CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, August 18, 2014 – 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 21, 2014

COMMUNICATIONS & REPORTS

1) Reminder: The Planning Commission Quarterly Workshop is scheduled for TUESDAY, August 19, 2014 at 12 noon in the City Hall Conference Room.

2) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, September 15, 2014 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: None Received

NEW DEVELOPMENT APPLICATIONS

1) S-14-16 Dover Family Cosmetic Dental at 1084-1086 South State Street – Public Hearing and Review of a Site Development Plan to construct a 2,730 S.F. medical office and associated site improvements. The plan includes a Minor Lot Line Adjustment Plan to consolidate two parcels to form a single 23,214 S.F. parcel. The property is zoned C-2A (Limited Central Commercial Zone), located on the west side of South State Street between Wyoming Avenue and South DuPont Highway. The property owner is Dover Family Properties, LLC, c/o Venetia N. Dover. Property Address: 1084-1086 South State Street. Tax Parcel(s): ED-05-077.17-07-19.00-000 and ED-05-086.05-02-21.00-000. Council District 2. *Waivers Requested: Partial Elimination of Curbing*.

2) S-14-17 Office at 970 North State Street – Public Hearing and Review of a Site Development Plan to permit conversion of an existing 2,199 S.F. +/- residential structure to office use and associated site improvements on a 18,047 S.F. +/- parcel. The property is zoned C-1A (Limited Commercial Zone), located at the southwest corner of North State Street and

Hiawatha Drive. The owner of record is Debra A. Brown and Raymond E. Brown, to be conveyed to John P. Kelly, III. Property Address: 970 North State Street. Tax Parcel: ED-05-067.12-01-05.00-000. Council District 4. *Waivers Requested: Elimination of Upright Curbing Requirement, and Elimination of Landscape Buffering Requirement for Parking Lot.*

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 8, 2014 at 3:30pm

CITY OF DOVER PLANNING COMMISSION
July 21, 2014

The Regular Meeting of the City of Dover Planning Commission was held on Monday July 21, 2014 at 7:00 PM with Chairman Colonel Welsh presiding. Members present were Mr. Cregar, Mr. Tolbert, Mr. Holt, Mr. Baldwin, Dr. Jones, Ms. Still, Mr. Ambruso and Colonel Welsh. Mr. Holden was absent. (Mr. Holden arrived at 7:05pm.)

Staff members present were Mrs. Townshend, Mrs. Dawn Melson-Williams, Mr. Cook and Mrs. Mullaney. Also present were Mr. K.C. Sheth, Mr. Greg Scott and Mr. John Paradee.

APPROVAL OF AGENDA

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

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF JUNE 16, 2014

Mr. Holt moved to approve the Planning Commission minutes of June 16, 2014, seconded by Mr. Tolbert and the motion was unanimously carried 8-0 with Mr. Holden absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that the next Planning Commission meeting will be held on Monday, August 18, 2014 at 7:00 PM in the City Hall Council Chambers.

Mrs. Townshend stated that the next Planning Commission Quarterly Workshop will be held on Tuesday, August 19, 2014 at 12:00 noon in the City Hall Conference Room.

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings held on June 23, 2014 and July 14, 2014.

Mrs. Townshend stated that several weeks ago there was a workshop for the Restoring Central Dover Plan that was held at the Wesley Fellowship Hall. They are expecting the draft document from that to come out shortly. That is the planning effort for the Downtown Area that's being funded through the Wells Fargo Foundation. The planning is being led by NCALL. Obviously, they will make sure that when that is available they will share it with the Commission and at some point have a presentation on it. That will be a key component to the City's Downtown Development District Application which they will be working on in the fall. Those application deadlines will be in the fall; that will be a big project for Planning Staff. It will probably be discussed at the August Quarterly Workshop.

Mrs. Townshend stated that the APA Regional Conference will be held in Newark. Delaware is hosting; they take turns hosting with Maryland. Delaware is hosting the Regional Conference during the last week of October. If anyone is interested, the registration materials aren't out yet but if they can let staff know so that they can plan accordingly. There is probably some funding available.

Colonel Welsh stated that the Regional Planning Meetings are very informative. He attended one

when he first came on the board and he learned a lot. If anyone is interested, please let Mrs. Townshend know. Responding to Colonel Welsh, Mrs. Townshend stated that if they get a lot of people interested in going then they will have to come up with a way of figuring out how the cost gets divvied up. Too much interest is not a bad thing.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

NEW DEVELOPMENT APPLICATIONS

1) SB-14-04 Lands of Kalpkish, LLC at 348 North DuPont Highway – Public Hearing and Review of a Minor Subdivision to create two (2) parcels of land from an existing 3.35 acre ± parcel, on the site currently occupied by Super 8 Motel. The parcel will be subdivided into a 2.55 acre ± parcel and a 0.80 acre ± parcel. The property is zoned C-4 (Highway Commercial Zone), located on the southwest side of DuPont Highway northwest of Oak Lane and abutting Silver Lake. The property owner is Kalpkish, LLC, c/o Kishor C. Sheth. Property Address: 348 North DuPont Highway. Tax Parcel: ED-05-068.13-01-79.00-000. Council District 3. *This application is associated with V-14-06 heard by the Board of Adjustment on May 21, 2014 regarding a variance from the rear and front setback requirements.*

Representatives: Mr. John Paradee, Prickett, Jones & Elliott; Mr. Greg Scott, Scott Engineering; Mr. K.C. Sheth, Owner of Record

Mr. Cook stated that application SB-14-04 is a Minor Subdivision to create two (2) parcels of land from an existing 3.35 acre ± parcel at 348 North DuPont Highway. The property is zoned C-4 (Highway Commercial Zone). The existing lot is currently occupied by Super 8 Motel, a restaurant and a retail store in two (2) structures. The proposed subdivision creates two (2) parcels. Lot 1 would be the parcel with frontage on Route 13. The rear of the existing property is called residual parcel which would be created from the rear portion of the existing parcel and would have frontage on Oak Lane. The proposed new line runs between the existing buildings on the property. The front building has a restaurant and store. The rear structure has sort of a U-shaped hotel structure. The lot line would run between the two (2) primary structures.

On June 18, 2014 the Board of Adjustment approved Variance Request V-14-06 to reduce the rear yard setback requirement for Lot 1 to one (1) foot and to reduce the right side yard setback for residual parcel to ten (10) feet. At present, there is no vehicular access to the current property from Oak Lane. The applicant is establishing utility and cross access easements between Lot 1 and the residual parcel. A cross access easement is also being established between the subject properties and the adjacent property at 318 North DuPont Highway, which currently has a Friendly's restaurant.

The property was subject to review by the Silver Lake Commission as required by *Zoning Ordinance* Article 5, Section 11.251. Comments from the Commission are provided in the DAC Report.

The applicant is requesting a waiver of the sidewalk requirement for the proposed Oak Lane frontage, noting that new construction or re-development of the property is not proposed at this time. Any future proposals would be subject to Planning Commission review per the requirements of the *Zoning Ordinance*.

The DAC Report contains comments from the Planning Office, the Department of Public Works, the Fire Marshal's Office, DelDOT, Kent Conservation District as well as Silver Lake Commission. These agencies have been in regular communication with the applicant in order to address issues related to fire protection, utility provisions and transporation access.

Mr. Paradee stated that he thinks it's helpful for the Commission to understand the background and why the applicant is here tonight. The principal reason for proposing this subdivision presently is in order to facilitate a refinancing of the property. As it's currently composed, the hotel with the retail attached at the front doesn't quite appraise as well as it would if it were separated. That is the reason why the applicant is pursuing it. There is no intention presently to change anything about the operation of the property or change the ownership in any way. He doesn't think the Fire Marshal has any problem with the way the property is being operated currently,: however, the DAC comments offered by the Fire Marshal indicate that they would like to see a number of issues relating to utilities and fire protection addressed at such time as any changes are made. In looking at the DAC comments from the Fire Marshal, there are six (6) of them and he wants to mention briefly numbers 2, 3, 4 and 6. Number 2 reads, "Currently the two parcels/buildings are connected by a covered walkway. It appears that an I-Beam is a part of the covered walkway connecting the two parcels/buildings. Contact the Chief Building Inspector prior to any work being conducted to separate the parcels/buildings." There is no intent to separate those buildings currently so they, are asking that that condition be enforced at the time that either the ownership or the uses of the property change. Likewise with regard to Requirements 3, 4 and 6 which are essential legitimate concerns by the Fire Marshal should the use or the ownership of these parcels change in any way. What he suggested to Mr. Sheth was that he signs a written commitment that he would implement each of these recommendations at the time that he makes in either the ownership or the current uses of the properties. As he understands it, the Fire Marshal has no issue with the way the properties are currently being operated. He has a document that he would like to present that does that and if there are any other technical questions, Mr. Scott can address those. (Document submitted.)

Mrs. Townshend stated that obviously the Fire Marshal will have to review this document. She thinks that the idea probably needs to be recorded with the Subdivision so that if there is a property transfer, these things would have to happen. The challenge that they have is while the applicant is simply striking a lot line for business reasons and not with the intent of selling, once there is a lot line the property can be legally sold. If you sell one property and they are tied together in any way, it can create real problems. If there is something recorded that addresses those issues, it would make sure that the property would not transfer without this being addressed.

Colonel Welsh questioned if this was something that the Planning Office could handle internally? Responding to Colonel Welsh, Mrs. Townshend stated yes.

Colonel Welsh further questioned if this would be predicated on the Fire Marshal's approval? Responding to Colonel Welsh, Mrs. Townshend stated yes.

Mr. Paradee stated for the record, they want to make sure that it's clear that Mr. Sheth is not trying to escape any of those comments. He agrees with all of them. It doesn't make any sense to implement them under the present arrangement but he understands if the use of the property changes or the ownership changes then they must be implemented at that time.

Colonel Welsh questioned if the applicant accepted all of the DAC comments? Responding to Colonel Welsh, Mr. Paradee stated yes.

Mr. Cregar questioned if the added supplemental statement that was just presented would be on the final Check Print also? Responding to Mr. Cregar, Mrs. Townshend stated that she believes that it would need to be on the plat.

Mr. Cregar stated that right now there are no changes being made. Supposing at some point from a parking standpoint, how would that change if the ownership changed and they had different uses? He knows that they have cross easement on the property and there is combined parking but how would the parking be on an individual parcel? Responding to Mr. Cregar, Mrs. Townshend stated that they did not evaluate the per parcel parking. They would need to probably look at it in terms of whether each parcel has the parking to satisfy its requirements.

Mr. Paradee stated that they did submit to the Planning staff copies of cross access and utility easement documents. Those documents would be recorded and would be enforceable; they would just need to make sure that the parking is adequate.

Mrs. Townshend stated that staff can make sure that in the final version everything is there.

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

Mr. Holden stated that he noted that the sidewalk waiver came in after Staff comments were produced. Were there any additional comments from staff on the July 13, 2014 letter from Scott Engineering? Responding to Mr. Holden, Mrs. Townshend stated that there were not any additional comments. For instance with the Minor Subdivision at the former Sheraton, they tied the sidewalk construction to the change of use so that if there were a change of use, before a Certificate of Occupancy could be issued that would need to be done. The Commission could do the same here so that if there is a development activity that doesn't necessarily bring it to Planning Commission that could be a requirement.

Colonel Welsh questioned if the applicant was requesting a waiver for the sidewalk on Oak Lane? Responding to Colonel Welsh, Mr. Paradee stated yes.

Colonel Welsh stated that that would need to be part of the motion as well.

Mr. Holden questioned how that would be worded to ensure that when there is a potential change in use that the sidewalk waiver be re-evaluated? Responding to Mr. Holden, Mrs. Townshend stated that things only require a sidewalk if they come to the Planning Commission. If it's a change of use that does not require Planning Commission approval, it would be done administratively. In the case of the other application that was done very similarly, the motion included the requirement that the sidewalk waiver was not required for the Subdivision but would be required before a Certificate of Occupancy could be issued for a change of use of the property.

Mr. Holden further questioned if the person implementing the proposed change in use had issues with that requirement, what recourse would they have at that point? Responding to Mr. Holden, Mrs. Townshend stated that typically if somebody wants to get out of something that was a motion of the Planning Commission, first they would come back to the Planning Commission.

Mr. Holden questioned with regards to the Fire Marshal comments, how would they be incorporated onto the plat to ensure that they were addressed? Responding to Mr. Holden, Mrs. Townshend stated that they would have to work with the Fire Marshal's Office. The Fire Marshal comments are under the State Fire Prevention Regulations and the NFPA Regulations so they are kind of beyond the scope of the Planning Commission to alter. She thinks what Mr. Paradee submitted was something to put on the record to say that those comments would be addressed but it will be with the Fire Marshal. He will need to make sure that before it's recorded that the language is sufficient to meet his code requirements.

Mr. Holt moved to approve SB-14-04 Lands of Kalpkish, LLC at 348 North DuPont Highway to include the waiver of the sidewalk requirement on Oak Lane until there is a change of use.

Mr. Cregar questioned if they should also include the added notes of that request? Responding to Mr. Cregar, Mrs. Townshend stated that she thinks they could include it with the DAC comments.

Mr. Holt moved to approve SB-14-04 Lands of Kalpkish, LLC at 348 North DuPont Highway to include the waiver of the sidewalk requirement on Oak Lane until there is a change of use and with the DAC comments, seconded by Mr. Holden and the motion was carried by roll call vote 9-0. Mr. Holden voting yes, per staff comments and that the Subdivision plans comply with the regulations. Mr. Cregar voting yes, the application is incompliance with the City's regulations for Subdivision and per the DAC comments. Mr. Tolbert voting yes, since he received clarification on the Fire Marshal comments and requirements. Mr. Holt voting yes, based on all comments made by Mr. Paradee. Mr. Baldwin voting yes, based on the requirement of the agreement for the intended use. Dr. Jones voting yes, based upon all of the previous comments in terms of compliance. Ms. Still voting yes, the DAC comments have been addressed and all of the discussion has met all concerns. Mr. Ambruso voting yes, there is no reason to vote no. Colonel Welsh voting yes, the application meets all requirements of the City code and all associated requirements.

NEW BUSINESS

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

Nominations for Chairman were opened to the floor.

Mr. Tolbert nominated Colonel Welsh to continue as the Chairman, seconded by Mr. Holt.

Mr. Cregar moved that the nomination for Chairman be closed on the said name, seconded by Ms. Still and the motion was unanimously carried 9-0. Following an unanimously vote, Colonel Welsh will serve as Chairman.

Nominations for Vice-Chairman were opened to the floor.

Colonel Welsh nominated Mr. Tolbert to continue as the Vice-Chairman, seconded by Mr. Cregar.

Ms. Still moved that the nomination for Vice-Chairman be closed on the said name, seconded by Mr. Ambruso and the motion was unanimously carried 9-0. Following an unanimous vote, Mr. Tolbert 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)

Colonel Welsh moved to approve that Ms. Still and Mr. Holden continue on the Committee for the next year, seconded by Mr. Holt and the motion was unanimously carried 9-0.

Colonel Welsh moved to approve that Ms. Sarah Keifer and Dr. R. G. Chandler continue on the Committee for the next year, seconded by Mr. Holden and the motion was unanimously carried 9-0.

Meeting adjourned at 7:34 PM

Sincerely,

Kristen Mullaney
Secretary

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 6, 2014

PLANNING COMMISSION MEETING OF August 18, 2014

Plan Title:	Dover Family Cosmetic Dental Office at 1084-1086 South State Street S-14-16
Plan Type:	Site Development Plan
Owners of Record:	Dover Family Properties, LLC c/o Venetia N. Dover
Location:	West side of South State Street between Wyoming Avenue and South DuPont Highway
Address:	1084-1086 South State Street
Tax Parcels:	ED-05-077.17-07-19.00-000 ED-05-086.05-02-21.00-000
Site Area:	23,214 S.F. (both parcels)
Zoning:	C-2A (Limited Central Commercial Zone)
Existing Use: Proposed Use:	Vacant lots Office Building (Medical Office – Dentist)
Building Areas:	Proposed Building: 2,730 S.F.
Impervious Areas:	Proposed – 61.12%
Off Street Parking:	Required – 10 parking spaces (Maximum 13 parking spaces per Code) Proposed – 23 parking spaces* (*Requires Board of Adjustment application)
Sanitary Facilities: Water Supply:	City of Dover City of Dover
Waiver Requested:	Elimination of Upright Curbing Requirement

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 6, 2014

APPLICATION: Dover Family Cosmetic Dental Office at 1084-1086 South State Street, Dover, DE

FILE #: S-14-16 REVIEWING AGENCY: City of Dover Planning Office

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

PLAN SUMMARY

This is a Site Plan to permit construction of a new 2,730 S.F. medical office and associated site improvements for Dover Family Cosmetic Dental. The plan includes a Minor Lot Line Adjustment Plan to consolidate two parcels to form a single 23,214 S.F. parcel. The property is zoned C-2A (Limited Central Commercial Zone), located on the west side of South State Street between Wyoming Avenue and South DuPont Highway. The property owner is Dover Family Properties, LLC, c/o Venetia N. Dover. Property Address: 1084-1086 South State Street. Tax Parcel(s): ED-05-077.17-07-19.00-000 and ED-05-086.05-02-21.00-000.

PROJECT DESCRIPTION

The subject property consists of two vacant lots that will be consolidated into one parcel of land. This project will construct a one story building for the proposed use as a dental office. The plan proposes a site entrance/exit onto South State Street. The parking lot is shown on the east and south sides of the proposed building.

BUILDING ARCHITECTURE

The architecture of the building is presented on annotated building elevation drawings (Schematic Elevations dated 3/6/2014). The one story building has a hipped roof highlighted by a tower element with clerestory windows over the entry. On these drawings, a pitched roof entry vestibule extends from the front façade (east elevation) as the main entry door. The building's exterior finishes include a stone veneer with cast stone sill to a watertable height, a stone veneer on the entry vestibule, a two color stucco finish for the upper portion of the walls, and fiberglass roof shingles. A series of double hung windows appear on at least two of the elevations.

C-2A ZONING DISTRICT

The uses and bulk standards of the C-2A (Limited Central Commercial Zone) zoning district were recently amended along with the Site Development Plan procedures. Ordinance #2014-08 (with Staff Amendment #1) was adopted on July 14, 2014 by City Council. This project requires Site Development Plan review by the Planning Commission due to the increase in impervious surface coverage over 5,000 S.F. The proposed use as a dental office would be classified as a type of business/professional office and is permitted. The bulk standards for the C-2A zone are now established in *Zoning Ordinance,* Article 4 Section 4.14 as follows:

	C-2A
Minimum required:	
Lot area	
Lot width (ft.)	
Lot depth (ft.)	100
Front yard (ft.)	15
Side yard (ft.)	None required, but 5 feet min. if provided.
Rear yard (ft.)	20 ft. above ground floor. At ground floor, 5 ft. required.
Side or rear yards which adjoin a residential	25
Off-street parking:	
Per 300 sq. ft. floor area or	1
Per employee (whichever is greater)	1
Maximum permitted:	
Building height	
Stories	6
Feet	75
Floor area ratio	4.0

SITE CONSIDERATIONS

PARKING SUMMARY

The parking requirement in the C-2A zoning district is one (1) parking space per 300 S.F. of floor area or one space per employee. *Zoning Ordinance,* Article 6 §3.1 requires that medical offices have at least one (1) parking space per 300 S.F. of floor area. The number of employees was not identified. Based on the floor area of 2,730 S.F. for the total building, a minimum of ten (10) parking spaces are required and limited to a maximum of 13 parking spaces. The plan proposes a total of twenty-three (23) parking spaces; this is over the maximum permitted by Code. **The plan must be revised to reduce the parking to thirteen (13) parking spaces. The applicant has the option of seeking a variance of the parking requirement (to allow for more than 13 parking spaces) with an application to the Board of Adjustment.**

Loading Spaces

The requirement for loading spaces for professional, governmental or business offices is based on building square footage. The rate is one loading space for establishments of 10,000 to 25,000 square feet in floor area with an additional loading space per 25,000 square feet of floor area or fraction thereof. The overall building is not large enough to require a designated loading space.

Bicycle Parking

The site is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the number of required parking spaces at 10, then at least one

(1) bicycle parking space is required. The plan shows bicycle parking rack in the lawn area north of the building main entry.

Dumpster

For office uses, one Dumpster is required for the first 8,000 S.F. of building area and one for each additional 16,000 S.F. of building area or fraction thereof. For this project with a total building area of 2,730 S.F., the requirement is for one (1) Dumpster. However, as a commercial building provisions must also be made for recycling. The plan locates a new Dumpster (front loading) at the north end of the front parking lot area. The cedar wood enclosure shows gates as the Dumpster is visible from the public right-of-way. The Landscape Plan also shows tree and shrub planting to screen the Dumpster enclosure.

Lighting

The location of the proposed lighting is shown on the plan as pole light fixtures at the perimeter of the parking lot. There may also be several street lights on the adjacent street. The proposed lighting must be adequate to safely light all parking and pedestrian areas yet must be shielded and directed as to not create a nuisance on the adjacent properties or traffic on adjacent roads.

Sidewalk

There is existing sidewalk along the street frontage of South State Street in accordance with *Zoning Ordinance,* Article 5 §18. Some sidewalk improvements appear to be providing ADA accessible curb ramps at the new site entrance location. In addition a sidewalk connecting from the street frontage sidewalk into the site is required, but is not currently shown.

Waiver Requested: Partial Elimination of Curbing

The *Zoning Ordinance*, Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The transition from the parking lot to the sidewalks on the building's east and south sides does not include upright curing. Parking bumpers are currently shown at the head of these parking spaces. A written waiver request for the elimination of upright curbing in these areas was for consideration by the Planning Commission as the elevation change of upright curbing does not exist.

TREE PLANTING AND LANDSCAPE PLAN

A Landscape Plan in accordance with *Zoning Ordinance,* Article 5 §16 was prepared. The tree planting requirement is based on the total lot area and one (1) tree is required for every 3,000 SF of land area. This project site consists of a total lot area of 23,214 S.F.; therefore, eight (8) trees are required. The vegetated area along the western property line is not considered woodland on this property as labeled on the plan. The vegetated areas of brush will be cleared on this property. The new trees plantings consist of Eastern Red Cedars to help screen the Dumpster enclosure with Crepe Myrtle trees along South State Street, and White Swamp Oaks in several locations at the perimeter of the parking lot. Additional landscaping with shrubs is proposed between the parking lot and South State Street and adjacent to the front of the building.

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

CITY AND STATE CODE REQUIREMENTS:

1) The twenty-three (23) parking spaces shown on the plan exceed the maximum parking limitation set by the *Zoning Ordinance* based on the parking calculation for this building project. The Plan must be revised to show the maximum of thirteen (13) parking spaces. If the applicant wishes to pursue development of additional parking spaces, then a variance application to the Board of Adjustment is required. Contact Planning Staff for information on the variance application process; a pre-application meeting has been conducted to file the Board of Adjustment application. (*Note: This Site Plan application can continue with the Planning Commission review, as the elimination of the excess parking does not significantly impact the site design.)*

2) A separate Minor Lot Line Adjustment Plan (Record Plan) sheet must be prepared to document the parcel consolidation of the two lots. The Record Plan will be required to be recorded in order to combine the properties.

3) The Site Plan must be updated with changes recommended or approvals including any waivers granted by the Planning Commission.

4) The Site Data Column will need to be updated prior to Final Approval with the following:
   a) Update the bulk standards for C-2A per the recent amendments.
   b) Provide Floor Area Ratio for project site.
   c) Add status of the property in regards to presence of flood hazard areas (100 year flood plain).
   d) List any conditions, recommendations or approvals including information on the action taken on any waivers granted by the Planning Commission.
   e) Complete Project Notes #16.
   f) Project Notes #18: Update Public Works contact number to 736-7025. Update other instances in the plan set.

5) Update all bulk standards information (i.e. setbacks) shown on all plan sheets.

6) Clarify building footprint on site versus the building elevation drawings. The building appears to have an enclosed vestibule not shown on the Site Plan. Also egress doors will need to have sidewalks leading from them.

7) Add a sidewalk connection from the street frontage sidewalk to lead into the site.

8) Sheet 3: Check notes. One set appears to be repeated.

9) Sheets 9 and 11: Check details of the dumpster enclosure. One detail shows masonry wall.

10) Provide documentation of the recordation/establishment of the easements related to utility services (sewer line connection crosses other properties to serve this site).

11) Landscape Plan:
    a) Correct the Tree Density Notes (Data Column) for the City of Dover regulations. The density is one tree /3000 S.F. resulting in a requirement of 8 trees. There is not a parking lot/road buffer requirement.

12) Barrier free access ramps shall be installed at the access from the accessible parking spaces and at all points where sidewalks intersect with roadways and parking areas.
    a) Clarify the sidewalk and ramp system along the front of the building at the entry from the parking lot pavement surface.
    b) Clarify the transition at south end of building sidewalk to the parking lot.

13) Clarify transition from parking lot to building sidewalk. Upright curbing shall be provided in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. A written waiver request was submitted for Planning Commission consideration regarding the elimination of upright curbing in certain areas of the parking lot.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver Requests: The following is the Staff recommendation regarding the waiver requests.
    a. Partial Elimination of Curbing: Staff recommends approval of the request to eliminate the curbing for the parking lot perimeter in the areas adjacent to the building (east and south elevations) in order to facilitate the stormwater management practices for the site (sheet flow to underground system). The installation of parking bumpers is recommended at the head of these parking spaces.

2) Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent property owners, adequately screened from public view and the overall visible impact.

ADVISORY COMMENTS TO THE APPLICANT:

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

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

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

endorsement.

4) In the event, that major changes and revisions to the Site Development Plan occur in the finalization of the Site Plan contact the Planning Office. Examples include reorientation of the building, relocation of site components, 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.

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

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

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

8) The applicant shall be aware that Site Plan approval does not represent a Sign Permit, nor does it convey permission to place any sign on the premises. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 30, 2014

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Dover Family Cosmetic Dental at 1084-1086 South State Street**

FILE #: **S-14-16**

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. Please note that the existing meter cannot be utilized, as it does not meet the requirements of the Water / Wastewater Handbook.
5. If applicable, 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. If applicable, provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Per the Water / Wastewater Handbook: each property shall be served by a single water service line which shall be furnished and installed by the property owner. In the event a property contains multiple principle structures, such as shopping centers or apartment complexes, the property shall be served by a single water main where a water service line may be provided to each principle structure. Each structure, which is capable of being offered for sale, shall have its own separate water facilities.

WASTEWATER

1. All wastewater utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:

a. Any existing sanitary sewer lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.

b. Part II, Chapter 180, Article III, Section 180-10 of the Code of Kent County requires that "no person shall discharge or cause to be discharged any stormwater, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated noncontact cooling water or unpolluted industrial process waters to any sanitary sewer", this shall include condensate. Sec. 110-231 of the City of Dover Code defines storm sewer as "…any system used for conveying rain water, surface water, condensate, cooling water or similar liquid wastes, exclusive of sewage." The contractor, developer, owner and designers shall ensure during construction that no illegal discharges to the sanitary sewer system are created with the site improvements.

3. The size, length, slope, type and flow directions must be shown on all existing and proposed sanitary sewer lines. Rim and invert elevations must be labeled on all sanitary structures.

4. Cleanouts must be installed on sanitary sewer laterals within five feet (5') of the building, one foot (1') outside of the right-of-way and at all bends. Any cleanout located within a traffic bearing location shall be installed with a heavy duty cast iron frame and cover to prevent damage to the cleanout and lateral.

5. Sizing (flow) calculations must be submitted for all sanitary sewer laterals (other than for single-family dwellings) showing that velocity and all other requirements are met.

6. The minimum size of all sanitary sewer laterals shall be six-inch (6").

7. If kitchen facilities are proposed a minimum 1,000 gallon, two chamber grease trap, meeting all Kent County ordinance requirements, must be provided. A construction detail for the proposed grease trap, as well as the proposed location, must be provided on the plan.

8. Each property shall be served by a single sanitary sewer lateral which shall be furnished and installed by the property owner. In the event a property contains multiple principle structures, such as shopping centers or apartment complexes, the property shall be served by a single sanitary sewer main where a sanitary sewer lateral may be provided to each principle structure. Each structure, which is capable of being offered for sale, shall have its own separate wastewater facilities.

STORMWATER

1. Final site plan approval will not be granted until a copy of the approved Stormwater/Erosion and Sediment Control Plan from Kent Conservation District is submitted to our office.

2. The size, length, slope, type and flow directions must be shown on all existing and proposed storm sewer lines. Rim and invert elevations must be labeled on all stormwater structures.

STREETS

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

SANITATION / GROUNDS

1. None

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.

2. The final site plan must be submitted in the following compatible digital formats:

   a. AutoCAD 2004 (.dwg format).

   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

WATER

1. Unless the existing water service has issues, please utilize the existing water service to the lot; the size is the same as the proposed two-inch (2") service. This would diminish the disturbance on State Street.

WASTEWATER

1. This plan proposes a connection to a publicly owned sanitary sewer main on the property owned by Center for Neurology Prop, LLC. The proposed sanitary sewer lateral for this project also proposes to cross the Delmarva Enterprises, Inc. property. A permanent maintenance easement agreement shall be secured between all parties for this sanitary sewer lateral, said agreement shall hold the City of Dover harmless of any operational issues subject to the proposed lateral.

STREETS / SANITATION / STORMWATER / GROUNDS / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

WATER

1. The City of Dover water system is available to this site. The developer is responsible for all costs associated with extending and providing service to the proposed development.
2. Prior to plan approval, the water system plans may be required to 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. Additional impact fees will be required for the proposed addition.

WASTEWATER

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

STORMWATER / STREETS / GROUNDS

1. None.

SANITATION

1. Sanitation service for this property shall be private.

GENERAL

1. No trees may be planted within ten feet (10') of water and wastewater utility infrastructure.

2. 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.

3. 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: **August 6th, 2014**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **Dover Family Cosmetic Dental at 1084 -1086 S. State Street**

FILE #: **S-14-16** REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Timothy Mullaney Jr., Interim Fire Marshal**

PHONE #: **(302) 736-4457**

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

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

CITY AND STATE CODE REQUIREMENTS:

1. Proposed building appears to be a Business Occupancy per plans. Please confirm exact use of the building so this office can determine the fire protection (Fire Suppression System / Fire Alarm System) that will be required.

2. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Secondary fire lanes can be reduced to 16 feet wide. Both can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover 25% of the proposed building; if building is classified as a Business Occupancy. If occupancy changes, fire lane coverage is subject to change. This shall clearly be shown on the plans.

3. Firefighter perimeter access will be 30%; building appears to be classified as a Business Occupancy. If occupancy changes, perimeter access is subject to change. This clearly shown on the plans.

4. Address numbers of at least 12 inches in height must be placed on the street side of the building visible from the street.

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

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

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

8. Knox Box required.

9. Project to be completed per approved Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1. Provide documentation of the use of the building. Provide information pertaining to the procedures conducted by the Dental Staff at the proposed business, to include whether patients will be capable of self-preservation (procedures that may be conducted that will require patients to be unconscious). Please contact this office at 302-736-4457 to discuss exact use.

ADVISORY COMMENTS TO THE APPLICANT:

1. After any application has been approved by the Planning Commission, the applicant has a maximum of thirty (30) days to appeal to the Code Board of Appeals Committee.

2. All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

3. The proposed building will be reviewed under Occupancy.

4. The City of Dover uses the 2012 NFPA Life Safety Code, 2009 IBC, latest editions of all other NFPA Codes and the 2012 Delaware State Fire Prevention Regulations.

5. The Dover Fire Department request that a 8 ½ X 11 copy of the floor plan and site plan be submitted to Station 1, attention Fire Chief, prior to the Certificate of Occupancy being issued.

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 30, 2014

D E L D O T

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APPLICATION: Dover Family Cosmetic Dental at 1084-1086 South State Street
FILE#: S-14-16 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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

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

CITY & STATE CODE REQUIREMENTS:

1. In order to be issued an entrance permit, the department will require the applicant to provide the proper forms, fees, and plans.

2. Per Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access Adopted February 15, 2010, an 80-foot wide right-of-way (40-feet from the centerline) is required for a minor arterial. According to the Kent County Classification Maps, KCR 25 (South State Street) is classified as a minor arterial road. If the existing right-of-way does not have the proper width along the frontage of the site, the department will require the right-of-way dedication for public use.

3. ADA compliant sidewalks must be installed along the site frontage.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- If the initial square of the building remain unchanged, then a Traffic Impact Study (TIS) will be required for this project, and the proposed development will exceed 50 VPH (Vehicle per Hour) or 400 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. The department will allow a payment towards an Area-Wide Study Fee for the additional 500 trips, in lieu of performing the TIS. The Area-Wide Study Fee is calculated at $10 per daily trip, and it would be payable to DelDOT prior to the issuance of a Letter of No Objection. Payment of the TIS would exempt the developer from performing the study, but would not exempt them from participation in off-site improvements or a Traffic Operational Analysis if one is required during the review of the entrance plans. If the developers would like to pay the fee in lieu of doing a TIS, the developer should contact me at (302) 760-2145.

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 2014

APPLICATION: *Dover Family Cosmetic Dental*

FILE #: S-14-16

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:

CITY AND STATE CODE REQUIREMENTS:

1. ***As of January 1, 2014 the new Delaware Stormwater Regulations have taken effect.***
2. A ***Stormwater Assessment Study*** (SAS) package must be submitted to the Kent Conservation District prior to a pre application meeting being scheduled.
3. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction. Please refer to the fee schedule for those amounts.
4. The following notes must appear on the record plan:
    - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
    - The Kent Conservation District reserves the right to add, modify, of delete any erosion or sediment control measure, as it deems necessary.
    - A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.
5. A soils investigation supporting the stormwater management facility design is required to determine impacts of the seasonal high groundwater level and soils for any basin design.

ADVISORY COMMENTS TO THE APPLICANT:

1. The plans are currently under review.
2. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 8/6/2014

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Dover Family Cosmetic Dentistry at 1084-1086 South State Street

FILE #: S-14-16 REVIEWING AGENCY: Dover/Kent County MPO

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

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

City of Dover Planning Commission 8/18/2014

Project Review

S-14-16 Dover Family Cosmetic Dentistry at 1084-1086 South State Street

This proposal is to legally construct a medical office building at the subject site for a family dentist practice. The site is on DART transit route 105 with a bus stop on South State Street at the southeast corner of the property. There are sidewalks existing along the frontage of the site. There are sidewalks on the site plan at the proposed building and the parking facilities. There are no sidewalks indicated connecting the frontage to the front entrance of the building. It is unacceptable to require pedestrians to use an entrance drive to walk to the interior of the site. The MPO recommends the City's require a sidewalk for pedestrians connecting the street frontage with the building entrance. As stated above, there should be bicycle facilities on the site as well.



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.

Office Location
SunRay Professional Center
155 S. Bradford Street
Suite 200
Dover, DE 19904

Mailing Address
P.O. Box 558
Dover, DE 19903

Phone: 302-672-0610
Fax: 866-672-6428
www.mountainconsultinginc.net

mountain consulting
CIVIL ENGINEERS

Kim I. Adams
President

Troy L. Adams, P.E.
Vice President

August 6, 2014

Dawn Melson-Williams
City of Dover Planning & Inspections
P.O. Box 475
Dover, DE 19903

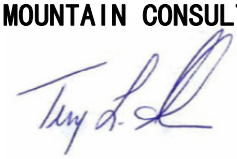
RE: Request for Partial Elimination of Upright Curbing
Dover Family Cosmetic Dental Office at 1084-1086 South State Street
S-14-16

Dear Mrs. Melson-Williams:

On behalf of the applicant, Dover Family Properties, LLC, it is requested that the curb requirement be partially waived for the above-referenced project. It is proposed to eliminate curb along the perimeter of the parking area on the south and east faces of the building. The remaining perimeter of the parking area will be curbed. Parking bumpers will be installed for all non-curbed parking spaces along the south and east sides of the proposed building. It's desirable to have the stormwater runoff be conveyed via sheet flow to the underground stormwater system. For these reasons, please grant a waiver from the installation of curbing along the perimeter of the parking lot on the south and east faces of the building.

Please feel free to give me a call with any questions. I can be reached at 302-672-0610 x4567 or by email at tadams@mountainconsultinginc.com. Thank you for your cooperation.

Sincerely,
MOUNTAIN CONSULTING, INC.



Troy L. Adams, P.E.
Vice President

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF August 6, 2014

PLANNING COMMISSION MEETING OF August 18, 2014

Plan Title:	Office at 970 North State Street (S-14-17)
Plan Type:	Site Development Plan
Applicants:	Owner of Record: Debra A. Brown and Raymond E. Brown To Be Conveyed To: John P. Kelly, III
Location:	Southwest corner of North State Street and Hiawatha Drive
Address:	970 North State Street
Tax Parcel:	ED-05-067.12-01-05.00-000
Site Area:	18,047 SF +/- (0.414 ac.)
Zoning:	C-1A (Limited Commercial Zone)
Proposed Use:	Professional Office
Building Areas:	Existing Building – 2,199 S.F. (Total), Former Residential Structure
Impervious Areas:	Existing – 31.7% Proposed – 33.7%
Floor Area Ratio:	0.12
Off Street Parking:	Required – (none) Proposed – 8 parking spaces (7 spaces + 1 ADA space)
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Waiver of Upright Curbing Requirement Waiver of Landscape Buffering Requirement for Parking Lots

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 6, 2014

APPLICATION: Office at 970 North State Street, Dover, DE

FILE #: S-14-17 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Bill Cook, Planner PHONE #: 302.736.7196

PLAN SUMMARY

This is a Site Plan to permit the conversion of an existing 2,199 S.F. +/- residential structure to office use and associated site improvements on an 18,047 S.F. +/- parcel. The property is zoned C-1A (Limited Commercial Zone), located at the southwest corner of North State Street and Hiawatha Drive. The owner of record is Debra A. Brown and Raymond E. Brown, to be conveyed to John P. Kelly, III. Property Address: 970 North State Street. Tax Parcel: ED-05-067.12-01-05.00-000. Comments in this Report are in reference to Revised Plan sheets dated July 30, 2014.

PROJECT DESCRIPTION

This project will convert the 2 story frame & brick veneer house to office use, add parking and other site improvements, and relocate the property entrance. Interior renovations are planned to bring the structure into code compliance for use as offices. The existing pool and concrete decking will be demolished, and a new paved parking area will replace gravel currently found on the site. The existing site entrance to the property directly at the corner of Hiawatha Lane and North State Street will be located farther west on Hiawatha Lane.

SITE CONSIDERATIONS

A portion of the property lies within the Flood Hazard Zone (100-year floodplain). No structures are found or proposed within this area.

Parking

The applicant proposes a total of 8 parking spaces, including 1 designated ADA accessible space. Pursuant to the *Zoning Ordinance* amendments (Ordinance No. 2014-08) adopted July 14, 2014 off-street parking is not required in the C-1A zoning district. The applicant submitted Site Plans and a Request for Elimination of Required Parking Waiver prior to the passage of the amendments; however, the parking reduction waiver is no longer necessary.

Bicycle Parking

The *Zoning Ordinance* calculates required bicycle parking facilities in Article 6 §3.10, based on required parking for automobiles. The elimination of required parking thereby eliminates a requirement for bicycle parking. Article 10 §2.2 states that among many objectives for evaluating Site Plan criteria, the Planning Commission shall consider the safety and convenience

of a variety of transportation modes, and that Site Plans should include the provision of off-street parking to obviate the need for parking in public streets.

Dumpster
For office and retail uses of less than 50,000 S.F., one dumpster pad is required for the first 8,000 S.F. of gross floor area. For this project with a total building area of 2,199 S.F. the requirement is for one dumpster. The Department of Public Works has provided comments requiring that trash collection be provided by a private entity. An enclosure is required when the Dumpsters are visible from the public right-of-way or from an adjacent property. A designated area on the site for trash collection, and details of the enclosure are shown on Sheet CC02.

Lighting
The proposed and existing Site Plan shows the location of street lights, which are found outside the perimeter of the property along both rights of way. Due to the proximity of onsite parking, this off-premise lighting may actually light property sufficiently.

Sidewalk
Sidewalk currently exists along the North State Street frontage, and terminates at the corner of North State Street and Hiawatha Lane. No sidewalk currently exists adjacent to the property along Hiawatha Lane. Sidewalks are required along both street frontages in accordance with *Zoning Ordinance,* Article 5 §18. The adjacent vacant property on Hiawatha Lane does not have a sidewalk, but the occupied property further west does.

This project proposes the installation of sidewalk along Hiawatha Lane to satisfy the sidewalk requirement. Numerous utility fixtures are found in the path of the proposed sidewalk along Hiawatha Lane. The Department of Public Works has provided comments to the applicant, and is working with the applicant regarding sidewalk layout to allow flexibility in fulfilling the sidewalk requirement on the site.

Curbing
The *Zoning Ordinance,* Article 6 §3.6(b) requires upright curbing for all parking areas and access drives.

Waiver Request: Waiver of Upright Curbing Requirement
The applicant has submitted a request for a waiver of the upright curbing requirement. The proposed Site Plan shows parking bumpers for each proposed parking space in lieu of upright curbing.

Signage
Any signage must be approved through a separate sign approval and permitting process. For purposes of the sign regulations found in the *Zoning Ordinance*, the segment of North State Street that the property fronts is an “Urban Minor Arterial” and Hiawatha Lane is a “Local Street.” The property is considered to be adjacent to residential properties, which is an additional factor determining allowable signage.

Silver Lake Commission
Pursuant to *Zoning Ordinance* Article 5 §11.251, Site Plan applications for parcels where any boundary of the parcel is abutting Silver Lake are required to go before the Silver Lake

Commission prior to appearing before the Planning Commission. The Silver Lake Commission shall provide advisory comments for the Planning Commission on such applications. A Memorandum with comments from the Silver Lake Commission is included with this Report.

TREE PLANTING AND LANDSCAPE PLAN

One (1) tree is required for every 3,000 S.F. of land area. The tree planting requirement is based on the total lot area. This project site consists of a total lot area of 18,047 S.F. There are no Woodland Areas as defined by the *Zoning Ordinance.* Based on the 18,047 S.F. of non-woodland area, 7 trees are required. Site data included in the submission show that 3 trees are proposed to be removed, leaving a total of 20 trees remaining.

Waiver Request: Elimination of Landscape Buffering for Parking Lots

Zoning Ordinance Article 5 §7.23 requires screening of parking lots from view when such lots are located adjacent to residential zones.

The applicant submitted a Waiver Request for Elimination of the Landscape Buffering Requirement for parking lots related to the parking proposed on Hiawatha Lane, and the adjacency of residential uses across the street.

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

CITY AND STATE CODE REQUIREMENTS:

1) The Site Plan must be updated with changes recommended or approvals including any waivers granted by the Planning Commission. Add to plan as reference notes.

2) Sheet CC01:
   a) The Site Data Column will need to be updated prior to Final Approval with the following:
      i) Add bicycle parking count in the data column.
      ii) Add notes indicating actions taken on the Waiver Requests by the Planning Commission.
   b) The ramp at the corner of Hiawatha Lane and North State Street must meet ADA specifications. Provide detail on Sheet CC02 with the other site details, or on another sheet if improvements are required.
   c) A concrete apron is required for the entry to the parking lot from Hiawatha Lane. Provide detail on Sheet CC02 with the other site details, or on another sheet.

3) Record Plan:
   a) This project will require the submission of a Record Plan for Final Approval.
      i) Refer to comments from DelDOT regarding any required easements or dedications along North State Street.
      ii) Refer to comments from the City of Dover Department of Public Works regarding any required easements or dedications along Hiawatha Lane.

4) Demonstrate compliance with the tree planting requirement by labeling trees to be removed,

and include a table with counts of existing trees listed by symbol and/or type. Per the requirement, denote the trees with caliper greater than or equal to 2 inches. This could be provided on an existing sheet or separate sheet.

5) Demonstrate compliance with lighting on commercial properties (Article 5 §7.1) by labeling existing (to be retained) or proposed exterior light fixtures on one of the plan sheets.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Bicycle Parking: To meet the objectives of Article 10 §10 2.2 of the *Zoning Ordinance,* Staff recommends including a minimum of one (1) bicycle parking space on the property. A rack location is shown on the proposed Site Plan.

2) Waiver Requests: The following are staff recommendations regarding the waiver requests.
   a) Waiver of Upright Curbing Requirement: Staff recommends approval of the request to eliminate the curbing for the parking lot noting the plans for parking bumpers to be utilized. Additionally, parking areas without curbing have been approved by the Planning Commission on properties adjacent to residentially-zoned areas and/or where a less commercial appearance is preferable.
   b) Waiver of Landscape Buffering Requirement for Parking Lots: Staff recommends the waiver of the landscape buffering requirement related to parking lots adjacent to residential zones. The site poses challenges to obtaining the required hedge density and setback from the right-of-way, in addition to the constraints of aforementioned utility infrastructure along Hiawatha Lane. The adjacent residential property in question is zoned RG-1 (General Residence Zone), consisting of an apartment complex where residential units do not directly face the proposed parking at 970 North State Street.

ADVISORY COMMENTS TO THE APPLICANT:

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

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

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

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

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

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

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

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 30, 2014

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Office at 970 North State Street**

FILE #: **S-14-17**

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.

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.

STORMWATER

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

STREETS

1. Final site plan approval will not be granted until a copy of the approved entrance plan, signed by DelDOT is submitted to our office.
2. The current City of Dover standard street section provides for a 3’ grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5’) wide public sidewalk with a five feet (5’) wide grass strip behind the curb.
3. Utilize the current City of Dover driveway apron detail; contact our office for more information.

SANITATION / GROUNDS

1. None

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

WATER / WASTEWATER / STREETS / SANITATION / GROUNDS / GENERAL

1. None.

STORMWATER

1. To comply with the City of Dover's MS4 permit, an erosion and sediment control plan must be submitted for review and approval.

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.

STORMWATER / STREETS / GROUNDS

1. None.

SANITATION

1. Sanitation service for this property shall be private.

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: **August 6th, 2014**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **970 North State Street**

FILE #: **S-14-17** REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: **Timothy Mullaney Jr., Interim 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. Perimeter Access per the 2012 State Fire Prevention Regulations is required for the property. The Perimeter Access shall be 30%. Contact this office for specific requirements.

2. Any gas fired HVAC equipment must be equipped with emergency cut off switches remotely located.

3. Address numbers of at least 12 inches in height must be placed on the street side of the building visible from the street.

4. Emergency / Exit lighting as defined in the NFPA 101 Life Safety Code is required.

5. Fire Extinguishers will be required at the property. See this office for specifics and requirements.

6. Any natural or LP gas bottles, meters, values, regulators, etc., must have impact protection per City of Dover Code or Ordinances. A separate permit is required for this.

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

8. Fire alarm system is not required, however installation of a Fire Alarm System will be required unless separation requirements that the City of Dover Building Department impose are completed per the on-site walk through with Greg Akers, Chief Building Inspector.

9. Knox Box is required.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

N/A

ADVISORY COMMENTS TO THE APPLICANT:

1. After any application has been approved by the Planning Commission, the applicant has a maximum of thirty (30) days to appeal to the Code Board of Appeals Committee.

2. All comments from this office, approved by the Planning Commission are at the expense of the owner/applicant.

3. The proposed building will be reviewed under Occupancy.

4. The City of Dover uses the 2012 NFPA Life Safety Code, 2009 IBC, latest editions of all other NFPA Codes and the 2012 Delaware State Fire Prevention Regulations.

5. The Dover Fire Department request that a 8 ½ X 11 copy of the floor plan and site plan be submitted to Station 1, attention Fire Chief, prior to the Certificate of Occupancy being issued.

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 30, 2014

D E L D O T

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APPLICATION: Office at 970 North State Street
FILE#: S-14-17 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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

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

CITY & STATE CODE REQUIREMENTS:

1. The existing entrance on South State Street must be closed as indicated in the email sent to the applicant on 7/11/2013.

2. Per Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access Adopted February 15, 2010, an 80-foot wide right-of-way (40-feet from the centerline) is required for a minor arterial. According to the Kent County Classification Maps, KCR 025 (North State Street) is classified as a minor arterial road. However, the Department will require a 10-foot permanent easement (PE) in-lieu of the 10-foot right-of-way dedication along the site frontage as part of the proposed change of used.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- The applicant is required to obtain a utility permit from the DelDOT Central District for this project prior to performing any construction works within the right-of-way.

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 2014

APPLICATION: *970 North State Street*

FILE #: S-14-17

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:

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the approval and/or issuing of construction permits for the above referenced site.
2. The proposed site improvements are less than 5000 square feet, the site is therefore exempt from strormwater management requirements.

ADVISORY COMMENTS TO THE APPLICANT:

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 8/6/2014

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Office at 970 North State Street

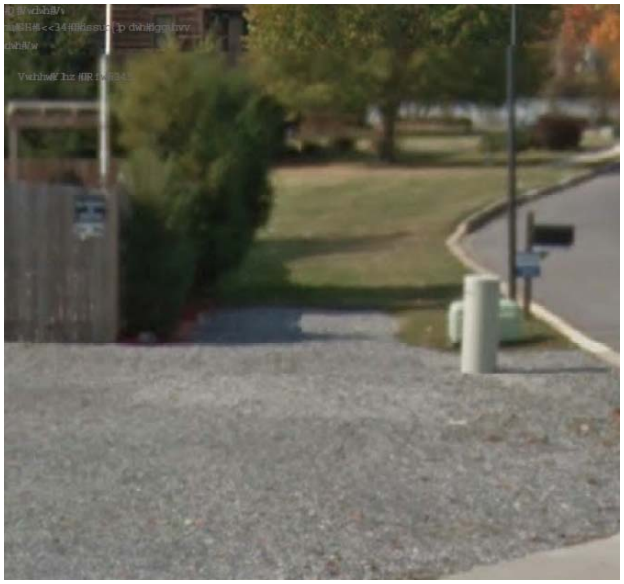
FILE #: S-14-17 REVIEWING AGENCY: Dover/Kent County MPO

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

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

City of Dover Planning Commission 8/18/2014
Project Review
S-14-17 Office at 970 North State Street

This proposal is to legally convert a residential structure to office use that does have the potential to serve clients on the premises. The site is in close proximity to a transit stop for DART Route 109 and regional Route 120 goes past on the way top or from Smyrna. There are sidewalks along State Street but no sidewalks to proceed down Hiawatha. There are sidewalks on the opposite side of Hiawatha Lane and in front of the business immediately adjacent to the west, Appel Wilson & Vaughn. The MPO recommends the City's requirement for sidewalks at all street frontages be enforced to create pedestrian access to and around the proposal site. There should be bicycle facilities on the site as well.



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.

MEMORANDUM

Department of Planning & Inspections
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7196 Fax (302) 736-4217

DATE: August 6, 2014

TO: Planning Commission

FROM: Bill Cook
Planning Office

SUBJECT: Silver Lake Commission comments
Site Development Plan Review
S-14-17 Office at 970 N State St, Dover, DE

At its meeting of July 23, 2014, the Silver Lake Commission discussed application S-14-17, scheduled to be presented before the Planning Commission on Monday, August 18, 2014.

The following excerpt from the minutes of that meeting summarizes the comments provided by the Silver Lake Commission regarding the application:

DEVELOPMENT PLANS: 970 NORTH STATE STREET
"Mrs. Townshend noted due to the location they do have to come before this commission. Mr. Burcham stated the concept does not provide a problem to him. Mr. Jones noted that we should ask them to do something to keep the parking lot from going right into Silver Lake, some type of mitigation. Mr. Edgell wondered if the gravel parking lot count as impervious surface and are they making it more pervious by paving? Mrs. Townshend responded that gravel it is considered impervious. Kent Conservation District sees it the same way. They are not changing the flow or characteristic flow of water. With brief discussion it was agreed to suggest a bio swale or rain garden to prevent a direct discharge.

With a consensus of the members present the motion presented by Mr. Jones to have the applicant investigate a rain garden or bio swale to handle storm water from the roof and parking area passed with a second from Mr. Burcham (Mr. Edgell, Mr. Burcham and Mr. Jones voted in favor of). Mr. Holden and Mrs. Townshend abstained for the vote."

John P. Kelly III
22 North Prestwick Court
Dover, DE 19904

City of Dover
Planning and Inspections Office
P.O. Box 475
Dover, DE 19903

RE: Request for Waiver of Upright Curbing Requirement
Zoning Ordinance: Part II., Appen. B, Art. 6, Sec. 3.6
Project: 970 N. State Street, Dover, DE 19901
Parcel ID#: ED-05-06712-01-050
Owners: Debra A. Lisinski & Raymond E. Brown
Equitable Owner: John P. Kelly III
Applicant: John P. Kelly III

July 3, 2014

We respectfully request a waiver of the upright curbing requirement as required under the City of Dover Code Ordinances referenced above.

Due to the size of the proposed site work, there may not be the appropriate amount of room to place the upright curbing. The location of utilities currently in place, as well as the requirement for sidewalk setback from the curb, and the requirement of a landscape buffer between the parking lot and near-by residentially zoned area, may cause an alteration of the proposed parking arrangement.

Thank you in advance for your consideration of this waiver.

Sincerely,

John P. Kelly III
Applicant

John P. Kelly III
22 North Prestwick Court
Dover, DE 19904

City of Dover
Planning and Inspections Office
P.O. Box 475
Dover, DE 19903

RE: Request for Waiver of Landscape Buffering Requirement
Zoning Ordinance: Part II., Appen. B, Art. 7, Sec. 7.23
Project: 970 N. State Street, Dover, DE 19901
Parcel ID#: ED-05-06712-01-050
Owners: Debra A. Lisinski & Raymond E. Brown
Equitable Owner: John P. Kelly III
Applicant: John P. Kelly III

July 3, 2014

We respectfully request a waiver of the landscape buffering requirement as required under the City of Dover Code Ordinances referenced above.

We are requesting this waiver due to the size of the proposed site work, the limited amount of space for the number required parking spaces, the location of utilities currently in place where the vegetation would be located, as well as the requirement for new sidewalk along Hiawatha Lane. In addition, the location of the property on the corner of a very busy, signal controlled intersection in which the driver's view cannot be blocked, and the requirement to change the location of the entrance to the property from North State street to Hiawatha Lane, has already significantly reduced the landscape buffer. Coincidently, there is a parking lot across State Street from the near-by residentially zoned area which has no buffer in place.

Thank you in advance for your consideration of this waiver.

Sincerely,

John P. Kelly III
Applicant