of the property requires 50% building perimeter access.
3. Access Lanes shall have an unobstructed vertical clearance of not less than 13ft 6in.
4. 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.
5. Any natural or LP gas bottles, meters, values, regulators, etc., must have impact protection per City of Dover Code of Ordinances.
6. Full building and fire plan review is required.
7. 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. Any deviation of this must be approved by the Authority Having Jurisdiction.
8. Project to be completed per approved Site Plan.

9. 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. **Access Roads are required to be constructed to meet the minimum engineering specifications and/or requirements pursuant to the Delaware Department of Transportation to support the weight of fire apparatus.**

2. **Access Road to the site must conform to Delaware State Fire Prevention Regulations. The minimum width of the access road to the site for one-way traffic is 14ft.**

3. **Access Road; a turn-around or cul-de-sac shall be provided so emergency apparatus will be able to turn around after accessing the site. The design of this must be per the Delaware State Fire Prevention Regulations.**

4. **The gate locking mechanism must be approved by this office. A Knox Box or Knox Box padlock will be required. These will need to be ordered through the City of Dover Fire Marshal's Office to ensure it is the approved type/keyed for the City of Dover.**

5. **Per Delaware State Fire Prevention Regulations, the gate must have a clear opening not less than 14ft to be considered accessible for fire department apparatus. The paved surface through the gate shall be not less than 12ft. Please show this on plans.**

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: JULY 29, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: CELLCO PARTNERSHIP DBA VERIZON WIRELESS

FILE #: C-15-03

REVIEWING AGENCY: City of Dover Electric and Public Works Departments

CONTACT PERSON: Aren Wright - 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 / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. Our office has no objection to the conditional use.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER

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 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.

SANITATION

1. This sanitation for this property shall be served by a private contractor.

STORMWATER / STREETS / GROUNDS

1. None

GENERAL

1. Please note that all infrastructure within the industrial park is privately owned and maintained.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 29, 2015

DELDOT

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APPLICATION: C-15-03 Cellco Partnership dba Verizon Wireless at 1255 College Park Drive

FILE#: C-15-03 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:

1. The Department has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1. The Department has no recommendations.

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.

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
August 2015

APPLICATION: Cellco 1255 Collage Park Drive

FILE #: C-15-03

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. The site disturbance is greater than 5000 square feet. A stormwater nonresidential standard plan may be able to cover the requirements for the site. Contact the Conservation District for further details.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 7/29/2015

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Cellco Partnership dba Verizon Wireless at 1255 College Park Drive

FILE #: C-15-03 REVIEWING AGENCY: Dover/Kent County MPO

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

The Dover/Kent County MPO requested the opportunity to bring the recommendations on issues of our concern to the City. The MPO will limit comments to projects to development proposals and applications that may lead to new development or offer the opportunity to improve accessibility. 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 8/17/2015

Project Review

C-15-03- Cellco Partnership dba Verizon Wireless at 1255 College Park Drive

The MPO promotes a walkable City and County. College Park Drive has had sidewalks installed as parcels are developed. As this parcel is now requesting the ability to develop the cell tower, the MPO recommends it include the continuation of the frontage sidewalk to join with the walk on the cul-de-sac and that walk constructed to the immediate west. The sidewalk should create a continuous walk without gaps in the Park.

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. Mr. Galvin may be contacted at james.galvin@doverkentmpo.org or at 302-387-6028.

GUIDE TO ATTACHMENTS & EXHIBITS

Exhibit	Description/Author	# Pages
A	Zoning Exhibit Map (Staff)	1
B	Aerial of Site and Surroundings (Staff)	1
C	Site Plans: "DOV- Silver Lake" (Applicant) Pages cited in Report: Z-1: Site Plan Z-2: Compound Plan	8
D	Radiofrequency Analysis, Engineer's Declaration (Applicant)	9
E	Request for Waiver of Sidewalk (Applicant)	2

MILLENNIUM ENGINEERING, P.C.
132 Jaffrey Road
Malvern, PA 19355

Cell: 610-220-3820
www.millenniumengineering.net

Fax: 610-644-4355
Email: pauldugan@comcast.net

June 16, 2015

Attn: Jonathan Jordan, Esq.
Riley Riper Hollins & Colagreco, P.C.
717 Constitution Drive, Suite 201
Exton, PA 19341

Re: RF Safety FCC Compliance of Proposed Communications Facility
Site Name: DOV-SILVER LAKE, Proposed 150' Monopole
1255 College Park Drive, Dover, DE 19904 (Kent County)

Dear Mr. Jordan,

I have performed an analysis to provide an independent determination and certification that the proposed Verizon Wireless communications facility at the above referenced property will comply with Federal Communications Commission (FCC) exposure limits and guidelines for human exposure to radiofrequency electromagnetic fields (Code of Federal Regulation 47 CFR 1.1307 and 1.1310). As a registered professional engineer I am under the jurisdiction of the State Registration Boards in which I am licensed to hold paramount the safety, health, and welfare of the public and to issue all public statements in an objective and truthful manner.

The proposed communication facility consists of a proposed 150' monopole. The proposed Verizon Wireless antenna configuration from the information furnished to me consists of (1) 700 MHz (LTE) antenna (CSS X7C-465 or equivalent), (1) 850 MHz (LTE) antenna (CSS X7C-465 or equivalent), (1) 1900 MHz (LTE) antenna (CSS AXP19-60 or equivalent) and (1) 2100 MHz (LTE) antenna (CSS AXP19-60 or equivalent) on each of four faces (total of 12 antennas) spaced with azimuths approximately 120 degrees apart on the horizontal plane with a centerline of 150' above ground level. Transmitting from these antennas will be (1) 700 MHz LTE wideband channel, (1) 850 MHz LTE wideband channel, (1) 1900 MHz LTE wideband channel and (1) 2100 MHz LTE wideband channel per face.

The following assumptions are made for reasonable upper limit radiofrequency operating parameters for the proposed facility due to Verizon Wireless antennas alone to accommodate all licensed frequency bands:

- (1) 700 MHz (LTE) transmit antenna per face at 0-10 degrees mechanical downtilt
- (1) 850 MHz (LTE) transmit antenna per face at 0-10 degrees mechanical downtilt
- (1) 1900 MHz (LTE) transmit antenna per face at 0-10 degrees mechanical downtilt
- (1) 2100 MHz (LTE) transmit antenna per face at 0-10 degrees mechanical downtilt
- (1) 700 MHz LTE wideband channel/face at 2x40W max power/channel before cable loss/antenna gain
- (1) 850 MHz LTE wideband channel/face at 2x40W max power/channel before cable loss/antenna gain
- (1) 1900 MHz LTE wideband channel/face at 2x60W max pwr/channel before cable loss/antenna gain
- (1) 2100 MHz LTE wideband channel/face at 2x60W max pwr/channel before cable loss/antenna gain
- The facility would be at or near full capacity during busy hour

Using the far-field power density equations from FCC Bulletin OET 65, the power density at any given distance from the antennas is equal to $0.360(ERP)/R^2$ where R is the distance to the point at which the exposure is being calculated. The given equation is a conversion of the OET 65 power density equation for calculating power density given the distance in feet and the result in metric units (mW/cm^2). This calculated power density assumes the location is in the main beam of the vertical pattern of the antenna. After making an adjustment for the

reduction in power density due to the vertical pattern of the transmit antenna, the calculated ground level power density is at or below 1 $\mu W/cm^2$ at any distance from the antenna system of Verizon Wireless. This calculation uses parameters greater than what they have defined as their initial and typical operating parameters for this facility.

The "Upper C Block" 700 MHz transmit frequencies (746-757 MHz), which Verizon Wireless is licensed by the FCC to operate, have an uncontrolled/general population maximum permissible exposure (MPE) FCC limit of 497 $\mu W/cm^2$. The "B Band" 850 MHz (cellular) transmit frequencies (880-894 MHz), which Verizon Wireless is also licensed by the FCC to operate, have an uncontrolled/general population MPE FCC limit of 587 $\mu W/cm^2$. The "B1 Block" and "F Block" 1900 MHz (PCS) transmit frequencies (1950-1953.75, 1970-1975 MHz), which Verizon Wireless is also licensed by the FCC to operate, have an uncontrolled/general population MPE FCC limit of 1000 $\mu W/cm^2$ or 1 mW/cm^2. The "A Block" and "B Block" 2100 MHz (AWS) transmit frequencies (2110-2120, 2120-2130 MHz), which Verizon Wireless is also licensed by the FCC to operate, have an uncontrolled/general population MPE FCC limit of 1000 $\mu W/cm^2$ or 1 mW/cm^2. Therefore, the exposure at ground level at any distance from the structure would be substantially below 1 % of the FCC exposure limits due to Verizon Wireless antennas alone. The extremely low ground exposure levels are due to the elevated positions of the antennas on the structure and the low power which these systems operate. See Figures 1 and 2 in back of this report which discuss the relationship between height, proximity or distance, and orientation to level of electromagnetic field exposure.

From the standpoint of RF exposure, the presence of Verizon Wireless would not preclude the future addition of other tenants or licensees including emergency or other municipal services which benefit the public from collocation on this structure. There is a substantial margin of safety to allow for the addition of transmit antennas of other communications services. Keep in mind that continuous exposure at 100 % of standard is considered by the scientific community as just as safe as 1 % of standard since the exposure limits themselves contain a large margin of safety.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP), which is an association under the International Radiation Protection Association (IRPA), established exposure limits or guidelines in 1998 similar to the FCC limits. The ICNIRP is a formally recognized non-government organization in non-ionizing radiation for the World Health Organization and the International Labour Office. While the ICNIRP has no jurisdiction over FCC licensees, the composite ground level exposure of the proposed facility will be below 1 % of the ICNIRP exposure limits.

In summary, the proposed communications facility will comply with all applicable exposure limits and guidelines adopted by the FCC governing human exposure to radiofrequency electromagnetic fields (FCC Bulletin OET 65). Federal law (FCC Rule Title 47 CFR 1.1307 and 1.1310) sets the national standard for compliance with electromagnetic field safety. The FCC exposure limits are based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits developed by the Institute of Electrical and Electronics Engineers, Inc., (IEEE) and adopted by the American National Standards Institute (ANSI). **Thus, there is full compliance with the standards of the IRPA, FCC, IEEE, ANSI, and NCRP.**

General Information on Electromagnetic Field Safety

Verizon Wireless facilities transmit and receive low power electromagnetic fields (EMF) between base station antennas and handheld portable cell phones. The radiofrequency energy from these facilities and devices is non-ionizing electromagnetic energy. Non-ionizing, unlike X-Rays or other forms of potentially harmful energy in the microwave region, is not cumulative over time nor can the energy change the chemical makeup of atoms (e.g. strip electrons from ions). "Non-ionizing" simply means that the energy is not strong enough to break ionic bonds.

Safe levels of electromagnetic fields were determined by numerous worldwide organizations, such the International Committee for Non-Ionizing Radiation Protection, a worldwide multi-disciplinary team of researchers and scientists studying the effects of non-ionizing radiofrequency energy such as that emitted by base stations or cell phones. The FCC did not arbitrarily establish their own standards, but adopted the recommendations of all leading organizations that set standards and research the subject such as the Institute of Electrical and Electronics Engineers (IEEE), American National Standards Institute (ANSI), and National Council on Radiation Protection and Measurements (NCRP).

When Verizon Wireless is located on an antenna structure such as a self-supporting lattice type tower, lattice tower, guyed tower, watertank, etc. the antennas are typically 10 meters or more above ground level (10 meters = 32.81 feet). With the relatively low power and elevated positions of the antennas on the structure with respect to ground level, the maximum ground level exposure can rarely approach 1 % of the applicable FCC exposure limit regardless of how many sets of antennas are collocated on the structure. For this reason, the FCC considers the facilities "categorically excluded" from routine evaluation at antenna heights above 10 meters (or above 32.81 feet). Categorical exclusion exempts a site from routine on-site evaluation. However, the facility is not excluded from compliance with the federal exposure limits and guidelines. The types of facilities used by Verizon Wireless typically elevated on antenna structures (away from access to close proximity, i.e. greater than 10 meters or 32.81 feet) simply cannot generate ground level exposure levels that approach the limits under any circumstances.

From a regulatory perspective, the FCC has sole jurisdiction over the regulation of electromagnetic fields from all facilities and devices. The FCC has established guidelines and limits over emissions and exposure to protect the general public. The FCC also has certain criteria that trigger when an environmental evaluation must be performed. The criteria are based on distance from the antennas (accessibility) and transmit power levels.

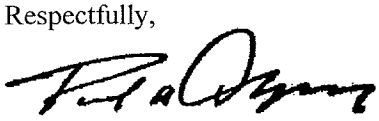
CONCLUSIONS:

1) **The proposed communications facility will comply with electromagnetic field safety standards by a substantial margin (well below 1 %) in all publicly accessible areas. This includes the base of the proposed structure and any areas in proximity to the proposed structure.**

2) **Verizon Wireless takes appropriate measures to ensure that all telecommunications facilities (including this proposed facility) comply with applicable exposure limits and guidelines adopted by the FCC governing human exposure to radiofrequency electromagnetic fields (FCC Bulletin OET 65).**

3) **In cases where such compliance exists, the subject of electromagnetic field safety is preempted**. The Telecommunications Act of 1996 states that: "No state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [FCC's] regulations concerning such emissions." Telecommunications Act of 1996, § 332[c][7][B][iv].

Respectfully,





Paul Dugan, P.E.
Registered Professional Engineer
Delaware License Number 11797

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June 16, 2015

Attn: Jonathan Jordan, Esq.
Riley Riper Hollins & Colagreco, P.C.
717 Constitution Drive, Suite 201
Exton, PA 19341

Re: Radiofrequency Design of Proposed Communications Facility
Site Name: DOV-SILVER LAKE, Proposed 150' Monopole
1255 College Park Drive, Dover, DE 19904 (Kent County)

Dear Mr. Jordan,

I have performed an analysis to provide an independent evaluation and design review of the wireless communications facility proposed by Verizon Wireless at the above referenced property. As a registered professional engineer I am under the jurisdiction of the State Registration Boards in which I am licensed to hold paramount the safety, health, and welfare of the public and to issue all public statements in an objective and truthful manner.

Verizon Wireless is currently licensed by the Federal Communications Commission (FCC) to provide wireless services to Kent County and a large number of other counties in this region. The license specifies the frequency band and power levels at which Verizon Wireless is authorized to operate their system.

The objectives of the proposed facility are to provide reliable 4G LTE coverage and capacity relief to a heavily traveled northwest section of the City of Dover in the vicinity of the Delaware State University including sections of Collage Road/State College Road, McKee Road (Route 15), Scarborough Road, and other adjoining roads in the community. The proposed facility is a capacity offload site which will provide necessary traffic offloading from the two sites identified on the propagation exhibits as DOV-RACEWAY LIQUORS (gamma sector) and DOV-FOX HALL (beta sector). The proposed facility will also provide improved in-building coverage to the immediate area extending 0.5 – 1 mile in all directions from the proposed facility location. Therefore, the proposed facility has both coverage and capacity objectives which are triggering the need for the proposed site.

The existing Verizon Wireless base stations currently serving the periphery of this area are identified as follows:

DOV-WEST DOVER – watertank on West North Road (Hazlettville Road)
DOV-FOX HALL – 127' watertank at 1293 Walker Road
DOV-NORTH DOVER - 195' lattice tower at 2030 North Dupont Hwy
DOV-RACEWAY LIQUORS – 76' monopole at 889 Dupont Hwy
DOV-DOVER DOWNS – 125' lattice tower at 0 Bacon Avenue
DOV-SOUTH DOVER – 139' watertank at 391 United Way

The facility must be well placed in order to provide new LTE coverage where it is needed and properly shed traffic from existing base stations. For this reason the target area for a new facility is very specific. To deviate

from this target area would only serve to proliferate the need for additional facilities where introducing well placed base stations serves to provide reliable service to meet subscriber demand using the least number of facilities and utilizing existing structures where possible.

The first attached map identifies the location of the proposed facility and 3 other existing tall structures within 0.5 miles from the target area. **The particular location selected for the facility was chosen mainly due to the location to best fulfill the capacity and coverage objectives and also balancing other factors such as ability to lease, implementation, access, visibility, etc. The alternative existing tall structures identified on this map were either not available to Verizon Wireless, too far from the target area or at structural capacity to prevent collocation.**

For this application, the attached propagation plots were run at 700 MHz and depict a threshold of -95 dBm RSRP (reference signal received power). The -95 dBm design threshold depicts the target design threshold for 700 MHz (LTE) coverage. RSRP is generally the preferred signal measurement used for LTE networks whereas RSSI (received signal strength indicator) was the traditional signal measurement used for earlier technologies. The design thresholds contain a margin of safety (aka fade margin) that should be maintained in the design for a higher level of reliability under all reasonable conditions. Also, the connection and download speed of broadband wireless internet services degrades dramatically at or below -95 dBm. The plots demonstrate how the introduction of the proposed monopole will provide capacity offload to the two sites identified on the propagation exhibits as DOV-RACEWAY LIQUORS (gamma sector) and DOV-FOX HALL (beta sector).

In summary, upon consideration of the many factors discussed herein, it is my opinion that the proposed communications facility is particularly suited (both in location and minimum height required for Verizon Wireless) to provide reliable 4G LTE service to subscribers in an area of Kent County as previously described. I am not aware of any other more feasible alternatives of providing reliable in-building coverage and capacity relief to this section of the City of Dover in Kent County. The proposed communications facility in this location is necessary for the efficient operation and provision of wireless services to the area for which it is proposed.

Propagation Model Information

The following outlines some basic propagation model information related to the above referenced application. While many aspects of the design tool is considered sensitive confidential and proprietary, we can provide some general information.

The propagation model utilized by Verizon Wireless as a supplemental radio design tool is called Geoplan. The model within Geoplan is known as the "Clutter Model". The Clutter Model has been optimized for various markets and demographics. Optimization consists of collecting actual drive test data and tuning the model to most accurately reflect actual conditions in various demographics and clutter types.

The model utilizes a topographical database and various classifications of clutter categorized as urban, suburban, rural, mountain, and beach front. These classifications of clutter contain attenuation values which are used to calculate free space path loss over distance from any existing or proposed facility. The resulting propagation plot represents the average receive signal level at all calculated points on the 3-dimensional horizontal plain which is run for at a height of 5' above average terrain (AMSL).

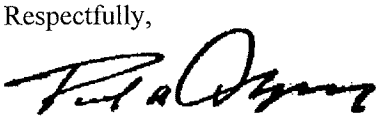
Natural and manmade features, such as large buildings, hills, trees, ridge lines and mountains, all affect radio wave propagation, and reflections, refractions, and scattering all impact signal propagation. For this reason, all modeling tools have a margin of confidence level which reflects the variability of signal levels with time, usage, and location. It is crucial to advise that all tools have a substantial amount of variables that define the confidence margin. As such, software predictive tools are not used exclusively for design purposes, but as an

aid or supplement to drive testing and visual inspection of proposed site locations as well as existing conditions in the environment.

All facilities—existing and proposed—are modeled with the existing or proposed antenna configuration and operating parameters. All proposed facilities are modeled with the proposed antenna configuration and operating parameters. Sites are modeled with the upper end of their respective band due to the higher path losses at higher frequencies. Power levels are generally set to the power limits utilized by the most current base station hardware. Antenna patterns are also contained in the tool to most accurately define and model the signal propagation with the appropriate vendor specified antenna pattern characteristics.

The Verizon Wireless target design threshold provides reliable in-vehicle penetration and penetrates most buildings in order to serve the vast Verizon Wireless subscriber base. Buildings present innumerous attenuation variables due to the signal penetration losses of various building materials. Obviously, having the ability to penetrate all buildings would require most buildings to contain their own base station or be in extremely close proximity to an existing base station. For this reason, it is not possible or feasible to design for all building types and locations within buildings. Therefore, Verizon Wireless designs facilities for targeted design thresholds which provide line of site signal levels at the exterior of buildings and vehicles. However, the specific targeted threshold can vary from market to market due to local conditions, demographics, etc.

Respectfully,





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June 16, 2015

Attn: Jonathan Jordan, Esq.
Riley Riper Hollins & Colagreco, P.C.
717 Constitution Drive, Suite 201
Exton, PA 19341

Re: Non-Interference Certification of Proposed Communications Facility
Site Name: DOV-SILVER LAKE, Proposed 150' Monopole
1255 College Park Drive, Dover, DE 19904 (Kent County)

Dear Mr. Jordan,

I have performed an analysis to provide an independent interference evaluation and certification that the proposed Verizon Wireless communications facility at the above referenced property will comply with Federal Communications Commission (FCC) licensed operating parameters and that the system will be free of disruptive radiofrequency interference or cause interference to other wireless systems. As a registered professional engineer I am under the jurisdiction of the State Registration Boards in which I am licensed to hold paramount the safety, health, and welfare of the public and to issue all public statements in an objective and truthful manner.

The proposed communication facility consists of a proposed 150' monopole. The proposed Verizon Wireless antenna configuration from the information furnished to me consists of (1) 700 MHz (LTE) antenna (CSS X7C-465 or equivalent), (1) 850 MHz (LTE) antenna (CSS X7C-465 or equivalent), (1) 1900 MHz (LTE) antenna (CSS AXP19-60 or equivalent) and (1) 2100 MHz (LTE) antenna (CSS AXP19-60 or equivalent) on each of four faces (total of 12 antennas) spaced with azimuths spaced approximately 120 degrees apart on the horizontal plane with a centerline of 150' above ground level. Transmitting from these antennas will be (1) 700 MHz LTE wideband channel, (1) 850 MHz LTE wideband channel, (1) 1900 MHz LTE wideband channel and (1) 2100 MHz LTE wideband channel per face.

In Kent County, Verizon Wireless is licensed by the FCC to transmit in the 700 MHz "Upper C Block" (746-757 MHz), the 850 MHz (cellular) "B Band" (880-894 MHz), the 1900 MHz (PCS) "B1 Block" and "F Block" (1950-1953.75, 1970-1975 MHz) and the 2100 MHz (AWS) "A Block" and "B Block" (2110-2120, 2120-2130 MHz).

When two or more wireless communications systems co-exist on the same structure or in very close proximity (within 500'), there is the potential for many forms of interference between systems, such as intermodulation distortion. For the proposed facility subject to this application, no other base station antennas are in close proximity for which to model for intermodulation.

Verizon Wireless, other commercial wireless communications licensees, broadcast facilities, public safety communications systems, and utility companies collocate routinely with some basic precautions and there will be no interference issues with the proposed antennas. The licensees that collocate on these types of structures all must operate within their licensed operating parameters. A commercial wireless communications antenna

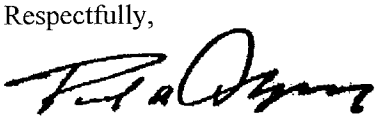
system operates at a frequency and power level authorized by the FCC and, with proper precautions, will not interfere with antenna systems of other commercial wireless services, public safety telecommunications, airport navigation, broadcast radio and television, cordless phones, computers, etc., or other community office or residential household appliances. The different operating frequencies and relatively low power that commercial wireless communications antenna systems operate allow these systems to co-exist in close proximity.

There is nothing commercial wireless communications licensees could gain by operating (intentionally or inadvertently) outside of their licensed operating parameters. The network equipment used by the licensees is designed to operate at certain frequencies and power levels and sharp filtering is designed into the transmit/receive paths to ensure a clean radio system. The technicians who visit the facility for routine maintenance generally perform FCC testing to ensure proper operation of the facility and the systems are monitored remotely twenty-four hours a day, seven days per week. Furthermore, radios are designed so that virtually any type of radio equipment malfunction would cause the radio to shut down.

The FCC has remediation processes to help protect the community. If a complaint is filed with the FCC, the FCC would investigate the complaint and notify the licensee to resolve any issues whether actual or perceived. Failure to comply or negligence on the part of the licensee may result in stiff fines.

In summary, the proposed communications facility will not cause any disruptive interference with any transmitter or receiver that will co-exist at, on or near the same communications structure.

Respectfully,



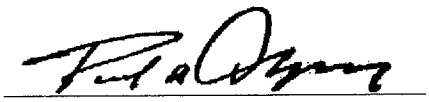


Paul Dugan, P.E.
Registered Professional Engineer
Delaware License Number 11797

DECLARATION OF ENGINEER

Paul Dugan, P.E., declares and states that he is a graduate telecommunications consulting engineer (BSE/ME Widener University 1984/1988), whose qualifications are a matter of record with the Federal Communications Commission (FCC). His firm, Millennium Engineering, P.C., has been retained by Verizon Wireless to perform power density measurements or calculations for an existing or proposed communications facility and analyze the data for compliance with FCC exposure limits and guidelines for human exposure to radiofrequency electromagnetic fields.

Mr. Dugan also states that the calculations or measurements made in the evaluation were made by himself or his technical associates under his direct supervision, and the summary letter certification of FCC compliance associated with the foregoing document was made or prepared by him personally. Mr. Dugan is a registered professional engineer in the Jurisdictions of Pennsylvania, New Jersey, Delaware, Maryland, Virginia, New York, Connecticut, District of Columbia, West Virginia and Puerto Rico with over 30 years of engineering experience. Mr. Dugan is also an active member of the Association of Federal Communications Consulting Engineers, the National Council of Examiners for Engineering, the National Society of Professionals Engineers, the Pennsylvania Society of Professional Engineers, and the Radio Club of America. Mr. Dugan further states that all facts and statements contained herein are true and accurate to the best of his own knowledge, except where stated to be in information or belief, and, as to those facts, he believes them to be true. He believes under penalty of perjury the foregoing is true and correct.



Paul Dugan, P.E.

Executed this the 16th day of June, 2015.

Exhibit E

advantage engineers

August 6, 2015

Planning Commission
c/o City of Dover Planning Department
P.O. Box 475
Dover, DE 19903

Re: Request for Waiver from Installing Sidewalks
Verizon Wireless Communications Tower
DOV-Silver Lake, 1255 College Park Drive, Dover, DE

Dear Planning Commission Members:

I am submitting this letter on behalf of my client, Cellco Partnership d/b/a Verizon Wireless, in support of our request for a Waiver from having to install sidewalks for the above-referenced project. The project was previously granted a Variance from the Board of Adjustment for the proposed height of the tower, and is currently the subject of a Conditional Use Application that will come before the Planning Commission at its regularly-scheduled August17, 2015 meeting. The Planning Commission's consideration of the proposed Conditional Use approval is required due to the site location within the M-Manufacturing zoning district.

The City of Dover Zoning Ordinance (ZO), Article 5, Section 18.1 states that sidewalks "*shall be required to be installed along the public street frontage of a property by the property owner or developer whenever such property involves a development proposal which is subject to planning commission review and approval.*" It is my understanding that this project is subject to Planning Commission review and approval because it is situated within the M-Manufacturing zoning district and all uses in the district require Conditional Use Site Plan Review; otherwise the project would be eligible for Administrative Site Plan Review. As such, we are requesting a Waiver from the sidewalk requirement of Section 18.1 as pertains to this project.

Article 5, Section 18.2 of the ZO also requires installation of sidewalks along a private road. The Site Plan (Sheet Z-1) shows a 14' wide gravel driveway leading from College Park Drive to the cell tower compound, which will be used infrequently (for visits every 4 to 6 weeks by a wireless phone company technician). Although this proposed gravel driveway will simply serve as an infrequently used driveway, it is possible that one could consider it a "private road" (a term which is not defined in the ZO Definitions section). In the event the Planning Commission would deem this gravel driveway a "private road" we request a Waiver from Section 18.2.

Furthermore, Section 18.4 does allow the Planning Commission latitude in deciding whether a sidewalk must be installed in each particular situation. The Code states "*When considering a request for modification or waiver, the planning commission shall determine whether or not an undue hardship exists, based on a finding that one or more of the following criteria have been met: 1) The property is isolated with respect to sidewalks with no existing sidewalk within the immediate vicinity of the property; or 2) The proposed use would not generate or attract additional pedestrian trips…*"

In the case of the project currently under review by the Planning Commission - the construction of wireless communications tower (cell tower, monopole) – it is our opinion that both of the aforementioned criteria are met. In the first case, the "isolation" of the parcel is such that it is the last lot on that side of the cul-de-sac, with the existing railroad right-of-way at the end of the cul-de-sac precluding any future pedestrian connection to properties further to the east. In the second case, the proposed cell tower is an uninhabited operation that would not generate or attract any pedestrian trips whatsoever. As noted above, the only "traffic" associated with this installation will be occasional (once every 4 to 6 weeks) visits by a wireless phone company technician.

One final note related to this matter is that the proposed cell tower project is not in actuality a principal use of the property. The vast majority of this approximately one (1) acre lot will remain undeveloped until such time as a principal use is planned by the property owner. When the property owner requests approval of plans to develop the property with a principal use, the owner will be required by Code to install sidewalks as a condition of plan approval. In fact, it would make more sense to hold off constructing sidewalks at this time since the layout of same may conflict with any future development plans for the property. In addition, please note that the installation of sidewalks would entail the removal of trees and vegetation and other earth disturbance on portions of the property that would not otherwise be disturbed in connection with the cell tower project. It makes sense to hold off on disturbing said portions of the property until such time as the remainder of the site is to be developed.

Therefore, on the basis of the rationale presented here, I respectfully request the Planning Commission of the City of Dover grant the requested Waiver from the provisions of the City of Dover Zoning Ordinance, Article 5, Sections 18.1 and 18.2, such that Cellco Partnership d/b/a Verizon Wireless will not be required to install any sidewalks on the subject property as part of this cell tower project.

Please contact me directly if you have any questions or require additional information.

For **Advantage Engineers:**



W. Jeffery Nagorny, P.E.
Project Engineer
Delaware P.E. License #9553

c: Jonathan Jordan, Esq.; Riley, Riper, Hollin & Colagreco
John Herriott; Advantage Engineers

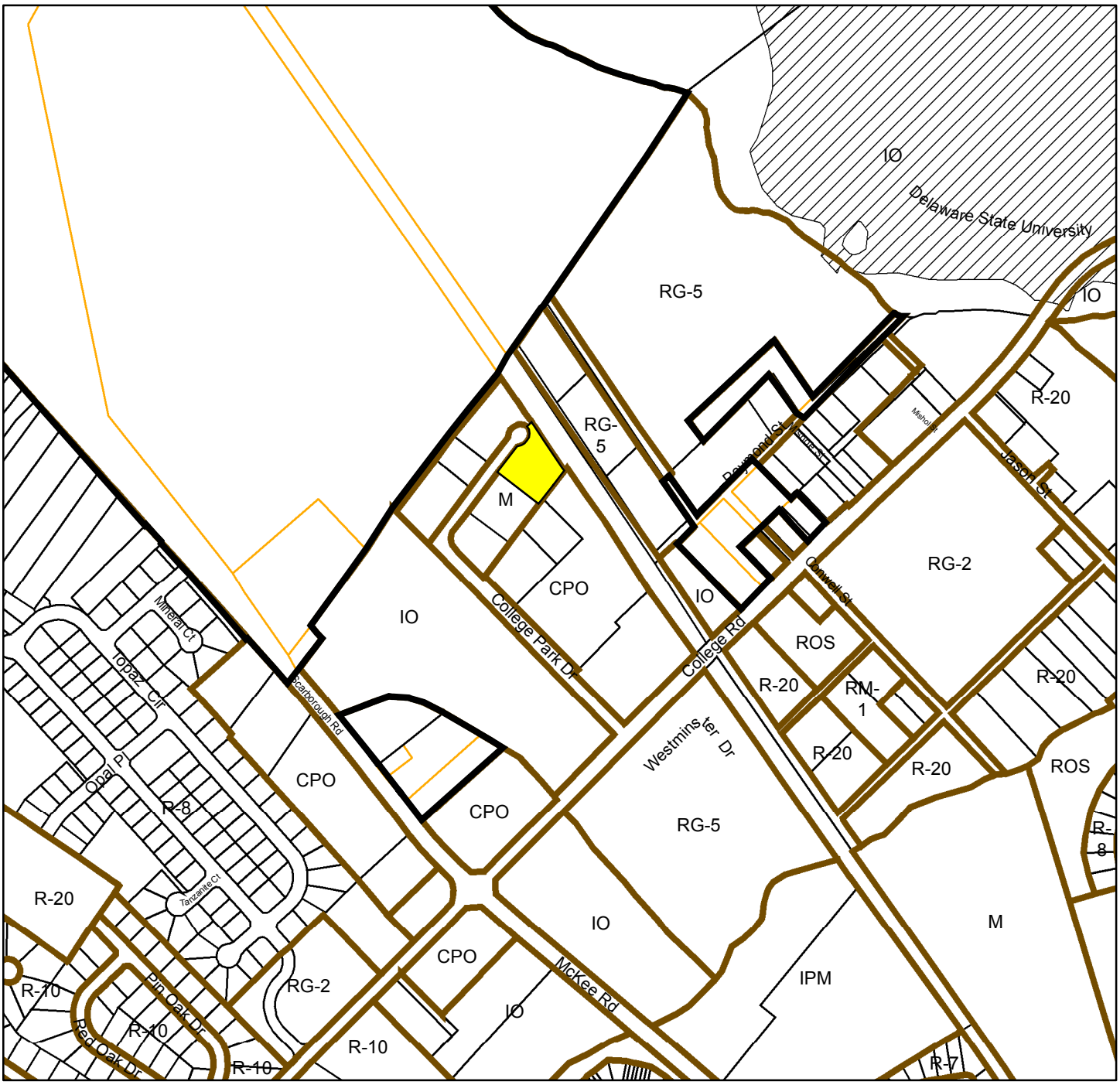

Exhibit B
C-15-03
1255 College Park Drive & Surroundings
College Park
Driveway
College
Unnamed Street
N
07-31-2015
0 37.5 75 150 225 300 Feet
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

City of Dover

Department of Planning & Inspections

Exhibit A

Application No.: C-15-03



Title: Cellco Partnership dba Verizon Wireless
Application #: C-15-03
Address: 1255 College Park Drive
Parcel ID: ED-05-067.00-02-12.06-000
Zoning: M (Manufacturing Zone)
Owner: Bay Developers Inc.
Date: 8/3/2015

Legend

- Subject Property
- Zoning
- Dover Parcels
- Kent County Parcels
- Dover Boundary
- SWPOZ Tier 3

N W E S

0 375 750 1,500 Feet

DATA SHEET FOR RECREATION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING: August 5, 2015
PLANNING COMMISSION MEETING: August 17, 2015

Plan Title:	Eden Hill Farm – TND Residential District
Plan Type:	Traditional Neighborhood Design Revised Implementation Plan, S-15-07 Residential District – Revised Active Recreation Plan S-15-10
Location:	South of West North Street and Wemyss Road and southeast of the intersection of West North Street and Saulsbury Road
Tax Parcels:	Multiple parcels on Map ED-05-076.04
Applicants/Owners:	Eden Hill Residential, LLC
Area of TND:	272.04 acres +/-
Area of Residential District:	109.2049 acres +/-
Proposed Use:	Traditional Neighborhood Design – Revised Residential District with residential, community center, parks, and open space areas 742 Residential Units: 88 Single family detached units, 110 Duplex units, 217 Townhouse units; 324 Multi-family units
Zoning:	TND (Traditional Neighborhood Design Zone)

Project Summary

This application is associated with the *Residential District* REVISED Implementation Plan for the Traditional Neighborhood Design project known as Eden Hill Farm. The *Residential District* REVISED Implementation Plan was granted conditional approval by the Planning Commission on May 18, 2015 for a plan consisting of 742 residential units, open space areas, a community center, and revised street layout. This review is for revisions to the Active Recreation Plan for the *Residential District.*

Project History

The Implementation Plan was previously reviewed as SB-06-03 Eden Hill Farm TND: Residential District Implementation Plan and consisted of 665 dwelling units. The Implementation Plan for the *Residential District* received Planning Commission approval on June 19, 2006 and Final Plan approvals on September 10, 2007 (Record Plan) and December 10, 2007 (Construction Plan). Other subsequent reviews related to lot layout and Pattern Book

revisions occurred from 2008-2012. In Phase 1 of the *Residential District*, a total of 83 dwellings have been built and a portion of the street network has been completed and dedicated to the City of Dover. These streets include Lloyd Street, Wemyss Road, and portions of South Greenberry Lane, Ruth Way, Ann Moore Street, and Ridgely Boulevard. Ann Moore Park exists near the intersection of Ruth Way and Ann Moore Street; it is a small recreation area with a sidewalk walking loop, benches, landscape plantings, and a lawn area.

The REVISED Implementation Plan 2015 for the *Residential District* (Plan Review of Revised Plan version 3 dated May 8, 2015) was presented on a colored graphic diagram plan to the Planning Commission in May 2015. The overall plan for the Revised *Residential District* depicts the development areas for specific types of residential units and the associated elements such as the street network, on-street parking areas, stormwater management (pond locations), and open space areas as a Central Open Space and a series of smaller park areas. The *Residential District* area continues to be proposed to be connected to the existing nearby road network as previously identified with the key entry points from Wemyss Road and Banning Street and connections to the West Dover Connector/Saulsbury Road Extension.

Open Space and Active Recreation Area Plan Summary:

The *Zoning Ordinance* requires an Open Space and Active Recreation Plan for all residential developments, projects and plans that come before the Planning Commission (*Dover Code of Ordinances*, Appendix B, Article 5 §10). Previously for the *Residential District*, an Active Recreation Area Plan was reviewed in 2006 and ultimately approved for construction[1]. However, as part of the current REVISED Implementation Plan review process for this project changes have been proposed. A REVISED Open Space and Recreation Area Plan for the Eden Hill Farm TND: *Residential District* development outlines revisions to the recreation amenities for the project.

The overall Eden Hill Farm TND exceeds the minimum of 25% open space requirement for a Traditional Neighborhood Design development by creating a community walking trail area, parks, and greens throughout the site and large open space/park area in the southwest portion of the site. The existing historic house of Eden Hill Farm and its tree allees (entrance drives) are also preserved within a large public open space area. A continuation of the walking trail system/bike path is proposed to be incorporated into the buffer area adjacent to the railroad corridor on State owned lands.

Revised Plan

Focusing on the *Residential District* land area specifically, based on the proposed total of 742 residential dwelling units in the Revised Plan, it is required to have 4.68 acres +/- (204,050 S.F.) of open space/recreation areas. The Revised Plan indicates areas totaling 11.28 acres +/- of land will be reserved as open space as part of a Central Open Space area and as part of the pocket

[1] The original Active Recreation Area Plan indicated for approximately 17 acres+/- of land to be reserved as recreation area and open space within the land area of the *Residential District*. The original proposal of 665 dwelling units required a minimum of 4.1 acres +/- (182,875 SF) of active recreation area. Planned amenities included a Community Center building with pool, large park area (Signers Park), a series of pocket parks, and a walking trail system. The open space also included areas for stormwater management.

parks. Additionally other open space areas of the *Residential District* (estimated at 11 acres) are planned and consist of part of an open space strip along the western boundary adjacent to the West Dover Connector alignment and two areas with stormwater management ponds in the northeast and southeast portions of the *Residential District.* The Central Open Space area consists of Clubhouse Building and pool and other sports courts. A series of smaller 'pocket' parks are located throughout the residential community.

Information provided on the REVISED Open Space and Recreation Areas as now proposed is found on the following Plan Sheets: PRE-01 Overall Open Space Site Plan, PRE-02 Clubhouse Open Space Site Plan, and PRE-03 Floor Plan Front Elevation.

Amenities of the REVISED Open Space/Recreation Area Design:
A large Central Open Space area of 9.22 acres is proposed in the southern portion of the *Residential District*. To create this large Central Open Space required the reconfiguration of the street layout and the consolidation of previous residential lots. The previously proposed Community Center Building and pool to be constructed between Ann Moore Street and Ridgely Boulevard in the block between Alley I (Lloyd Street East Alley) and Wynkoop Way will be relocated to the Central Open Space area and the old location converted to residential lots. The land areas of three small 'pocket' parks were also incorporated into the new Central Open Space land area.

The Central Open Space area includes the following:

- Clubhouse Building of 4,493 SF including Gym, Community/Meeting Room, Restroom spaces and is attached to the Leasing/Management Office (east two-story wing) with model Multi-family (apartment) units
- Swimming Pool of 2,400 SF with smaller (20'x15') pool, fenced area
- Parking Lot of sixty-four (64) parking spaces (61 regular spaces and 3 handicapped accessible spaces)
- Game courts: two Tennis Courts (fenced) and a Basketball Court
- Community Garden
- Playground with play equipment within fenced area
- Picnic Area with tables and grill
- Furniture: benches, bicycle rack

Seven other small park areas remain within the *Residential District* neighborhood including the largest one known as Signers Park at the intersection of Little Eden Way and Inglis Street. An additional pocket park known as Ann Moore Park was constructed as part of Phase 1 construction in the *Residential District.*

Revised Implementation Comprehensive Development Standards Manual (Pattern Book)
As part of the Traditional Neighborhood Design process, the Implementation Comprehensive Development Standards Manual (Pattern Book) consists of a written and graphic description of the owner/developer's proposed approach to each of the items listed in *Zoning Ordinance*, Article 3 §28.84. The purpose of the Pattern Book is to set the standards and guidelines for the

design, construction, and maintenance of the land and buildings in the *Residential District*. Any development within the *Residential District* must comply with the Pattern Book.

The complete Eden Hill Farm: Pattern Book and Addendums submitted to date are on file at the Department of Planning and Inspections[2]. With this submission, a Revised Implementation Comprehensive Development Standards Manual (Pattern Book) was not resubmitted but is required prior to finalization of the *Residential District's* Revised Implementation Plan.

The following chart lists the topics to be discussed in the Pattern Book document that relate to the Open Space and Recreation Areas. Portions of the Pattern Book will need to be updated to reflect this Revised Open Space and Active Recreation Area concept of a large centralized open space.

Pattern Book Elements
Circulation – classification and illustration of a system of streets, alleys, and pedestrian and bicycle routes that creates an integrated network serving the TND development and links it to adjacent areas. Detailed design standards and illustrations for each component of the system are required. A plan of the circulation systems shall be included
Buildings – a classification of the full range of buildings, residential, commercial, office or mixed, to be constructed including detailed guidelines addressing their architectural character and essential required elements, such as size, composition and massing, windows, doors, porches, roof design, fenestration, and all materials. A plan of their location by use type throughout the development shall be included.
Open Spaces - a classification of a system of landscaped open spaces (in addition to private yards) with a plan of the network created by the open spaces and pedestrian and bicycle circulation systems.
Landscape Design – a palette of hard (paving) and plant materials along with street furniture, major focal elements and ornamentation shall be provided. These shall be located on a plan of the development. Details of plant species and hard materials shall be included.
Lighting Design – Placement of public and private lighting throughout the development and design of the lighting fixtures, globes, illumination patterns and intensities.

This recreational component was reviewed by the Parks, Recreation, and Community

2 The Eden Hill Farm: Pattern Book includes Addendum of 6/9/2005 and Addendum II 5/5/2006) and presents information for the *Residential District*. A series of addendum/amendments were considered between 2008-2012 but have not been incorporated into a Final Pattern Book document specific to the *Residential District*.

Enhancement Committee at their meeting of July 13, 2015 for a recommendation prior to its consideration by the Planning Commission. See attached *Excerpt of Meeting Minutes* from the July 13, 2015 Meeting of the Parks Recreation and Community Enhancement Committee. On July 27, 2015 the City Council by consent agenda accepted the report of the Committee.

The following table provides a summary of information presented in the submitted Revised Plan (dated 6/24/2015) for the Open Space and Active Recreation Areas to be constructed:

	Required	**Provided on Plan**
Active Recreation Area (Article 5 §10.16)	275 S.F. per dwelling unit or 0.5 acre, greater thereof 742 DU = 4.68 acres +/- (204,050 S.F.)	Clubhouse Building; a series of 8 park spaces; and walking trail system. Central Open space of 9.22 acres and 2.06 acres in pocket parks. Other Open Space areas of 11 acres include buffer areas, stormwater management facilities and walking trail system connections.
Active Recreation Amenities (Article 5 §10.15)	Accessible	Open space areas are generally located adjacent to the sidewalk system or walking trail network of the development. Connecting sidewalks exist in internal areas between buildings and amenities. Some missing connecting segments have been identified in this review.
Active Recreation Amenities (Article 5 §10.15)	Age Oriented to development	Clubhouse Building with gym and meeting room space, a pool facility, play equipment, basketball court, tennis courts, community garden, benches, picnic tables, and walking path. A variety of potential activities for all age and skill levels.
	Parking	On site parking provided for the Clubhouse Building. Each dwelling unit has off-street parking. A variety of on-street parking options available. Also pedestrian access to

		sidewalk and walking trail system.
Active Recreation Amenities (Article 5 §10.15)	Structure, Equipment & Game Court Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	Items within the Central Open Space comply. Need to clarify proposals for amenities within pocket parks and within larger Signers Park area.
Tree Planting Requirements (Article 5 §16)	Landscaping	Tree plantings shown; however, do not achieve tree planting requirement for Central Open Space land area.

Staff Recommendations:

The following are comments and recommendations from Staff of the Department of Planning & Inspections and the Parks & Recreation Department following review of the Revised Open Space and Active Recreation Area for the Eden Hill Farm TND – Residential District. These comments and recommendations were also provided for the Parks Recreation and Community Enhancement Committee Meeting.

1. Revised Open Space and Active Recreation Design - Staff is supportive of a concept to create a large Open Space area centralized to the Residential District. Staff recommends approval of the Clubhouse Building with pool facility, playground and multiple sports courts; the series of 8 park spaces with play equipment, benches, picnic and game tables; and walking trail system components as of the Recreation Areas and Open Space for the Residential District of the Eden Hill Farm TND. The project presents a variety of park areas with varying amenities throughout the development.

2. However, after review of the detailed layout and design of the amenities for the Central Open Space and with consideration given to the overall circulation, landscaping, and open space connections the following revisions are recommended:
    a. See Comment #3 below regarding the parking lot serving the Central Open Space area.
    b. Add a sidewalk path connecting north-south through the Clubhouse core area to be located east of the playground area.
    c. Add bicycle parking racks near the basketball court, playground, and picnic area.
    d. Add benches at basketball court, tennis court, garden, and playground areas.
    e. Add additional tree plantings to provide shade at key locations near amenities i.e. playground area.
    f. Add denser tree planting as screening on southeast side of the Open Space field behind the residential units which face Red Haven Way.
    g. Provide an accessible path from the sidewalk to the picnic area leading to an accessible table.
    h. Provide details on Community Garden area format, fencing, water supply source, and management of garden.
    i. Consider opportunities for ‘double striping’ of game court surface to serve

multiple functions i.e. tennis and pickle ball.

j. Identify location of cluster mailboxes. This Central Open Space area provides an opportunity for placement of several cluster mailbox location to serve the residences in this area. The current cluster mailbox location is on the east side of Lloyd Street (just north of Ann Moore Street) which serves the residences constructed in Phase 1 of the *Residential District*.

3. The following recommendations are made pertaining to the design of the parking lot at the Clubhouse Building:
    a. Recommend reconfiguration of the parking lot to allow for a designated pedestrian pathway (i.e. sidewalk, specialized pathway treatment, crosswalk) across the parking lot leading from the Little Eden Way sidewalk (the street on the north) to the front entry of the Clubhouse Building. This is an opportunity to highlight the building entry and also to continue the vista created by the Eden Hill Boulevard and open areas to the north. A redesign of the center median/island can accommodate the sidewalk pathway links as well as landscaping and site features such as flag poles, seating area, etc.
    b. Recommend removal of several parking spaces on the north side of the central parking bay to eliminate parking spaces where you have to back into the parking lot's entry/exit area to order to leave the parking space.

4. The following items should be included on the Plan to clarify the construction of the recreation area improvements:
    a. Clarify exterior finish materials for the Clubhouse Building. It must comply with the Pattern Book guidelines. For example, the vertical siding cannot be T-111 per the Pattern Book.
    b. Identify materials and height of fencing and ground surfaces for tennis court, pool, and playground areas.
    c. Lawn areas shall be appropriately established and maintained for active recreation activities.
    d. Indicate the sizes of tennis court, basketball court, playground area, etc.
    e. Identify the type of equipment structures to be located within the playground area.
    f. Identify the placement of any trash cans and the location of a Dumpster enclosure to service the Clubhouse Building with Leasing/Management Office.
    g. Signage can be placed to identify the building name, key entry points, or as directional signage to amenities. Signage for the Open Space Area must comply with the Pattern Book guidelines.

5. Ensure barrier free access is provided at all sidewalks where they intersect with streets and parking lots. Ensure accessible sidewalks lead to all amenities i.e. building access points, game court surfaces, parking areas, etc.

6. Also you need to clarify use of lot on south side of Horsey Boulevard (east of Gorrell Way) as some plans do not show this as a park area but a residential lot instead. *The applicant indicates that this is a residential lot.*

7. Provide plans for the other open space/ pocket park locations including the larger area known as Signers Park (located at Little Eden Way and Inglis Street). The previously approved Implementation Plan of 2006-2007 identified the amenities and landscaping for each park and open space area.

8. Provide construction details including but not limited to: sidewalks, game court surfaces, fencing, picnic tables, benches, bicycle racks, Dumpster enclosure, etc.

9. The Landscape Plan with tree plantings and landscaping will need to be updated related to the revised lot layouts and open space area designs.
    a. The Central Open Space does not meet the tree planting density of one tree per 3,000 SF of lot area as shown on the submitted graphic on Sheet PRE-02. Based on the area of 9.22 acres, a total of 134 trees is required for the area. Only thirty-eight (38) trees are shown.
    b. A heavier tree planting design approach is recommended for the area adjacent to the rear of the residential properties fronting on Red Haven Way.
    c. The current spacing of trees around Central Open Space adjacent to the streets can be reduced to bring the trees closer together.
    d. Recommend a hedge/shrub planting to screen sections of the parking lot where located directly across the street from a residential use. This occurs on the side of the parking lot adjacent to Little Eden Way.
    e. The graphic presentation of trees on Sheet PRE-03 Front Elevation (of Clubhouse) does not match the placement on the Site Plan graphic. Ensure planting plans coordinate with building placement.
    f. The specific types of trees must be identified and comply with the Pattern Book requirements of size and native species.

10. 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.

11. There shall be provisions which insure that the common open space lands 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.
    a. Provide information on any agreements established regarding responsibilities for construction, landscaping, maintenance, etc. for the open space areas with the TND project.
    b. Staff notes that the Active Recreation Areas/ Open Space Areas will not be

dedicated to the City of Dover.

12. In the event, that major changes and revisions to the Plan occur in the finalization of the Revised Recreation Plan contact the Department of Planning and Inspections. Examples include reorientation of elements, relocation of site components, etc. These changes may require resubmittal for review by the Parks Recreation and Community Enhancement Committee, Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

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

14. The developer shall coordinate the required street light placement and electric utility routing and equipment with the City of Dover Electric Department and in accordance with the Pattern Book.

15. A separate Record Plat for the Revised Lot and Street layout that creates the Central Open Space area must be submitted for review to include property boundary information, any proposed lot changes, data column, certifications, notes, cross access easements, easements for infrastructure or utilities, etc.

16. The Comprehensive Design Standards Manual (Pattern Book) is required to be updated to reflect the various approvals by the Planning Commission including the previously approved revisions. A Final Version of the Pattern Book is required for the *Residential District* as a final edition of the Pattern Book as approved and amended to date.

The meeting minutes of the Parks, Recreation, and Community Enhancement Committee Meeting are submitted to the Planning Commission a report to detail their recommendations as to the Recreation Area Plan. Following Planning Commission review of Revised Recreation Area Plan associated with the REVISED Implementation Plan for the *Residential District*, the next step is finalization of the Construction Plans for Implementation and a revised Final Plat Subdivision Plan for area which received Implementation Plan approval.

Attachments:

- Proposed Recreation Area Plan Set (Sheet PRE-01, PRE-02 and PRE-03)* dated 6/24/2015
- Excerpt of Meeting Minutes: Parks Recreation and Community Enhancement Committee of 7/13/2015

S-15-10

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 29, 2015 for Planning Commission on August 17th, 2015

CITY OF DOVER FIRE MARSHAL

APPLICATION: Revised Active Recreation / Open Space Plan for Eden Hill Farm TND Residential District

FILE #: S-15-10 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:

CITY AND STATE CODE REQUIREMENTS:

N/A

ADDITIONAL / SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. **Separate plan review will need to take place concerning the Structure (Clubhouse and two attached Model Homes). This includes access review.**

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: JULY 29, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Eden Hill Farm TND: Residential District – Revised Active Recreation & Open Space Plan Review**

FILE #: **S-15-10**

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

CONTACT PERSON: **Aren Wright - 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.

WASTEWATER

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

exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.

3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.
4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.
5. Sizing (flow) calculations must be submitted for all sanitary sewer mains showing that velocity and all other requirements are met. Any projected future flow requirement must be clearly identified.
6. 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.
7. The minimum size of all sanitary sewer laterals shall be six-inch (6").
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. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.

SANITATION

1. None

GROUNDS

1. An official street tree species list has been approved by the superintendent of grounds for tree plantings along streets and avenues of the city. (The official list will be kept on file in the office of the city clerk.) No species other than those included in this list may be planted as street trees without the written permission of the superintendent of grounds.
2. Spacing of trees shall be determined by the superintendent of grounds, but, generally, all large trees shall be planted no closer than 35 feet, medium trees no closer than 30 feet and small trees no closer than 25 feet, except in special plantings designed or approved by a landscape architect.
3. No street tree shall be planted closer than 30 feet to any street corner and no closer than ten feet to any fireplug.
4. Only trees listed as small to medium shall be planted under power lines; and no trees shall be planted within ten feet of any underground water line, sewer line, transmission line or other utility.
5. It shall be unlawful and a nuisance for any person to plant any vegetation in any public right-of-way. Upon receipt of notice from the city to remove any vegetation located in a public right-of-way, the owner of the abutting property shall remove such vegetation at his own expense within the time limit provided in such notice.
6. It shall be unlawful and a nuisance for any person to plant any tree, shrub or bush within 16 feet of the curbline. Upon receipt of notice from the city to remove any tree, shrub or bush which is located within 16 feet of the curbline, the owner of the property upon which such tree, shrub or bush is located shall remove the same at his own expense within the time limit fixed in such notice.

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

WATER / WASTEWATER / STORMWATER / SANITATION / GROUNDS / GENERAL

1. None

STREETS

1. The street network in the revised Residential District Implementation Plan shall be designed to allow all necessary vehicles proper turning radii to serve said properties. Approval of this site plan will not be provided without confirmation of necessary clearances for all vehicles.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1.

WATER

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

1. None.

SANITATION

1. The sanitation for this site shall be provided by a private contractor.

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.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 29, 2015

D E L D O T

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APPLICATION: Revised Active Recreation and open Space Plan Review of Eden Hill Farm TND Residential District

FILE#: S-15-10 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:

1. The Department has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1. The Department has no recommendations.

ADVISORY COMMENTS TO THE APPLICANT:

- 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.

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
August 2015

APPLICATION: Eden Hill Farm Recreation and open space revisions

FILE #: S-15-10

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 will require and updated plan for the area being converted. The plan must show the new grading and storm drain. The plan will be an addendum to the existing approved plan set.

ADVISORY COMMENTS TO THE APPLICANT:

1. No earth disturbing activities can start until the plan has been reviewed and approved.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 7/29/2015

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Revised Active Recreation and Open Space Plan Review of Eden Hill Farm TND Residential District

FILE #: S-15-10 REVIEWING AGENCY: Dover/Kent County MPO

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

The Dover/Kent County MPO requested the opportunity to bring the recommendations on issues of our concern to the City. The MPO will limit comments to projects to development proposals and applications that may lead to new development or offer the opportunity to improve accessibility. 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 8/17/2015

Project Review

S-15-10- Revised Active Recreation and Open Space Plan Review of Eden Hill Farm TND Residential District

The Open Space revisions, following the definition of apartment development, should be considered in light of transit access for residents. A neighborhood of over 700 households relatively close to the employments centers of Central Delaware will offer an opportunity for transit use. We have forwarded the DAC agenda to Cathy Smith, Delaware Transit Corporation (DTC) Director of Planning. We suggest the site developer coordinate with DTC staff to determine the appropriate site to serve the residents with access to transit services.

Eden Hill Farm was designed and zoned to be a walkable neighborhood with amenities for residents in the vicinity of their home; a Traditional Neighborhood Design concept. If the clubhouse is to be made available for private events that will bring non-resident families to the neighborhood, then a parking lot the size planned may be appropriate but would likely be questioned in light of the zoning. If the facilities and pool are to be for residents' use, then the parking lot is substantially oversized. It may encourage residents to drive the short distances to the neighborhood center. We suggest the parking lot at the central recreation area be reduced by at least half.

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. Mr. Galvin may be contacted at james.galvin@doverkentmpo.org or at 302-387-6028.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held on July 13, 2015, at 3:30 p.m. with Chairman Anderson presiding. Members present were Mr. Hosfelt, Mr. Lewis, Mr. Caldwell, and Mrs. Horsey (arrived 3:32). Councilman Hutchison was also present.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

Review of Revised Active Recreation Area Plan - Eden Hill Farm Traditional Neighborhood Design - Residential District

Mrs. Dawn Melson-Williams, Principal Planner, stated that this application is associated with the Residential District Revised Implementation Plan for the Traditional Neighborhood Design project known as Eden Hill Farm and advised members that a representative of the ownership company was present and available to answer any questions.

Mrs. Melson-Williams explained that the project began in 2006 and is now under new ownership, stating that the new owners have brought forth a revised implementation plan for how the property will be developed. Mrs. Melson-Williams explained that the Planning Commission approved 742 units which are a mix of single-family, duplex, townhouse, and multi-family units. Mrs. Melson-Williams stated that the original plan for the open space and active recreation area included a series of individual park areas scattered throughout the residential area. The proposed revision is to develop a large central open space area, just over nine (9) acres, while retaining a series of the smaller parks throughout the residential area.

Mrs. Melson-Williams explained that there is currently a total of approximately 83 housing units constructed in the neighborhood, noting that the Zoning Ordinance for the City of Dover prescribes how much active recreation space is required based on the number of units. She stated that this project would require 4.68 acres of open space and active recreation area; however, the proposed revisions well exceed that minimum requirement.

Referring to the Overall Open Space Site Plan, Mrs. Melson-Williams pointed out the nine (9) acre central open space area. Mrs. Melson-Williams then referred to the Clubhouse Open Space Plan, which focuses on the central open space and the number of amenities being proposed. She advised members that this would include a clubhouse building, which has internal spaces such as a gym and meeting rooms; a swimming pool; parking area to serve the facility; tennis courts; a basketball court; a community garden; a playground; picnic area; and various amenities that go along with that, as well as benches and bicycle racks.

Mrs. Melson-Williams stated that Eden Hill Farm has a traditional neighborhood design for which there is an associated pattern book with the details of what would have to be included in the project. She indicated that, upon staff approval of the plan, staff provided the developer a series of recommendations to be included. Mrs. Melson-Williams explained that staff is in support of the concept for a large open space area, noting that staff had provided a series of comments to either

clarify items on the plan or improve the project. Mrs. Melson-Williams asked the Committee to review the active recreation plan and provide any comments or guidance on the parks and recreation component of the proposal, stating that those comments would be forwarded to the Planning Commission for consideration during their August meeting.

Staff recommended approval of the revised active recreation plan for the Eden Hill Farm Traditional Neighborhood Design - Presidential District with the comments and conditions provided.

Ms. Andrea Finerosky, Pettinaro Construction Company, stated that they were representing Eden Hill and were also the developer of Blue Hen Apartments. Ms. Finerosky advised members that the clubhouse proposed for Eden Hill is similar to the one at Blue Hen Apartments; however, the one at Blue Hen is only 2,200 sq. ft., whereas the clubhouse for Eden Hill will be 5,000 sq. ft. to accommodate the larger tenant base.

In response to Mr. Caldwell, Ms. Finerosky stated that the open space will either be maintained by the developer or the homeowners association (HOA).

Responding to Mr. Hosfelt, Ms. Finerosky stated that Pettinaro is overall in agreement with the recommendations made by staff, noting that Pettinaro needs further clarification on some points.

In response to Mr. Hutchison, Ms. Finerosky stated that Pettinaro will manage the project and the management team will be similar to the team at the Blue Hen Apartments. Mr. Hutchison stated he was very pleased with the management at Blue Hen Apartments and that they do a great job.

Responding to Mrs. Horsey, Ms. Finerosky stated many of staff's comments are just general suggestions and reminders of what needs to be done to be in compliance; however, there are one (1) or two (2) things that they had not yet determined if they are in agreement with, noting that this will be worked out and they are largely in support of the comments.

In response to Mrs. Horsey, Mrs. Melson-Williams stated that the Committee would be advised if there are any concerns; however, she reminded members that the role of the members is to provide a recommendation that will go to the Planning Commission for a final plan to be presented to Council.

Responding to Mrs. Horsey, Ms. Finerosky stated that the larger acreage for the open space was designed to accommodate the additional units. She stated that they believe a larger area would serve the community better than several smaller pocket parks, noting that the plan includes those as well.

In response to Mrs. Horsey, Ms. Finerosky stated that the layout and design of the office area attached to the clubhouse matches the apartments. She noted that it is not residential and would be used as a leasing office. Ms. Finerosky noted that part of the space may also serve as a model.

Mr. Hosfelt moved to recommend approval of the revised Active Recreation Area Plan for Eden Hill Farm Traditional Neighborhood Design - Residential District, as recommended by staff. The motion was seconded by Mrs. Horsey and unaminously carried.