CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, March 17, 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 February 18, 2014

ADOPTION OF MINUTES OF QUARTERLY WORKSHOP MEETING of February 19, 2014

COMMUNICATIONS & REPORTS

1) Reminder: The next Planning Commission regular meeting is scheduled for MONDAY, April 21, 2014 at 7:00pm in the City Council Chambers.

2) Update on City Council Actions

3) Update on Planning activities

4) Education & Training Opportunities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

2) Revision to Development Applications:
   a) C-10-05 New Dover High School: Revision to Sidewalk – Revision of sidewalk network design for the New Dover High School. The property is zoned R-10 (One Family Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Forrest Avenue and east of Dover High Drive. The owner of record is the Capital School District. Address: 1650 Forrest Avenue. Tax Parcel: ED-05-076.00-02-07.00-000. *The Planning Commission conditionally approved Conditional Use Site Plan C-10-05 on December 20, 2010, Final Site Plan Approval was granted to S-11-18, and approval granted to a Revised Parking Justification and Waiver Request for Parking Justification on October 21, 2013.*

NEW BUSINESS

NEW DEVELOPMENT APPLICATIONS

1) S-14-04 Kent County Community School Additions at 65 Carver Road and 901 Forest Street – Public Hearing and Site Development Plan Review to permit the construction of building additions totaling 18,280 S.F. between two buildings with the associated site improvements on a 45.46 acre parcel. The building additions consist of 2,640 S.F. to the Kent County Community School at William Henry Middle School and 15,634 S.F. to Booker T. Washington Elementary School. The property is zoned I-O (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone 1). The property is located on the north side of Forest Avenue between Weston Drive and Carver Road. The owner of record is Dover Special School District (Capital School District). Property Addresses: 65 Carver Road, 901 Forest Street. Tax Parcels: ED-05-076.07-01-55.00-000, ED-05-076.07-01-65.00-000, ED-05-076.07-01-66.00-000, and ED-05-076.08-01-28.00-000. Council District 4.

2) S-14-05 Winner Volkswagen Showroom at 1387 North DuPont Highway – Public Hearing and Site Development Plan Review to permit the construction of a new 20,178 S.F. showroom and service building adjacent to an existing showroom building with associated site improvements on a 5.505 acre parcel. The property is zoned C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located on the east side of North DuPont Highway and northwest of the entrances to Dover Mall. The owner of record is 1387 DuPont Highway, LLC c/o Michael Hynansky and lessee is Winner Dover 1387, LLC c/o Michael Hynansky. Property Address: 1387 North DuPont Highway. Tax Parcel: ED-05-057.00-01-15.00-000. Council District 3. *Waivers Requested: Reduction of Arterial Street Buffer, Consideration of Tree Mitigation Plan.*

3) SB-14-01 Dover Mall at 1365 North DuPont Highway: Minor Subdivision Plan – Public Hearing and Minor Subdivision Plan Review to create three (3) lots from an existing parcel totaling 149.3225 acres +/- of land. The lots proposed are Lot 1 of 53.1704 acres, Lot 2 of 30.7046 acres, and remaining residue land of 65.4475 acres. The property is zoned SC-3 (Regional Shopping Center Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located on the east side of North DuPont Highway. The owner of record is Dover Mall, LLC. Property Address: 1365 North DuPont Highway. Tax Parcel: ED-05-057.00-01-14.00. Council District 3. *Waiver Requested: Subdivision Waiver of Requirement for Lot Frontage on a Public Street.*

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 March 7, 2014 at 12:00 noon

CITY OF DOVER PLANNING COMMISSION
February 18, 2014

The Regular Meeting of the City of Dover Planning Commission was held on Tuesday, February 18, 2014 at 7:00 PM with Chairman Colonel Welsh presiding. Members present were Mr. Holden, Mr. Cregar, Mr. Tolbert, Mr. Baldwin, Dr. Jones, Ms. Still, Mr. Ambruso and Colonel Welsh. Mr. Holt was absent.

Staff members present were Mrs. Townshend, Mr. Cook and Mrs. Mullaney. Also present were Mr. Gregg Moore, Mr. Bob MacLeish, Mr. Alan Perry, Mr. Doug Barry, Mr. Tony Ashburn, Mr. David Edgell and Mrs. Susan Edgell. Also speaking from the public were Mr. Henry Cochlan, Mrs. Mary Ann Polling, Mr. Jacob Brickman, Ms. Jouimi Patel and Mr. Jay Patel.

APPROVAL OF AGENDA

Colonel Welsh stated that applications S-14-01 and S-14-02 on the agenda tonight were to be heard at the January 21, 2014 meeting that was postponed.

Also, application S-14-03 Tower Commons at 50 North DuPont Highway is not scheduled to be heard. Application SB-13-06 Jefferson Terrace (a.k.a. The Meadow) Subdivision on Jefferson Terrace was withdrawn as well (per letter dated February 18, 2014 provided to the Commission).

Mr. Tolbert moved to approve the revised agenda to include the removal of applications S-14-03 Tower Commons at 50 North DuPont Highway and SB-13-06 Jefferson Terrace Subdivision on Jefferson Terrace, seconded by Dr. Jones and the motion was unanimously carried 8-0 with Mr. Holt absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF DECEMBER 16, 2013

Ms. Still moved to approve the Planning Commission minutes of December 16, 2013, seconded by Mr. Holden and the motion was unanimously carried 8-0 with Mr. Holt absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that the next Planning Commission Quarterly Workshop is scheduled for Wednesday, February 19, 2014 at 12:00 noon in the City Hall Conference Room.

Mrs. Townshend stated that the next Planning Commission meeting will be held on Monday, March 17, 2014 at 7:00 PM in the City Hall Council Chambers.

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings held on January 27, 2014 and February 10, 2014.

Mrs. Townshend introduced William "Bill" Cook, Planner I.

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:
   a) S-12-06 West North Street Mini Storage at 1351 West North Street – Request for a one year extension of the Planning Commission approval granted on April 16, 2012 for Site Development Plan for the construction of two mini storage buildings for a total of 108,940 SF with boat and RV storage parking and associated site improvements. The parcel is zone IPM (Industrial Park Manufacturing Zone). The property is located on the north side of West North Street east of Mifflin Road. The owner of the property is RES-Data, LLC and SSS-Data, LLC. Address: 1351 West North Street. Tax Parcel: ED05-076.14-01-07.00-000. Council District 1. *Final Site Plan approval was granted on January 15, 2014.*

Mrs. Townshend stated that this plan has actually progressed through the approval process. Staff has recently just finished signing the final plans so the applicant should be going under construction shortly but they need the extension to avoid the project expiring before they begin.

Application for S-12-6 West North Street Mini Storage at 1351 West North Street was approved for a one year extension and the motion was unanimously carried 8-0 with Mr. Holt absent.

NEW BUSINESS

NEW DEVELOPMENT APPLICATIONS

Mr. Holden recused himself from applications S-14-01 and S-14-02. His employer is the engineer of record.

1) S-14-01 NBR Properties at 850 New Burton Road – Public Hearing and Review of Site Development Plan to permit the construction of a 20,000 S.F. office building with the associated site improvements on a 1.671 acre parcel. The property is zoned C-1A (Limited Commercial Zone). The property is located southwest of the intersection of New Burton Road/Queen Street and West Street. The owner of record is NBR Properties, LLC. Property Address: 850 New Burton Road. Tax Parcel: ED-05-076.00-01-23.00-000. Council District 2. *A previous plan S-10-21 was reviewed by the Planning Commission on September 20, 2010 and granted Final Plan approval on December 14, 2011; that plan has expired in addition to another plan S-08-26 for the site. Waivers Requested: Elimination of Loading Space and Partial Elimination of Curbing.*

Representatives: Mr. Gregg Moore, Becker Morgan Group; Mr. Bob MacLeish, NBR Properties LLC

Mrs. Townshend stated that the Architectural Elevations and the Site Plan were on display. The proposed Site Plan is for construction of a 20,000 S.F. office building on a 1.671 acre parcel. The property is zoned C-1A (Limited Commercial Zone) and is located at the southwest intersection of New Burton Road / Queen Street and West Street. This application came before the Planning Commission two other times. S-10-21 was reviewed by the Planning Commission on September 20, 2010 and received Final Site Plan approval on December 14, 2011 which has subsequently expired. The applicant has requested elimination of a loading space and partial elimination of curbing. The Commission members have all of the comments from the DAC agencies. The site as presented meets the code requirements.

Mr. Moore stated that this plan being presented was the same plan that was seen by the Planning Commission in 2010. It was fully approved by all of the agencies and ready to be built; the market has just slowed down the progress.
Mr. Tolbert questioned if the Commission had made any mention regarding the flat roof on this building? Responding to Mr. Tolbert, Mrs. Townshend stated that there was discussion of the architecture and the flat roof the second time that the application came to the Planning Commission. Her recollection is that the architectural features of the building and the overall presentation were sufficient to counteract the concerns of the flat roof.

Colonel Welsh stated that the changes were made to the roof the second time that the application was seen by the Planning Commission. There were changes in the roof line and the structure line. Responding to Colonel Welsh, Mr. Moore stated that they added some cornice works to break it up and give it some detail and some elevation.

Colonel Welsh opened a public hearing.

Mr. Henry Cochlan – 17 Sherwood Ct Dover DE 19904
Mr. Cochlan stated that his backyard is a direct line of sight to the current building. A two story building puts them within line of sight to his bedroom which brings up privacy issues. In the front of the building there is currently a rather large tree which a lot of birds congregate in. This tree creates decent privacy to his bedroom. Is the applicant planning to cut down this tree? Responding to Mr. Cochlan, Mr. Moore stated that he was not exactly sure of which tree he was referring to.

Mr. Cochlan stated that it was a bush on the curb line located at the front of the property. Responding to Mr. Cochlan, Mr. MacLeish stated that it was probably within the State right-of-way and they will be making them take it down; it's a requirement of DelDOT.

Mr. Cochlan questioned if that bush was on the applicant's property line? Responding to Mr. Cochlan, Mr. MacLeish stated no, that the bush is located within the easement required by DelDOT.

Colonel Welsh close the public hearing.

Mr. Tolbert moved to approve S-14-01 NBR Properties at 850 New Burton Road, to include the waiver for partial elimination of curbing and the waiver for the elimination of loading space and all DAC comments, seconded by Mr. Cregar and the motion was unanimously carried 7-0 with Mr. Holden recused and Mr. Holt absent.

2) S-14-02 Winner Ford at 591 South DuPont Highway – Public Hearing and Review of Site Development Plan to permit the demolition of an existing showroom buildings and the construction of a 31,000 S.F. auto dealership showroom/service building with the associated site improvements on a 9.1717 acre parcel. The property is zoned C-4 (Highway Commercial Zone). The property is located on the northeast corner of the intersection of South DuPont Highway and Public Safety Boulevard. The owner of record is Hawaiko II, LLC c/o Deanna Hynansky and lessee is the Winner Automotive Group. Property Address: 591 South DuPont Highway. Tax Parcel: ED-05-077.00-01-12.05-000. Council District 2. *Waiver Requested: Consideration of A Tree Mitigation Plan.*

Representatives: Mr. Gregg Moore, Becker Morgan Group; Mr. Alan Perry, Winner Automotive Group

Mrs. Townshend stated that this application is for property located at 591 South DuPont Highway. The proposal is to demolish two existing showroom buildings and to construct a 31,000 S.F. showroom building on the site. The property is zoned C-4 (Highway Commercial Zone) and located on South DuPont Highway. There is an interesting discussion on the parking. One of the things that Staff had a challenge dealing with is how to differentiate the parking from car display space. One of the things that the applicant has specifically requested is tree mitigation. They are required to plant 115 trees on the site. They have requested to do mitigation and work with the Dover Housing Authority to plant the 115 trees on Dover Housing Authority properties which Staff believes is an effective way of doing mitigation. There is not a lot of space to plant the trees on-site and as the applicant has noted, trees and new cars don't necessarily mix. The Tree Mitigation Plan would be part of the approval.

Mr. Moore stated that the applicant accepted the DAC comments. It will be a totally new showroom. They are also taking down what used to be a previous showroom.

Mrs. Townshend stated that she did not go over the architecture of the building; it's a metal panel building.

Mr. Moore stated that the building would be a metal panel and glass mix. They are also changing the façade on the building in the back which is the service area so it's very clear where the entrances are located. There will be service modifications on the inside of this building as well as some upgrades to the appearance of the building with new overhead doors.

Dr. Jones questioned if the Tree Mitigation Plan was already receptive to Dover Housing Authority? Responding to Dr. Jones, Mr. Perry stated that Dover Housing Authority has agreed to accept the tree mitigation. They do not have a planting plan but they have three properties that are ear marked. He believes that the three properties were in the letter that was sent to the Planning Department. They are very receptive to having the trees planted on their properties.

Mrs. Townshend stated that the trees would be planted at Simon Circle and Manchester Square. Dover Housing Authority has acknowledged agreement through a letter. It's not uncommon to work after the fact to determine where on the sites, but they know in this case there is sufficient land to accept the trees.

Dr. Jones questioned the timeframe for the tree mitigation? Responding to Dr. Jones, Mrs. Townshend stated that this would be done before the Certificate of Occupancy is issued.

Mr. Tolbert stated that his question was answered. He was concerned with how many trees would go in each development at this point and how it would be monitored. Responding to Mr. Tolbert, Mrs. Townshend stated that they would end up with a Landscape Plan for each location that would show the planting plan and then Planning Staff would go on-site and count the trees before signing off on the Certificate of Occupancy.

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

Mr. Ambruso moved to approve S-14-02 Winner Ford at 591 South DuPont Highway to permit the demolition of the existing showroom and the construction of the proposed buildings also to include the waiver request for tree mitigation, seconded by Dr. Jones and the motion was unanimously carried 7-0 with Mr. Holden recused and Mr. Holt absent.

3) MI-14-01 Comprehensive Plan Amendment 2014 – Public Hearing and Review for Recommendation to City Council on a series of Amendments to the *2008 Comprehensive Plan*, as amended. The Amendments include consideration of the following: a series of addendums to the text of the *Comprehensive Plan* and a request for amendment of Map 12-1: Land Development Plan to revise the Land Use Classification of a property as associated with rezoning application Z-14-01. Ordinance #2014-03.

   A. Consideration of Addendum to Comprehensive Plan text – The Addendum relates to a number of ongoing planning projects taking place during 2014. The Addenda includes the following items: addendum to Chapter 9 – Transportation Plan regarding a Transportation Improvement District for the Route 13 and Bay Road Corridors; and an addendum to Chapter 11 – Housing and Community Development Plan regarding the Central Dover Community Plan.

   B. Consideration of Amendment to Map 12-1: Land Development Plan Map – Request from a parcel located at the northeast corner of McKee Road and College Road to revise the Land Use Classification from Office to Commercial on Map 12-1: Land Development Plan Map. Property Address: 1205 McKee Road. This is associated with rezoning application Z-14-01.

Mrs. Townshend stated that the *Comprehensive Plan* amendments that are being reviewed are two amendments. One is an addendum to the *Comprehensive Plan* text specifically: addenda to the Transportation Plan Chapter and the Community Development Plan Chapter of the *2008 Comprehensive Plan.* As it relates to the Transporation Plan Chapter, Staff has provided an addendum that reflects the City's desire to enter into a Transportation Improvement District agreement with the Delaware Department of Transportation and complete the requisite study that is related to that Transporation Improvement District. One of the things that has been found under the new DelDOT regulations is that the re-development of Route 13 is very much stifled by the scope of any traffic study. In talking to DelDOT about how the City can work in this context, it was determined that the Transportation Improvement District was the way to go. She and the City Manager have been meeting with DelDOT to make progress toward the agreement with DelDOT. One of the things that the regulations state is that in order for them to participate in a Transportation Improvement District it has to be recognized in the *Comprehensive Plan.*

The other addendum is to the Housing and Community Development Plan Chapter. This is specifically related to the ongoing study *Restoring Central Dover.* This study is being led by NCALL with funding through the Wells Fargo Foundation. They are doing a very detailed analysis of the Downtown neighborhoods. They did a survey of residents door to door with over 200 surveys in the area. They also did an extensive land use survey where they have identified the use of each

property within the study area. They have done a building condition survey where they have identified areas where buildings are in more distress than others. There will be a very extensive public input and public relations component that will come later this spring.

Staff thought it was important to capture this into the *Comprehensive Plan.* The idea is that once the *Restoring Central Dover* study and the Transportation Improvement District are done and once Staff completes the Recreation Needs Assessment a more thorough update of the *Comprehensive Plan* will be done with all of this new information.

The other part being considered tonight is a map amendment. This property is located at the corner of College Road and McKee Road. It is also subject of a rezoning this evening. The site at 1205 McKee Road is currently shown as Office in the *Comprehensive Plan.* The applicant has had an Office Site Plan in the past. There has not been a lot of activity in the office area and they are looking to change the designation of that to Commercial and to rezone it to Commercial as well.

Staff did receive the PLUS comments from the State today. She was able to review them briefly and one comment stands out. On page 3 of the letter in the DelDOT comments, they state that there is supposed to be a map in the *Comprehensive Plan* that references the Transporation Improvement District. They are refining the district so they should have a better concept of the boundaries after tomorrow's meeting. They can put an exhibit into the *Comprehensive Plan* of that area with a notation that as they continue negotiating with DelDOT that the map may be tweaked before the final. Again, when the study is done and a full plan updated then that boundary would be included in any updates to the *Comprehensive Plan.* While it seems like a big comment on paper but based on how the City has been working with DelDOT she thinks it truly is a matter of taking the most current and creating a Map Exhibit based on that.

Colonel Welsh questioned how to proceed with this application? He further questioned if they were making a recommendation to City Council? Responding to Colonel Welsh, Mrs. Townshend stated yes. In the past two separate public hearings were held just for clarity of the record.

Colonel Welsh stated that they would begin with the Addendum to the *Comprehensive Plan* text.

Mr. Holden stated that the amendments make sense to him and that he is supportive of them. However, he is curious if Staff has a sense of where the defined graphic area for the TID would be? Responding to Mr. Holden, Mrs. Townshend stated that they are looking primarily at properties that front along Route 13 and Bay Road from Scarborough Road to Webbs Lane as well as to the terminus of where Route 1 and Route 10 meet.

Mr. Holden stated that the intent behind it and to remove the burden of a very burdensome TIS for development is a wonderful path to take and he is very supportive of it.

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

Mr. Ambruso moved to recommend approval to City Council for MI-14-01 Comprehensive Plan text amendments to include Chapter 9 – Transportation Plan regarding a Transportation Improvement District for the Route 13 and Bay Road Corridors and also an addendum to Chapter 11 – Housing

and Community Development Plan regarding the Central Dover Community Plan, seconded by Ms. Still and the motion was unanimously carried 8-0 with Mr. Holt absent.

Colonel Welsh stated that the second element would be an amendment to Map 12-1: Land Development Plan Map.

Mrs. Townshend stated that as she previously said, this is associated with Z-14-01 Lands of College Road Offices, LLC at 1205 McKee Road. In order for the rezoning to be consistent with the *Comprehensive Plan*, the *Comprehensive Plan* amendment would need to be favorable.

Mr. Cregar stated that he was confused because if the Commission is looking at approving a change in the *Comprehensive Plan* before they have dealt with the issue of the actual zoning, is the Commission saying that they are in favor of the rezoning? Responding to Mr. Cregar, Colonel Welsh stated that they would not be approving they would be recommending to City Council. They would then hear a request for rezoning that would also be a recommendation to City Council.

Mrs. Townshend stated that Mr. Cregar was somewhat correct. Typically, if the Commission was to recommend in favor of the *Comprehensive Plan* amendment, they would subsequently recommend in favor of the rezoning. In terms of the public here tonight, if anyone wants to speak with regard to the rezoning they should also come forward to speak about the *Comprehensive Plan* amendment.

Mr. Cregar stated that it sounds to him by recommending a change to the *Comprehensive Plan* they are saying the zoning then is a good thing. He questioned why this is being done when they have not had the public hearing on the actual rezoning? Responding to Mr. Cregar, Mrs. Townshend stated that there would be a hearing on the *Comprehensive Plan* amendment where she would expect to hear the same comments that would be heard on the rezoning. This is why they do these applications together. The challenge is almost one of sequencing. City Council cannot approve a rezoning unless it's consistent with the *Comprehensive Plan*. In order to say yes to the rezoning, the *Comprehensive Plan* needs to be changed first. When a rezoning comes forward the applications are always done on the same night so that the people who were noticed on the Rezoning application are also given the opportunity to speak on the amendment of the *Comprehensive Plan*.

Colonel Welsh stated that changes to the *Comprehensive Plan* also have to go through the PLUS process with the State Planning Office.

Mr. Holden questioned if it would be true to say that the *Comprehensive Plan* amendment might seek favorable review at City Council and be approved but the rezoning may not? Responding to Mr. Holden, Mrs. Townshend stated that in some cases that would be a problem. In this case that would be possible because right now the property is zoned CPO (Commercial Professional Office Zone). The CPO (Commercial Professional Office Zone) is one of the zones that is listed in both the Commercial category and the Office category. In this case, changing the *Comprehensive Plan Map* does not commit you to changing the zoning; approving the *Comprehensive Plan* does not bind them to the rezoning.

This is an issue every time a case like this comes up. Even when the *Comprehensive Plan* was done in 2008-2009 there was a real concern because they were bringing forward the Map before they brought forward the Rezoning and that Map commits them to certain Rezonings. It has always been

an awkward thing to deal with but they are kept together so that they can be dealt with at the same time.

Colonel Welsh opened a public hearing.

Mrs. Mary Ann Polling – 1175 McKee Road Dover DE 19904

Mrs. Polling is the Executive Director for Westminster Village. She questioned if DelDOT was involved in this process. Responding to Mrs. Polling, Mrs. Townshend stated that DelDOT had the opportunity to review the *Comprehensive Plan* amendment and the rezoning. Typically, DelDOT doesn't provide a lot of comments at that stage. At the point of a development proposal, there would be significant DelDOT involvement in that both of the roads involved are DelDOT roads. They would have to get entrance plan approvals and deal with any traffic related issues related to their development.

Mrs. Polling stated that she was not opposed to this; it's a piece of land that is of no use. They wanted to buy it but didn't. It is a very congested intersection; she has the City of Dover Police on her property everyday monitoring the traffic. They sit on her property because people are reckless and inappropriate in their driving.

Mr. Jacob Brickman – 1233 McKee Road Dover DE 19904

Mr. Brickman stated he and his wife disagree with the Rezoning because that would allow someone to put pretty much anything they want at that location up to a gas station. He has an adjoining property and he highly disagrees with the Rezoning. He has a petition from Mr. Merton Walton who lives at 1239 McKee Road Dover DE 19904 which is adjacent to his property. Mr. Walton also disagrees with the Rezoning of the property. They all disagree because of not knowing what could be developed at that location. He also disagrees with the *Comprehensive Plan Map* amendment.

Colonel Welsh stated that there is no application being heard tonight. If the rezoning recommendation goes forward and the *Comprehensive Plan* change goes forward that doesn't mean anything specifically is going to be built there. The applicant would still have to make an application with a specific item of construction which would also have a public hearing for people to voice their concerns at that time.

Mr. Brickman stated that he and his neighbor talked to the Planning Office to see if there was a specific plan for that property and the Planning Office told them no; the applicant would be able to put anything at that location if they get approval of the Rezoning.

Mrs. Townshend stated that when a zoning classification is applied it allows for any of the uses specified in that zoning classification. What Colonel Welsh is clarifying is that before anything could be built there it would be subject to a Site Plan application that would come before the Planning Commission. It would also be subject to a public hearing. Typically, when you have a use for a Site Plan that is permitted, they are looking more at things like buffering or things that mitigate any issues with neighboring properties. It's not whether or not that will be allowed to go; it would be how it's done. Anything listed in that zone would be permitted with a Rezoning but subject to Site Plan review.

He gave a copy of a Petition opposing the Rezoning at 1205 McKee Road Dover DE 19904.

Ms. Jouimi Patel – 1005 College Road Dover DE 19904
Ms. Patel stated that she owns two businesses next to this property. She is worried that if any gas station or liquor store is built, how she will survive. Right now she is struggling with her business; she is not getting enough business. It is hard for her to survive there. She took a loan from the bank; how will she be able to pay that loan? She doesn't know what will be going at that property. She is fine if it is an office building or any medical office since that would bring business to her. If it's a gas station or grocery store she will not be able to survive.

Mr. Jay Patel – unknown address
Mr. Patel stated that he is a resident near that road. There is too much traffic at this intersection. There are too many accidents. He opposes the *Comprehensive Plan* Map amendments. He gave a copy of a Petition opposing the Rezoning at 1205 McKee Road Dover DE 19904.

Mrs. Townshend stated that there is a section in the State Statute that specifies that if a certain proportion of property owners adjacent within a certain vicinity who are objecting, it requires a supermajority of City Council. Just looking at some of these addresses, a lot of them are not going to be within that allotted area but Staff will put these together and map the results to make sure so that when it goes to City Council they know if they will need a majority or a supermajority to be able to approve the Rezoning.

Colonel Welsh closed the public hearing.

Mr. Holden questioned if Mrs. Townshend had a sense for the change in potential traffic or trips due to the change in zoning classification? Responding to Mr. Holden, Mrs. Townshend stated that she thinks until there is a use there is a good amount of guesswork. She does know that when they did the *2008 Comprehensive Plan* they looked at a request for this area to be Commercial and because of concerns at that point it ended up as Office in the *Comprehensive Plan* and CPO (Commercial Professional Office Zone) from a zoning standpoint. Part of the challenge is that they have the uses of traffic which would need to be addressed during any development application but that's still not a perfect world. The flip side of that is that they have what appears to be a pretty saturated market in terms of office space. There have been a number of properties where the zoning and the plans have been office but the demand was not there. This is why when reviewing these applications they look at the goals of the *Comprehensive Plan*, the surrounding zoning classifications and the surrounding land uses.

Mr. Cregar stated that at the same time there is commercial across the street and a commercial center less than one mile down the street. They could also make the argument that there is adequate commercial in the area as well.

Mrs. Townshend stated that they are seeing more people say that they can't fill their office space versus they can't fill their commercial space. Again, it's a balancing act.

Dr. Jones questioned if the school was within the notice area? Responding to Dr. Jones, Mrs. Townshend stated yes.

Dr. Jones further questioned if there was any kind of response from the school district? Responding to Dr. Jones, Mrs. Townshend stated no. The problem with those large entities is that they never quite know who gets the Public Notice. They don't know if it goes to Accounts Payable or if it just ends up in someone's inbox. That is always a challenge when they have a State agency or a large entity within the notice area.

Dr. Jones questioned if it is a large entity do that have any obligation or responsibility to make sure that they do not have any concerns? Responding to Dr. Jones, Mrs. Townshend stated that the Capital School District is on their Development Advisory Committee list so the District in addition to getting that notice; they would have received the DAC agenda distribution.
Ms. Still questioned if they would be hearing anything from them at this point in time? Responding to Ms. Still, Colonel Welsh stated no.

Mrs. Townshend questioned if the Commission members wanted to hear from the applicant since the action on this bears on their other application? Responding to Mrs. Townshend, Colonel Welsh stated that the applicant could absolutely speak.

Mr. Holden moved to reopen the public hearing, seconded by Dr. Jones and the motion was unanimously carried 8-0 with Mr. Holt absent.

Colonel Welsh opened the public hearing.

Mr. Tony Ashburn – 872A Walker Road Dover DE 19904
Mr. Ashburn stated that Mrs. Townshend knows whats going on in Dover. They engineered this property six (6) years ago and it's been for sale ever since for office use and there have been no takers. He is trying to find a way to sell the property because no one is interested in office buildings. Since Eden Hill Medical Center was built that has caused a lot of vacant doctor's offices in Dover. Now there are plans for another building just as big as the existing building. It looks as though the supply of office space is far exceeding the demand. It is a hardship sitting with this property in its current zone.

Colonel Welsh closed the public hearing.

Mr. Ambruso stated that he is usually a pro-business person but at the same time he feels for the applicant. At the same time, there are six or seven other people that he understands where they are coming from. He would really hate to see them put their selves in a position where they end up with pig and poke because of a change in zoning. Even though some people may say that it's progress. But often times progress is nothing more than the exchange of one inconvenience for another inconvenience.

Colonel Welsh stated that he lives very close to the intersection being discussed tonight. Everyone agrees that this intersection is a mess. He kind of closes his eyes while going through it sometimes. He has seen people run the lights and make turns after the lights have changed and he doesn't see how the intersection, the way it is currently designed, could handle any more traffic. He has heard comments tonight about a gas station going up on this property and that would be the last thing that he would support at that intersection. He does not think that it would be a safe establishment. It seems to him that an office would be a much more stable environment in terms of ins and outs than

retail establishments would be, specifically a gas station. He thinks DelDOT has their work cut out for them whatever comes down the pipe; that intersection is going to require a total re-design.

Dr. Jones stated that if you have ever had to pick-up a child from North Dover Elementary School at 3:00pm or are going through that area during that time, the traffic is not moving. There is a traffic jam because the buses are waiting to turn into the school. That is why she asked the question regarding the Capital School District.

Colonel Welsh stated that the traffic is that way from 4:30pm to 5:30pm.

Dr. Jones stated that it is actually that way from about 2:30pm because parents come in and line up to pick up their little darlings. She used to be in that traffic picking up her niece. The traffic is like that for a very long time.

Colonel Welsh stated that College Road has become a major access point for the Dover Mall, Down Downs, for west Dover and also for people coming from Maryland. The traffic in both directions is very heavy. He has sat through two or three light cycles trying to get through the intersection.

Dr. Jones stated that she also lives in that section of the country as well.

Colonel Welsh stated that if the Commission does recommend approval of this amendment as well as the application to rezone the property to Commercial, he can assure everyone that any application that comes forward is going to get pretty good scrutiny from this body.

Mr. Cregar moved to recommend denial to City Council of MI-14-01 Comprehensive Plan Amendments 2014 for the amendment to Map 12-1: Land Development Plan Map for the property address 1205 McKee Road, seconded by Mr. Ambruso and the motion carried by roll call vote 7-1 with Mr. Holden, Mr. Cregar, Mr. Baldwin, Dr. Jones, Ms. Still, Mr. Ambruso and Colonel Welsh voting yes and with Mr. Tolbert voting against and Mr. Holt absent.

Mr. Ambruso questioned if six months down the road the applicant finds a buyer and the purchaser knows exactly what they want to use the property for could they apply for a variance at that time? Responding to Mr. Ambruso, Mrs. Townshend stated that they would apply for a Use Variance. A variance would go to the Board of Adjustment and Use Variances are very tough to approve. There are very few circumstances where a property would meet the legal standard to approve a Use Variance. It could potentially come back to the Planning Commission but it would have to be more than one year to apply for a Rezoning again.

Mr. Ambruso questioned if the applicant were to withdraw his application tonight then he would not have been refused the Rezoning. Responding to Mr. Ambruso, Mrs. Townshend stated that if the applicant withdraws his application then he would be able to reapply without a time restraint. They only open up the opportunity once a year to request an amendment to the *Comprehensive Plan* so it would be December 2014 before they would entertain an amendment to that unless City Council voted otherwise.

Mr. Ambruso stated that the applicant could sell the property to someone and find out that it's a conduit for retired nuns. Or the applicant would come back to the Planning Commission saying

these people want to purchase the property and turn it into a Wawa. Everyone in the immediate area would know what the use is for which would change the complexion. Responding to Mr. Ambruso, Mrs. Townshend stated yes it would to a degree but what Mr. Brickman stated earlier still remains. There have been times when a property has been rezoned based on what is expected to be there. That may or may not develop and then it sits with that zoning and is open to anything that is allowed in that classification. It's still a risk.

Mr. Cregar stated that under CPO (Commercial Professional Office Zone) there are a number of Conditional Uses that are retail related that could be applied for. Responding to Mr. Cregar, Mrs. Townshend stated yes, but she thinks the way that is stated is if the office complex reaches a certain size. She has been working on a review of the Commercial, Office and Industrial Zones. They are really close to having something to bring forward especially now that there is a new Planner on staff and she will be doing less Site Plan and Permit review. One of the things that they did look at and is in their current draft is changing the CPO (Commercial Professional Office Zone) to allow some of the retail uses as a Conditional Use. So this could be resolved in a matter of six months just by making a change in that zone.

4) Z-14-01 Lands of College Road Offices, LLC at 1205 McKee Road: Rezoning from CPO with COZ-1 to C-2A with COZ-1 – Public Hearing and Review for Recommendation to City Council on a rezoning application for a 3.46 acre ± parcel. The property is zoned CPO (Commercial Professional Office Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the northeast corner of McKee Road and College Road. The owner of record is College Road Offices, LLC. Address: 1205 McKee Road. Tax Parcel: ED-05-067.00-02-51.00-000. Council District 4. Ordinance #2014-04. *This associated with request (MI-14-01) for Comprehensive Plan Amendment as a land use classification to Map 12-1.*

Representatives: Mr. Doug Barry, T&M Associates; Mr. Tony Ashburn, Ashburn Homes Inc

Mr. Barry stated that the applicant would like to withdraw his Rezoning application at this time.

5) Z-14-02 Lands of David & Susan Edgell at 405 North State Street: Rezoning from R-8 to RG-1 – Public Hearing and Review from Recommendation to City Council on a rezoning application for a parcel of 11,250 square feet ±. The property is zoned R-8 (One Family Residence Zone). The proposed zoning is RG-1 (General Residence Zone). The property is located on the northeast corner of North State Street and Washington Street. The owners of record are David and Susan Edgell. Address: 405 North State Street. Tax Parcel: ED05-068.14-01-72.00-000. Council District 3. Ordinance #2014-02.

Representatives: Mr. David Edgell, Owner; Mrs. Susan Edgell, Owner

Mrs. Townshend stated that this was a Rezoning request for a parcel of 11,250 square feet located at 405 North State Street which is the northwest corner of State Street and Washington Street. The applicant is requesting a Rezoning from its current zoning classification R-8 (One Family Residence Zone) to the zoning classification RG-1 (General Residence Zone). The request is in order to be more consistent with the Downtown atmosphere and more importantly to be able to build a free

standing garage. The lot coverage requirements are different in R-8 (One Family Residence Zone) than they are in RG-1 (General Residence Zone) and they would not be able to build the garage under R-8 (One Family Residence Zone). When looking at the surrounding properties the properties across State Street on the west side and also along State Street south of Washington Street are zoned RG-1 (General Residence Zone). This is the first property as you go north of State Street that is zoned R-8 (One Family Residence Zone). The uses are generally very similar; the main difference between RG-1 (General Residence Zone) and R-8 (One Family Residence Zone) are the bulk standards. This is consistent with the *Comprehensive Plan*; it shows this area as Medium Density Residential and both zoning classifications are consistent with that land use classification.
She disclosed that she is neighbors and friends with Mr. & Mrs. Edgell for a number of years and has been a colleague of Mr. Edgell as well. She did not review this application but the other Planning Staff members are not present tonight so she had to present the application.

Mr. Edgell stated that he thinks the Staff Report speaks for itself. The reason for the Rezoning application is to build a free-standing garage. The issue is their lot coverage is not quite enough to build a garage that would hold both cars and the contents of their shed which includes lawn mowers, tools, bicycles, etc. They would like to build a garage big enough to fit their needs in a zone that allows them to do it.

Mr. Cregar questioned why the applicant was going through a Rezoning and not a variance? Responding to Mr. Cregar, Mrs. Townshend stated that this is something that Planning Staff and the applicant discussed prior to making the application. When looking at the lot size which is 11,250 square feet ±. The minimum lot size for the R-8 (One Family Residence Zone) is 8,000 square feet. She thinks it's harder to make the case for "exceptional practical difficulty" even though it probably could be done since it's in the Historic District. She and the applicant talked about both avenues and ultimately it was Mr. Edgell's decision.

Mr. Edgell stated that the house was built in 1926 prior to the zoning even being adopted. The R-8 (One Family Residence Zone) is really a suburban zone with suburban bulk standards. RG-1 (General Residence Zone) fits their property and home much better to allow a garage. He struggled with what was the "exceptional practical difficulty" given his lot size and configuration other than his house was built prior to the Zoning regulations. He likes where the house is on the lot; it just doesn't fit with R-8 (One Family Residence Zone).

Mr. Cregar stated that it just seemed that the whole variance process had been created for these kinds of situations and it seems like they are using a hammer instead of a screw driver. The applicant has to go through two public hearing processes to do what he wants to do. He feels confident that when looking at what the Board of Adjustment has done in the past with some of the older City lots they would say yes to the applicant building a garage. That is his concern besides the fact that they are jumping the RG-1 (General Residence Zone) into this R-8 (One Family Residence Zone) which goes north up that side of the street now. He wants the applicant to build his garage but he doesn't get why they are Rezoning the property in order to do it. Responding to Mr. Cregar, Mrs. Townshend stated that a good argument could be made for either Rezoning or a variance and maybe it's because people like Mr. Edgell who is a Planner tries to stay within the lines instead of getting permission to go outside the lines. If it were not adjacent with RG-1 (General Residence Zone) properties, she thinks that she would have more concern with the Rezoning.

Mr. Cregar stated that if they are thinking within those lines then why wouldn't they look at what needs to be done in that area completely at their next *Comprehensive Plan*. Responding to Mr. Cregar, Mr. Edgell stated that it is supported by the *Comprehensive Plan*; it does recognize that neighborhood as a Medium Density Neighborhood. Their street and Washington Street is kind of at the edge of that Old Dover neighborhood which he would argue does follow further north to the cemetery. Fairview is more of a later development pattern and is definitely a different character. They talked with Staff at great length about the two options and what would be the most appropriate course of action. He and his wife agreed that this would be the most appropriate and cleanest way to do what they wanted to do without asking for an "exceptional practical difficulty", which he does not believe that they have. They do not have a garage now; it is difficult but it's exceptional. It is something that they would like to do and they think this is the right way to go about it.

Colonel Welsh questioned because of the location of the house and the historic property, do they have to give approval of the design standards they are using? Responding to Colonel Welsh, Mr. Edgell stated they are not located in the Historic District but he will say that they talked in great length about how to make the garage consistent with their historic home. The garage will be in the back of the house in the backyard off of where the driveway is located now currently. It will not be visible from State Street, only visible from Washington Street.

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

Mr. Tolbert moved to recommend approval to City Council of Z-14-02 Lands of David & Susan Edgell at 405 North State Street: Rezoning from R-8 to RG-1, seconded by Mr. Cregar and the motion was unanimously carried 8-0 with Mr. Holt absent.

Meeting adjourned at 8:24 PM

Sincerely,

Kristen Mullaney

Kristen Mullaney
Secretary

CITY OF DOVER PLANNING COMMISSION
QUARTERLY WORKSHOP
February 19, 2014

The Regular Quarterly Workshop Meeting of the City of Dover Planning Commission was held on Wednesday, February 19, 2014 at 12:00 noon with Chairman Colonel Welsh presiding. Members present were Mr. Holden, Mr. Cregar, Mr. Baldwin, Ms. Still, Dr. Jones, Mr. Ambruso and Colonel Welsh. Mr. Holt was absent.

Staff members present were Mrs. Townshend, Mrs. Melson-Williams and Mr. Bill Cook.

All Planning Commission members introduced themselves and gave their background information for Mr. Cook.

PLANNING COMMISSIONER COMMENTS AND CONCERNS

Colonel Welsh stated that Mr. Cregar was concerned about zoning change versus *Comprehensive Plan* amendment. From his perspective, it seems the proper order would have been to have the Commission hear the proposed change, recommend approval or disapproval to City Council, let them take action and then the Planning Commission would hear the (rezoning) application.

Mrs. Townshend stated that it's something that could be done in the future. Before her time and when the economy was up and everyone wanted everything approved the next day. They had the *2003 Comprehensive Plan* and the City was receiving a lot of requests to amend the *Comprehensive Plan*. It was really creating a tracking nightmare, a pretty heavy workload and a constant state of confusion for all the parties involved in the review process. Toward the end of Mr. Jim Galvin's tenure with the City, he put in place an opportunity twice a year to change the *Comprehensive Plan*. The way it was laid out to be done was side by side with the zoning so that it's done at the same meeting but just prior to. When the *2008 Comprehensive Plan* was done, Staff decided that even twice a year was still burdensome so it was changed to only accepting changes to the *Comprehensive Plan* once a year. The changes to the *Comprehensive Plan* and to the zoning were still done side-by-side but the two can be separated.

Mr. Holden questioned if the *Comprehensive Plan* classification has changed to what was requested, could the parcel zoning have remained the same? Responding to Mr. Holden, Mrs. Townshend stated yes. With the last Comprehensive Plan Amendment that was done was at the corner of Mifflin Road and Route 8, this was one where it was changing from Residential classification to Commercial classification. If the Comprehensive Plan classification had changed to Commercial but the Rezoning was denied then it creates an inconsistency and it sets them up for being in a very bad position legally.

Mr. Holden further questioned what by default does the zoning for the parcel then become if the classification in the *Comprehensive Plan* is changed? Responding to Mr. Holden, Mrs. Townshend stated that it doesn't change the zoning until the Commission changes the zoning. But there will be an issue of incompatibility between the two.

Colonel Welsh stated that what is being said in the *Comprehensive Plan* is "this is what we envision; this is what we would like to see."

Mrs. Townshend stated that the problem with disjointing them in her view is for a

Comprehensive Plan Amendment, there is not the same level of public notice. For a Comprehensive Plan Amendment, those neighbors wouldn't have been notified. If the Comprehensive Plan Amendment went a month before the Rezoning, they could have been in a position where they changed the *Comprehensive Plan* and then a month later they get the public input on the Rezoning. The Rezoning is then denied and creates the incompatibility between the *Comprehensive Plan* and the zoning. By keeping them together, the people who are noticed are there during the discussion of the Comprehensive Plan Amendment. This is why she made it a point to say at last night's meeting if anyone was there to speak about the Rezoning to speak about the Comprehensive Plan Amendment as well. What they end up with is almost a duplicate record on both. Some cases in the past, people have said "I'd like to enter the comments I made on the Comprehensive Plan Amendment into record for the Rezoning." If they are separated then there is a risk of approving the Comprehensive Plan Amendment and then needing to change it back because the Rezoning is denied. The State law is setup so that they both have to match. The benefit of having them together is that the same people are notified.

Colonel Welsh questioned why Staff could not notice the people who are affected by the potential Comprehensive Plan Amendment? Responding to Colonel Welsh, Mrs. Townshend stated that they could notify them but there is no procedure laid out in code. It would also require notification twice.

Colonel Welsh stated that to him that is okay. He realizes that it would be more work for Staff. Responding to Colonel Welsh, Mrs. Townshend stated that it would really be more work on the applicant.

Colonel Welsh stated that they would be notifying the public that they want to change the *Comprehensive Plan* and then one month later they would send notice saying that the *Comprehensive Plan* has been changed and here is what the developer wants to build at that location. Responding to Colonel Welsh, Mrs. Townshend stated that she is always conscious not to say this is what the builder wants to build because it would just be a Rezoning.

Dr. Jones stated that she agrees with the notification twice but in her mind it's empowering the citizenry of Dover and not making decisions by omission or commission; making decisions for the citizens.

Technical difficulty was experienced. The recorder ended at 12:23 PM.

Staff briefed Planning Commission members on the following items:

DEPARTMENT OF PLANNING AND INSPECTIONS UPDATE

Summary of 2013 Applications and 2014 Applications

Other Project and Research Activities

- **Bicycle & Pedestrian Sub-Committee**
- **Update on Commercial Zoning Research for Amendments**
- **Central Dover Community Plan**
- **Review of *2008 Comprehensive Plan***
- **Transportation Improvement Districts**

CITYWIDE RECREATIONAL NEEDS ASSESSMENT

EDUCATION AND TRAINING OPPORTUNITES

TRAINING

Meeting adjourned at 1:12 PM

Sincerely,

Kristen Mullaney

Kristen Mullaney
Secretary



HELPING YOUR COMMUNITY EMERGE FROM THE HOUSING CRISIS

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 207**).

Basic Information

Friday, March 21, 2014, from 9:00 a.m. to 12:00 noon
University of Delaware Paradee Center
69 Transportation Circle
Dover, Delaware

Registration fee: $50.00 / Registration deadline: March 17, 2014

Course Description and Details

This course explores the housing crisis, its impact on Delaware's communities, and how rethinking housing needs based on changing demographics can ensure that communities emerge as economically vital, stable places to live. A comprehensive overview will be provided on the extent of the foreclosure crisis on neighborhoods, local governments, and individual families. In particular, the course will examine the growing inventory of half-built and abandoned subdivisions and the new challenges they bring. We will also explore how the housing market is being shaped by changing demographics and housing preferences. Finally, we will discuss the opportunities presented in this "post-crisis" housing environment that can help communities design and plan for housing that meets the needs of their residents as well as aid in their economic recovery.

Course Instructors

Karen Horton, AICP
Planner
Delaware State
Housing Authority
State of Delaware

Philip McGinnis, CCIM
Principal
McGinnis Commercial
Real Estate Co.

David Edgell, AICP
Planner
Office of State Planning Coordination
Office of Management and Budget
State of Delaware

Please register for this and other Local Government Training events online at
www.ipa.udel.edu/events.html

Note: Registration for this event can only be done online.

Professional Development and Training Opportunities for Local Government

offered through the

Institute for Public Administration at the University of Delaware

LAND-USE AND DEVELOPMENT ADMINISTRATION

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 103**).

Basic Information

Wednesday, April 9, 2014, from 9:00 a.m. to noon
Dover Public Library
35 Loockerman Plaza
Dover, Delaware

Registration fee: $50.00 / Registration deadline: April 4, 2014

Course Description and Details

This is primarily a hand-on course designed to build the skills for administering and interpreting land-use regulations. Participants will be introduced to zoning, subdivision, and land-use codes and how they are linked to municipal comprehensive plans. In-class exercises will provide an opportunity for participants to analyze and interpret a land-use and development code to formulate answers to typical land-use administration questions and to review development plans.

Course Instructors

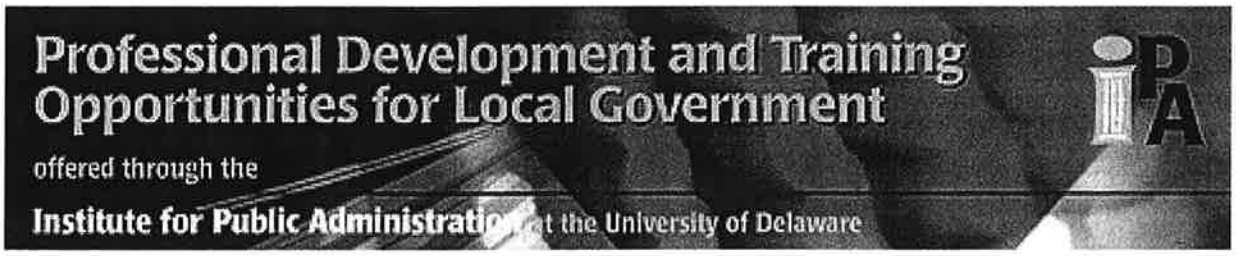
Ann Marie Townshend, AICP
Director
Planning & Community Development
City of Dover

Linda Raab, AICP
Planning Consultant
Institute for Public Administration
University of Delaware

Please register for this and other Local Government Training events online at

www.ipa.udel.edu/events.html

Note: Registration for this event can only be done online.



CREATING A FLOOD READY COMMUNITY

This is a **new** session that qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 201**).

Basic Information

Thursday, June 12, 2014, from 9:00 a.m. to noon

University of Delaware Paradee Center
69 Transportation Circle
Dover, Delaware

Registration fee: $50.00 / Registration deadline: June 2, 2014

A limited number of scholarships are available for municipal officials, please send requests to: martinw@udel.edu

Course Description and Details

This course reviews the multiple sources of flood risks to Delaware communities that can be addressed and mitigated through planning, codes, and ordinances. It begins with an overview of flood risks, covers floodplain requirements for municipalities, and discusses statewide sea level rise adaptation recommendations applicable at the community level. Tools for adapting to flood risk and sources of funding and technical assistance will also be introduced.

Course Topics

- Identifying Community Flood Risks
- Assessing Vulnerability to Flooding
- Strategies for Reducing Flood Vulnerability
- Funding and Technical Assistance

Course Instructors

Wendy Carey
Delaware Sea Grant

Greg Williams
DNREC Flood Mitigation Program

Susan Love
Delaware Coastal Programs

Please register for this and other Local Government Training events online at

www.ipa.udel.edu/events.html

Note: Registration for this event can only be done online

C-10-05 New Dover High School: Revision to Sidewalk

– Revision of sidewalk network design for the New Dover High School. The property is zoned R-10 (One Family Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Forrest Avenue and east of Dover High Drive. The owner of record is the Capital School District. Address: 1650 Forrest Avenue. Tax Parcel: ED-05-076.00-02-07.00-000. *The Planning Commission conditionally approved Conditional Use Site Plan C-10-05 on December 20, 2010. Final Site Plan Approval was granted to S-11-18 and approval was granted to MI-13-18 Revised Parking Justification and Waiver Request for Parking Justification on October 21, 2013.*

- A copy of Site Plan Sheet C-001C (Bid Pack C – Updated) from Check Print drawing set of 1/28/2014 is provided as reference for this update on the sidewalk network design.

- Addition Information on this matter will be provided by Staff including information from the Safety Advisory & Transportation Committee, project status updates, etc.

- If you have questions, please contact Planning Staff at 736-7196.



PARKING DATA

PARKING AREA	NUMBER OF SPACES	FUTURE EXPANSION	ACCESSIBLE SPACES	DROP-OFF SPACES
A	33		6	20
B	103		8	
C	184	159		
D	136	95	8	
E	31 (BUS) 170 (CAR)		EVENT PROVISIONS	
F	38		2	4
G	31	84	5	
EAST ROAD	49		3	
TOTAL	734 - DOES NOT INCLUDE 24 DROP-OFF SPACES - INCLUDES 49 PARALLEL SPACES AND EVENT PARKING SPACES IN BUS LOOP; 287 - RESERVED FOR FUTURE EXPANSION			

BUILDING DATA

	FOOTPRINT AREA	NUMBER OF FLOORS	GROSS FLR. AREA	BLDG. HEIGHT
PHASE 1				
NEW HIGH SCHOOL	198,000 S.F.	3	295,000 S.F.	60
PR. FIELD HOUSE	4,250 S.F.	1	4,250 S.F.	16
PR. CONCESSION BUILDING	2,250 S.F.	1	2,250 S.F.	16
PR. CONCESSION BUILDING	2,700 S.F.	1	2,700 S.F.	16'
PHASE 1 TOTAL:	207,200 S.F.		304,200 S.F.	
PHASE 2				
PR. OUT BUILDING - MAINTENANCE	2,500 S.F.	1	2,500 S.F.	25
PHASE 3				
PR. C.T.E. EXPANSION	20,000 S.F.	1	20,000 S.F.	25
PHASE 4				
FUTURE BB / SB FIELDHOUSE	5,000 S.F.	1	5,000 S.F.	18
PHASE 5				
FUTURE CLASSROOM EXPANSION	25,000 S.F.	3	75,000 S.F.	60'
TOTAL BUILDING AREA	259,700 S.F.		406,700 S.F.	

GENERAL NOTES:

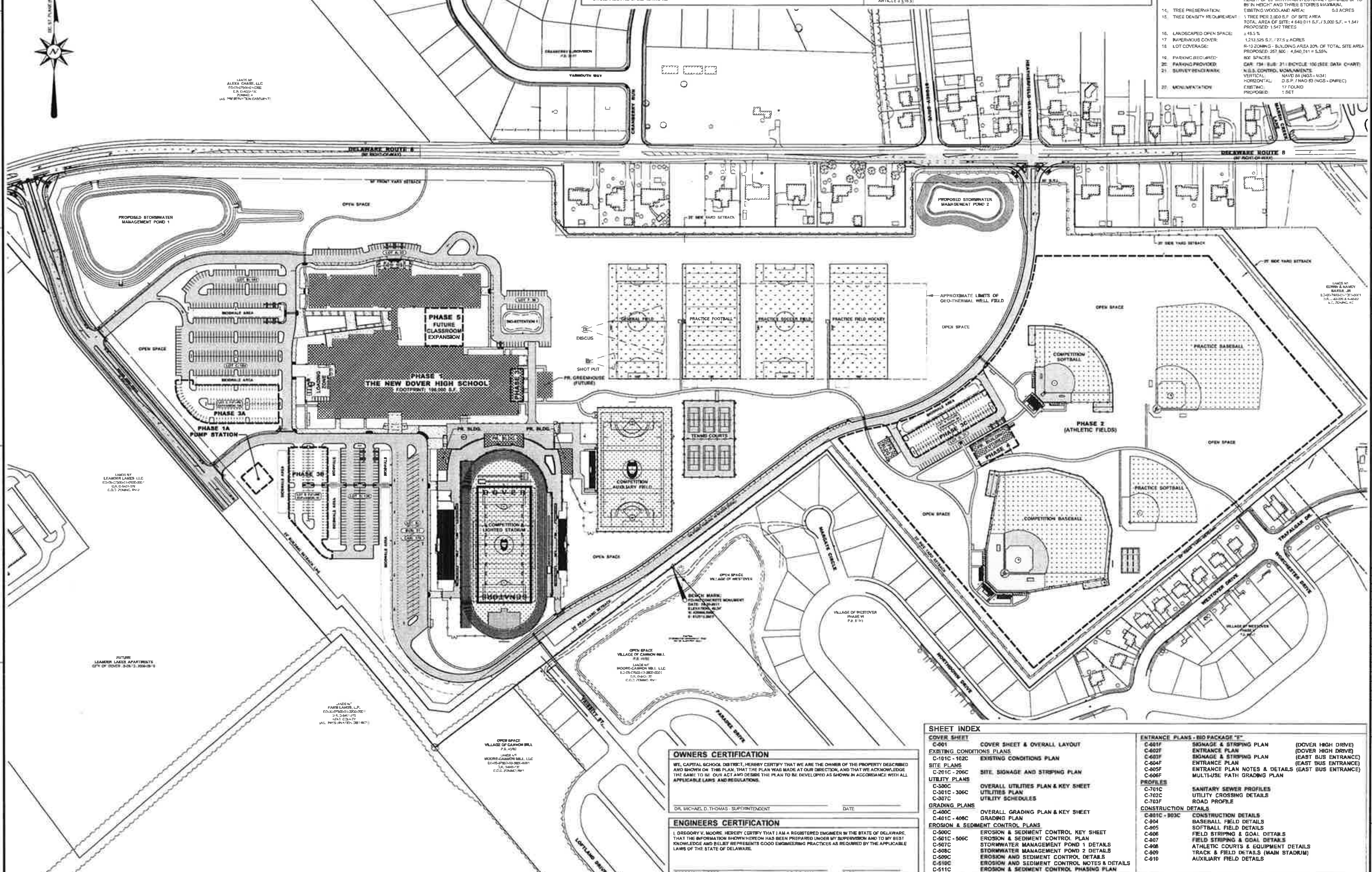
1. TOPOGRAPHIC SURVEY DATA SHOWN HEREON IS BASED ON AERIAL PHOTOGRAPHY PERFORMED BY COOPER AERIAL IN JULY 2010 AND FIELD VERIFIED BY BECKER MORGAN GROUP, INC. VERTICAL DATUM IS BASED ON NAVD 88 DERIVED FROM N.G.S. VERTICAL CONTROL MONUMENTS. HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE NAD 83 GPS DERIVED FROM N.G.S. HORIZONTAL CONTROL MONUMENTS.
2. THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN TAKEN FROM A PARCEL CONSOLIDATION & DEDICATION PLAT FOR THE LANDS OF THE CAPITAL SCHOOL DISTRICT AS RECORDED IN THE KENT COUNTY LAND RECORDS, PLAT BOOK ________ PG_____ ON ______________, 2011
3. SUBJECT PROPERTIES SHOWN HEREON ARE NOT LOCATED WITHIN THE ONE HUNDRED YEAR FLOOD PLAIN, BASED ON FIRM MAP NOS. 10001C0162H & 164H, DATED MAY 5, 2003.
4. THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (1-800-282-8555) TO VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTORS EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.
5. BECKER MORGAN GROUP CERTIFIES THAT THERE ARE NO WETLANDS LOCATED WITHIN THE IMPROVED AREA. AN APPROVED JURISDICTIONAL DETERMINATION WAS RECEIVED BY THE U.S. ARMY CORPS OF ENGINEERS ON NOVEMBER 4, 2010. THE CORPS OF ENGINEERS HAS DETERMINED THAT THE PROPERTY DOES NOT INCLUDE NAVIGABLE WATERS OF THE UNITED STATES OR ANY OTHER WATERS OF THE UNITED STATES, INCLUDING WETLANDS.
6. ALL ROADS, PARKING AND OTHER PAVED AREAS WILL BE PRIVATELY OWNED AND MAINTAINED AND ARE NOT INTENDED FOR DEDICATION.
7. DELAWARE REGULATIONS PROHIBIT THE BURIAL OF CONSTRUCTION DEMOLITION DEBRIS, INCLUDING TREES AND STUMPS ON CONSTRUCTION SITES. ANY SOLID WASTE FOUND DURING EXCAVATION MUST BE REMOVED AND PROPERLY DISCARDED.
8. ALL HANDICAPPED PARKING DEMARCATION, STALLS, AND BUILDING ACCESSIBLE ROUTES SHALL COMPLY WITH THE "AMERICANS WITH DISABILITIES ACT".
9. THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENT FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
10. BEFORE THE CONTRACTOR CAN BEGIN CONSTRUCTION HE MUST OBTAIN THE PROPER PERMITS AND/OR APPROVALS FROM THE CITY OF DOVER (C.O.D.), DELAWARE DEPARTMENT OF NATURAL RESOURCES (D.N.R.E.C.), DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), CITY OF DOVER DEPARTMENT OF PUBLIC WORKS, CITY OF DOVER DEPARTMENT OF PUBLIC UTILITIES, AND APPROPRIATE STATE AND COUNTY AGENCIES.
11. ALL CONSTRUCTION METHODS AND MATERIALS SHALL BE ACCORDANACE WITH THE CITY OF DOVER DEPARTMENT OF PUBLIC UTILITIES CONSTRUCTION STANDARDS AND SPECIFICATIONS AND THE STATE OF DELAWARE CONSTRUCTION STANDARDS AND SPECIFICATIONS.
12. ALL FIRE LANE DEMARCATION AND FIRE LANE SIGNS SHALL BE IN ACCORDANCE WITH ALL THE STATE FIRE PREVENTION REGULATIONS.
13. THE CAPITAL SCHOOL DISTRICT AND LEANDER LAKES, LLC. HAVE ENTERED INTO AN AGREEMENT TO ALLOW THE FUTURE ROADWAY, BISECTING THE WESTERN PROPERTY LINE, TO BE CONSTRUCTED ON BOTH PROPERTIES. THE ACCESS AND DEVELOPMENT AGREEMENT WAS RECORDED IN THE KENT COUNTY LAND RECORDS ON MARCH 22, 2011 IN BOOK VL-5751 PAGE 315.

ON DECEMBER 20, 2010 THE CITY OF DOVER PLANNING COMMISSION TOOK ACTION ON THE WAIVER REQUESTS AND A SERIES OF CONSIDERATIONS FOR THE PROJECT. THE DECISION ON EACH IS AS FOLLOWS:

14. PURSUANT TO ZONING ORDINANCE, ARTICLE 6 §3.6 (B), THE PLANNING COMMISSION APPROVED THE WAIVER TO ALLOW FOR THE PARTIAL ELIMINATION OF CURBING FOR SPECIFIC PORTIONS OF THE PARKING LOT FOR THE FACILITATION OF STORMWATER MANAGEMENT.
15. PURSUANT TO ZONING ORDINANCE, ARTICLE 5 §7.31, THE PLANNING COMMISSION APPROVED THE WAIVER OF THE FENCE COMPONENT OF THE OPAQUE BARRIER. THIS ALLOWS THE PROPOSED FENCE TO BE NON-OPAQUE.
16. THE PLANNING COMMISSION DENIED THE REQUEST FOR THE USE OF ALTERNATIVE SIDEWALK MATERIALS (BITUMINOUS PAVING) FOR THE PROJECT. THE SIDEWALKS AND MULTI-USE PATH ARE TO BE CONSTRUCTED OF CONCRETE WITH THE POTENTIAL FOR THE MULTI-USE PATH WIDTH TO BE REDUCED FROM TEN FEET TO EIGHT FEET.
17. THE PLANNING COMMISSION FINDS THAT THE DESIGN PRESENTED DEMONSTRATES "SUPERIOR URBAN DESIGN" ESPECIALLY IN THE CRITERIA OF ARCHITECTURE. THIS ALLOWS THE PARKING (PARKING LOT A) TO BE LOCATED BETWEEN THE BUILDING AND THE STREET (FORREST AVE. / DE ROUTE 8) UNDER THE PROVISIONS OF ZONING ORDINANCE, ARTICLE 3 §27.63 (a)(8).
18. THE PLANNING COMMISSION APPROVED A CAMPUS PARKING PLAN ENTITLED "PARKING REQUIREMENT JUSTIFICATION". THE REQUIRED NUMBER OF PARKING SPACES WAS SET AT 840 SPACES (ZONING ORDINANCE ARTICLE 3 §1.6) ON DECEMBER 20 2010. THE PLANNING COMMISSION APPROVED A REVISED PARKING JUSTIFICATION AND WAIVER REQUEST FOR A REDUCTION OF THE REQUIRED PARKING AT ITS MEETING OF OCTOBER 21, 2013. THE REQUIREMENT WAS THEN SET AT 800 SPACES.
19. THE PLANNING COMMISSION ACCEPTED THE LOADING BERTH JUSTIFICATION PRESENTED BY THE APPLICANT AND RECOGNIZED THAT THE SITE WILL INCLUDE TWO LOADING BERTHS IN THE SERVICE YARD AREA.
20. THE PLANNING COMMISSION DETERMINED THAT THE LOCATION AND TYPE OF VEGETATIVE BUFFERS (TREE PLANTINGS) AS DEPICTED ON THE LANDSCAPE PLAN ARE SUFFICIENT SCREENING BETWEEN THE RESIDENTIAL AREAS AND THE NON-RESIDENTIAL USE OF THE SCHOOL.
21. THE PLANNING COMMISSION GRANTED APPROVAL OF THE TREE MITIGATION PLAN WHICH PROPOSES THE REFORESTATION AREAS ON OTHER PROPERTIES OF SCHOOL DISTRICT IN AREAS SERVING AS RIPARIAN BUFFERS OR OTHER NATURAL AREAS. THIS PROJECT REQUIRES A TOTAL OF 1,547 TREES. IF THE NUMBER OF TREES REQUIRED CANNOT BE PLANTED ON THIS SITE, THE BALANCE OF THE TREES NEEDED CAN BE PLANTED IN SELECTED REFORESTATION AREAS. (ZONING ORDINANCE, ARTICLE 5 §16.9)

SITE DATA

1.	OWNER OF RECORD:	THE CAPITAL SCHOOL DISTRICT C/O DR. MICHAEL THOMAS, SUPERINTENDENT 945 FOREST STREET DOVER, DE 19904
2.	ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC 309 S. GOVERNORS AVE. DOVER, DE 19904 (302) 734-7950
3.	PROPERTY MAP NUMBER:	ED-05-075.00-01-03.00-00001 ED-05-076.00-02-05.00-00001 ED-05-076.00-02-06.00-00001 ED-05-076.00-02-07.00-00001
4.	ZONING CLASSIFICATION:	R-10 & COZ-1 CORRIDOR OVERLAY ZONE
5.	DEED REFERENCES:	D 4052/267, H49/244, D/274/241, D/51/301 & D/2822/043
6.	PLAT REFERENCE:	PB. 45 PG. 34
7.	PRESENT USE:	AGRICULTURAL
8.	PROPOSED USE:	HIGH SCHOOL
9.	EXISTING SITE AREA:	70.4295 ACRES (P. 03.00) 30.0973 ACRES (P. 05.00) 1.0330 ACRES (P. 06.00) 4.9964 ACRES (P. 07.00) 106.5222 ACRES (TOTAL AREA)
10.	BUILDING SETBACKS:	FRONT YARD: 50 SIDE YARD: 25' REAR YARD: 25'
11.	ROADWAY CLASSIFICATION:	ROUTE 8 (FORREST AVENUE) - MINOR ARTERIAL
12.	UTILITIES:	WATER - CITY OF DOVER SEWER - CITY OF DOVER ELECTRIC - CITY OF DOVER GAS - CHESAPEAKE UTILITIES
13.	BUILDING HEIGHT:	PERMITTED: 35' WITH A MAXIMUM OF TWO STORIES CITY OF DOVER BOARD OF ADJUSTMENT CASE: V-10-10 GRANTED A VARIANCE FOR A MAXIMUM BUILDING HEIGHT OF 60' WITH ARCHITECTURAL FEATURES UP TO 85' IN HEIGHT AND THREE STORIES MAXIMUM.
14.	TREE PRESERVATION:	EXISTING WOODLAND AREA: 0.0 ACRES
15.	TREE DENSITY REQUIREMENT:	1 TREE PER 3,000 S.F. OF SITE AREA TOTAL AREA OF SITE: 4,640,011 S.F. / 3,000 S.F. = 1,547 PROPOSED: 1,547 TREES
16.	LANDSCAPED OPEN SPACE:	± 46.5 %
17.	IMPERVIOUS COVER:	1,213,525 S.F. / 27.9 ± ACRES
18.	LOT COVERAGE:	R-10 ZONING - BUILDING AREA 20% OF TOTAL SITE AREA PROPOSED: 257,800 / 4,640,011 = 5.55%
19.	PARKING REQUIRED:	800 SPACES
20.	PARKING PROVIDED:	CAR: 734 / BUS: 31 / BICYCLE: 100 (SEE DATA CHART)
21.	SURVEY BENCHMARK:	N.G.S. CONTROL MONUMENTS VERTICAL: NAVD 88 (NGS - M341) HORIZONTAL: D.S.P. / NAD 83 (NGS - DNREC)
22.	MONUMENTATION:	EXISTING: 17 FOUND PROPOSED: 1 SET



SHEET INDEX

COVER SHEET
- C-001 — COVER SHEET & OVERALL LAYOUT

EXISTING CONDITIONS PLANS
- C-101C - 102C — EXISTING CONDITIONS PLAN

SITE PLANS
- C-201C - 206C — SITE, SIGNAGE AND STRIPING PLAN

UTILITY PLANS
- C-300C — OVERALL UTILITIES PLAN & KEY SHEET
- C-301C - 306C — UTILITIES PLAN
- C-307C — UTILITY SCHEDULES

GRADING PLANS
- C-400C — OVERALL GRADING PLAN & KEY SHEET
- C-401C - 406C — GRADING PLAN

EROSION & SEDIMENT CONTROL PLANS
- C-500C — EROSION & SEDIMENT CONTROL KEY SHEET
- C-501C - 506C — EROSION & SEDIMENT CONTROL PLAN
- C-507C — STORMWATER MANAGEMENT POND 1 DETAILS
- C-508C — STORMWATER MANAGEMENT POND 2 DETAILS
- C-509C — EROSION AND SEDIMENT CONTROL DETAILS
- C-510C — EROSION AND SEDIMENT CONTROL NOTES & DETAILS
- C-511C — EROSION & SEDIMENT CONTROL PHASING PLAN

ENTRANCE PLANS - BID PACKAGE "F"
- C-601F — SIGNAGE & STRIPING PLAN (DOVER HIGH DRIVE)
- C-602F — ENTRANCE PLAN (DOVER HIGH DRIVE)
- C-603F — SIGNAGE & STRIPING PLAN (EAST BUS ENTRANCE)
- C-604F — ENTRANCE PLAN (EAST BUS ENTRANCE)
- C-605F — ENTRANCE PLAN NOTES & DETAILS (EAST BUS ENTRANCE)
- C-606F — MULTI-USE PATH GRADING PLAN

PROFILES
- C-701C — SANITARY SEWER PROFILES
- C-702C — UTILITY CROSSING DETAILS
- C-703F — ROAD PROFILE

CONSTRUCTION DETAILS
- C-801C - 803C — CONSTRUCTION DETAILS
- C-904 — BASEBALL FIELD DETAILS
- C-905 — SOFTBALL FIELD DETAILS
- C-906 — FIELD STRIPING & GOAL DETAILS
- C-907 — FIELD STRIPING & GOAL DETAILS
- C-908 — ATHLETIC COURTS & EQUIPMENT DETAILS
- C-909 — TRACK & FIELD DETAILS (MAIN STADIUM)
- C-910 — AUXILIARY FIELD DETAILS

OWNERS CERTIFICATION

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

DR. MICHAEL D. THOMAS - SUPERINTENDENT ______ DATE ______

ENGINEERS CERTIFICATION

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

GREGORY V. MOORE ______ P.E. NO. 8311 ______ DATE ______

ABHA architects

1621 N. Lincoln Street
Wilmington, DE 19806

(P) 302 . 658 . 6426
(F) 302 . 658 . 8431

abhagen@ABHA.com
www.ABHA.com

CONSULTANTS

Becker Morgan Group — Civil Engineer — Phone: 302-734-7950, 309 SOUTH GOVERNORS AVE. DOVER, DE 19904

Hord Coplan Macht — Architectural Planners — 750 East Pratt Street, Suite 1100, Baltimore, MD 21202

Baker, Ingram, & Associates — Structural Engineers — 1050 South State Street, Dover, DE 19901

Gipe Associates — Mechanical/Electrical Engineers — 8719 Brooks Drive, Easton, MD 21601

EDIS COMPANY — Construction Manager — 110 South Poplar Street, Suite 400, Wilmington, DE 19801-5057

PROJECT
THE NEW DOVER HIGH SCHOOL
1570 Forrest Avenue
Dover, Delaware 19904

SCALE: 1" = 120'

OWNER
Capital School District
945 Forest Street
Dover, Delaware 19904-3498
Phone: 302-672-1500

BID PACK "C" - UPDATE

MARK	DATE	DESCRIPTION
B	01-28-2014	BPC - UPDATE SUBMISSION
A	JAN 2014	BPC ORIGINAL APPROVALS

PROJECT NUMBER: ABHA: 1012 BMG: 2010057.00
FILE NAME: 2010057-SITE-BPC-UPDATE
PREPARED BY: BECKER MORGAN GROUP
DRAWN BY: J.S.F. CHECKED BY: M.A.R.

The professional services of ABHA Architects, Inc. are undertaken for and performed in the interest of Capital School District. No contractual obligation is assumed by ABHA Architects, Inc. for the benefit of any other person involved in the project.

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SHEET TITLE
COVER SHEET & OVERALL LAYOUT

C-001C

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF March 5, 2014

PLANNING COMMISSION MEETING March 17, 2014

Plan Title:	Kent County Community School Building Additions at William Henry Middle School and Booker T. Washington Elementary School S-14-04
Plan Type:	Site Plan
Applicants/Owners:	Dover Special School District (Capital School District)
Location:	North side of Forest Street just east of Carver Road and Saulsbury Road
Addresses:	65 Carver Road and 901 Forest Street
Tax Parcels:	ED-05-076.07-01-55.00-000 ED-05-076.07-01-65.00-000 ED-05-076.07-01-66.00-000 ED-05-076.08-01-28.00-000
Site Area:	45.46 acres +/-
Zoning:	IO (Institutional and Office Zone) COZ-1 (Corridor Overlay Zone)
Present Use:	Schools
Building Areas:	Kent County Community School existing - 29,716 S.F. Kent County Community School addition – 2,640 S.F. Booker T. Washington Elementary School existing – 53,055 S.F. Booker T. Washington Elementary School renovation area – 19,900 S.F. Booker T. Washington Elementary School addition – 15,634 S.F. William Henry Middle School – existing (no change)
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: March 5, 2014

APPLICATION: Kent County Community School Building Additions at William Henry Middle School/ Booker T. Washington Elementary School

FILE #: S-14-04 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Dawn E. Melson-Williams, AICP PHONE #: 302.736.7196

PLAN SUMMARY

This is a Site Development Plan Review to permit the construction of building additions totaling 18,280 S.F. between two buildings with the associated site improvements on a 45.46 acre parcel. The building additions consist of 2,640 S.F. to the Kent County Community School at William Henry Middle School and 15,634 S.F. to Booker T. Washington Elementary School. The property is zoned I-O (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone 1). The property is located on the north side of Forest Avenue between Weston Drive and Carver Road. The owner of record is Dover Special School District (Capital School District). Property Addresses: 65 Carver Road and 901 Forest Street. Tax Parcels: ED-05-076.07-01-55.00-000, ED-05-076.07-01-65.00-000, ED-05-076.07-01-66.00-000, and ED-05-076.08-01-28.00-000.

Previous Applications

In December 2010, The Planning Commission granted conditional approval to a Site Development Master Plan (S-10-31) for the William Henry Middle School and Booker T. Washington Elementary School campuses. The Master Plan outlined three phases of site improvements to reconfigure site access and circulation, bus and parent drop-off areas and parking facilities as well as an increased number of parking spaces, and other associated site improvements. The Administrative Site Plan of the construction activity details for Phase 1 of the Master Plan was granted approval on June 27, 2011 and constructed in 2011. Construction included pedestrian amenities, stormwater management improvements, landscaping, new bus drop-off areas and parking lot reconfiguration.

The Administrative Site Plan S-11-23 for Phase 2 was approved June 21, 2012. Project work included the construction of a connection to Weston Drive. The opening of this connection to Westin Drive is subject to the completion of the signalization project at intersection of Weston Drive and Route 8/Forrest Avenue.

Phase 3 of the Master Plan (S-10-31) which consists of a proposed connection to Clara Street Extended has not completed the Administrative Site Plan review process for construction. Prior to implementation of this plan phase, a condition is that a warrant study must be conducted and that this connection only be constructed if the results of the study confirm the need for the interconnection.

PROJECT DESCRIPTION

This Site Plan outlines two building addition projects on the campus. An addition of 2,640 S.F. is proposed at the main building of the Kent County Community School. Then at the Booker T. Washington Elementary School renovations will reopen the original section of the school building along with a 15,634 S.F. building addition. Site improvements are limited to sidewalk reconfigurations, tree plantings, and improvements to manage of roof drainage.

COZ-1: Corridor Overlay Zone

The parcels involved with this application are within the COZ-1 (Corridor Overlay Zone). Specifically, the location of Booker T. Washington Elementary School places it within the COZ-1; therefore, its project site area will be evaluated for compliance. The *Zoning Ordinance* details the requirements of the COZ-1 in Article 3 §27 and its subsections. The Corridor Overlay Zone as a planning and growth management tool is designed to foster and attractive, efficient, and economically vibrant commercial corridor along Route 8/Forrest Avenue and Saulsbury/McKee Roads. To this end, more stringent standards are applied to commercial development taking place in the corridor. A discussion of the provisions of the COZ-1 which apply to this application follows below.

- The COZ-1 specifies a required front yard setback for non-residential properties in this segment of the corridor; therefore, a minimum setback of twenty (20) feet with a maximum setback of thirty (30) feet is required. It is noted that the existing school placement pre-dates the COZ-1 zone; however, the proposed addition does bring the building closer to compliance.
- The existing building sits parallel to the road with the longest side facing the road achieving this design concept.
- The existing parking lot layout/arrangements comply with the exception of a pre-existing parking lot at the corner of Weston Drive and Forrest Avenue.
- A landscaped buffer (varying width and yard areas) and sidewalk combine to meet what is required between the building and parking/drive aisles.
- Building (existing and the additions) complies with the allowable number of stories in the COZ-1.
- The proposal meets the requirement that 25% of the lot consist of landscaped open space. As shown 67.1% of the lot is open space.
- The Forrest Avenue frontage is required to have a landscaped open space of 25 feet and provide one tree per 50 (fifty) feet of frontage. (See Landscape discussion)
- Non-frontages (side and rear yards) comply with landscaped open space of 15 feet when adjacent to residential uses and landscaped open space of 5 feet when adjacent to non-residential uses and to provide one tree per 75 (seventy-five) feet.
- The building shall have a corridor elevation with specific architectural features (See Building Architecture discussion).

BUILDING ARCHITECTURE

The Plan submission includes the requisite Architectural Elevation drawings presenting elevations of the building addition to Booker T. Washington Elementary School. See attached elevation color renderings and site plan drawings for detailed information on building

dimensions, locations, and material choices. The addition to the Kent County Community School main building is an infill area expansion of 2,644 SF on the east side of the building.

This building is subject to the Architectural Review requirements found in Article 3 §27.69 for properties located within the Corridor Overlay Zone. See text below.

> *27.69 Architectural Review.* The side of any building which faces the corridor (or corridors) shall be referred to as the "corridor elevation." Buildings in the COZ-1 shall be designed to front on the corridor, and the corridor elevation shall contain architectural elements traditionally associated with the front of a building. Blank walls without functioning windows are prohibited along the corridor. Windows must be incorporated into the overall design concept of the corridor elevation. Providing one or several small windows on a large corridor elevation shall not constitute compliance with this ordinance.
>
> A "functioning window" shall be defined as a window which lets light into the interior of the structure, and is integrated and related to the interior layout of the space. In addition to functioning windows, the corridor elevation shall have the following elements:
>
> a) A primary entrance door or doors (except for loading doors).
> b) A primary entrance feature, such as a porch, portico, awning, entrance walk, or other similar feature.
>
> In addition, the corridor elevation shall have one of the following elements:
> a) Landscaping integrated into the building design concept.
> b) Architectural or urban design elements which link adjacent structures together, such as plazas, walkways, colonnades, or similar features.
> c) Architectural relief, such as vertical and horizontal off-sets in exterior wall elevations, band courses, lintels and sill courses, cornices and the like to create shadow lines.

As currently proposed, the corridor elevation of this building with the addition includes a series of existing and proposed windows and a glass storefront window system which qualify as functioning windows. With the architectural elevations showing the re-establishment of the historic porch entrance, this project is in compliance with the code requirement. The plan as submitted complies with the second requirement of the corridor elevation (items a, b and c) by providing tree and shrub plantings immediately adjacent to the front of the building, the portico connecting walkway between sections of the building, and also providing a variety of architectural relief on the corridor façade (material changes, cornice and watertable detailing, etc.).

PARKING SUMMARY

The Site Plan shows the existing parking facilities and drive aisle configuration implemented with the construction of Phases 1 and 2 of the Master Plan. This project does not alter or add parking to the site. A series of sidewalk changes are proposed on the south side (Forrest Avenue frontage) of Booker T. Washington Elementary School to address ADA access to the original BTW Building section and to coordinate with the building addition.

Per the most stringent application of the *Zoning Ordinance*, the site would be required to provide a total of 858 parking spaces based upon the total building square footage including these proposed additions. (When calculated by square footage, the additions would require sixty-one (61) parking spaces.) Parking for schools at a minimum is based on the number of seats in the

auditorium, cafeteria, or gym space (rate of one parking space per eight (8) seats). Currently, the site provides a total of 394 parking spaces and 27 bus parking spots. The deficiency in required parking spaces is considered an existing non-conformity on the site.

Bicycle Parking

The minimum bicycle parking is one (1) bike space for every twenty (20) parking spaces. Based on the number of parking spaces at 394 spaces, a minimum of twenty (20) bicycle parking spaces are required. The Plan should clarify the location of bicycle parking racks at each building.

SITE CONSIDERATIONS

Entrances

The site is accessed from Carver Road and will be accessible from Weston Drive upon completion of the signal installation. No vehicle access from Forrest Avenue (Route 8) is provided or proposed.

Lighting

In the project area, several light bollards will be added along the entrance sidewalk pathways. The existing parking lots include lighting.

Dumpster

Dumpsters are required at a rate of one per 40,000 square feet of floor area for institutional uses like schools; therefore this site requires at least seven (7) Dumpsters. A system of trash collection exists for each building. The number and location of dumpsters on site is considered to be an existing condition for this application and is not required to be altered unless a deficiency is found in regards to trash services.

Sidewalk

Sidewalk is required along all street frontages. Sidewalks are already present along Carver Road, Weston Drive, and Forest Street. At all entrances and locations where improvements are made that include sidewalk, the new sidewalk and/or entrance must meet the ADA standards for handicap accessibility. A new sidewalk path system links the street frontage sidewalk to the original section of the BTW Building.

Curbing

Parking areas and access drives are required to have upright curbing (Zoning Ordinance, Article 6 §3.6). Currently, the plans show portions of the site as containing upright curbing. With previous Site Plans (S-10-31) for this school campus, the Planning Commission granted approval to eliminate curbing for stormwater management practices. This project makes no improvements requiring curbing.

TREE PLANTING AND LANDSCAPE PLAN

One (1) tree is required for every 3,000 SF of lot area. The Landscape Plan outlines the tree planting requirement showing a "project area" based on land disturbance for this proposed project. The applicant currently shows a project area is listed as 271,724 S.F. that equates to a proposed eighty-four (84) tree plantings. New plantings of Red Maples, Pin Oaks, Willow Oaks, River Birch trees, and Crabapple trees are group south of the Booker T. Washington Elementary

School Building. Also forty-two (42) existing trees in the project area are counting towards tree planting requirements

Landscape Buffer and Opaque Barrier
The southwestern most corner of the subject property abuts at least one residential property. *Zoning Ordinance,* Article 5 Section 7.2 requires buffering when a non-residential use abuts a residential use. The previously the Planning Commission granted approval to eliminate the fence component of the opaque barrier only requiring implementation of the landscape buffer component. A mix of deciduous and evergreen trees were planted in this area for compliance

COZ-1 Landscaping Requirements
The COZ-1 requires that a minimum of 25% of the site be landscaped open space. For the overall campus, approximately 67.1% is open space. Trees are utilized for the landscaping within the parking lot islands. Article 3 §27.53 C requires a landscaped buffer area of twelve (12) feet in width between the building and the parking lot or drive areas inclusive of a minimum six (6) foot wide sidewalk; this occurs on the north side of the BTW Building and is existing.

The COZ-1 (Corridor Overlay Zone –1) also includes specific tree planting requirements along property lines. One tree per fifty feet of frontage is required. A series of trees are shown along the frontage of Forrest Avenue. One tree per 75 feet is required on the non-frontage perimeters within the COZ-1 and met by existing trees.

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

2) Sheet C-001, Cover Sheet:
   a) The Site Data Column on the Cover Sheet will need to be updated with the following:
      i) List all tax parcels involved in project site.
      ii) Item #10: Check building addition sizes. KCCS is listed as 2,645 SF on the plan drawings. Check the existing building size of BTW and the BTW Additions total 16,486 SF on the plan drawings; you may need to also list as a separate line the area of the portions of the building being demolished.
      iii) Confirm the total square footage used for the parking calculations and round-up the number parking spaces.
      iv) Item #12: 22 handicapped parking spaces are shown on the plans.
      v) Item #14: Add tree planting calculations to this listing.
   b) Show the boundaries of the parcel that make up these school sites.
   c) Check labeling of the perimeter metes and bounds (all segments are listed as 6711.22' in length).
   d) The COZ-1 front yard setbacks are labeled but the line work is not shown.

e) Update owner information in owner's certification note.
f) Label the size of each proposed site area for this project.
g) Sheet Index: Lists L-102 which was not included in the plan submission.

3) Add north arrows to each plan sheet.

4) Sheets C-101 and C-102: Check Demolition Construction Notes for if notes R-8, R-9, and R-10 are being utilized with this project.

5) Sheets C-201 and C-202:
   a) Add label for widths of proposed sidewalks.
   b) Check building area labels with data column listings on Sheet C-001.
   c) Provide setback measurements to front or side property line for the building additions.
   d) Check note labels and tie lines for notes G-1 placed in the front area of the existing BTW Building.
   e) Drawing appears to be missing line work for edge of sidewalks.

6) Sidewalks and entrance locations must be ADA compliant design standards. Handicap access, crosswalks, etc. must be implemented on all new or improved sidewalks.

7) Identify the number and location of existing bicycle parking spaces on the campus. Add calculation listing to the Site Data Column.

8) Provide construction details for the following items but not limited to: barrier free sidewalk, lighting fixtures, bike rack, etc. in the Site Plan.

9) Revise the following items on the Landscape Plan Sheet:
   a) Check the Pin Oak tree count.
   b) Ensure that tree and other plantings do not conflict with utilities lines such as sewer, water, stormwater, etc. and that separation distances are maintained.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Staff recommends the installation of a bicycle parking rack accommodating several bicycle parking spaces be added to the site in the vicinity of the original Booker T. Washington Elementary School historic porch entrance façade area. This would accommodate bicycle users when this entry is utilized for special events or activities.

ADVISORY COMMENTS TO THE APPLICANT:

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

2) For building construction, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector and Fire Marshal for these

requirements. The resolution of these items may impact the site design including such items as building setbacks, building dimensions and height, building openings, and fire protection needs, etc.

3) In the event, that major changes and revisions to the Site Plan occur in the finalization of the Site Plan contact the Planning Office. Examples include building revisions, relocation of site components like stormwater management areas, and significant site design changes. 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) 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 the other commenting 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.

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

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 for each building addition project (2 projects). The Building Permit submission must comply with the conditions of approval of the pertaining to the architectural requirements of the COZ-1.

9) The applicant is reminded that prior to construction of Master Plan Phase 3 (S-10-31) submission and review of an Administrative Site Plan is required. Also as a conditional of approval of the Master Plan a warrant study must be conducted and that the connection to Clara Street Extended only is constructed if the results of the study confirm the need for the interconnection.

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: FEBRUARY 26, 2014

CITY OF DOVER Electric & Public Works Departments

APPLICATION: Kent County Community School Additions
65 CARVER RD & 901 FOREST ST.

FILE #: S-14-04

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 size, type, and location of all proposed and existing water lines and valves must be shown on the plan. Please note that the water service located within the property will be owned, maintained and operated by the owner.
3. 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. All water meters shall be installed outside, in a meter pit or vault, on the domestic water service, in a non-traffic bearing location (which includes vehicular, bicycle and pedestrian traffic). Also, a dual check valve is required downstream of the meter.
4. Each water service line from the main to a property or principle structure shall be metered by a single water meter so as to control the entire domestic supply.
5. The domestic service, fire main connection and valves must be clearly shown for each building. A valve must be installed at the tee to isolate combined fire and domestic water service to the building from the water loop. Typically this valve is installed at the tee or an acceptable distance from the building. A valve must be provided on the domestic water service, which must be tapped off of the combined eight-inch (8") fire/domestic service outside of the building. The domestic water tap and valve should be as close to the building as possible. Typically, the domestic tap and valve are located within five feet (5') to ten feet (10') of the building. A blow up detail of this layout is recommended.
6. Provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Department of Public Works will test and inspect all fire mains to a blind flange located inside the buildings. The blind flange with tap is used for hydrostatic pressure testing (200 psi for two (2) hours) and dechlorination. The flange must be restrained in the direction of the pipe entering the facility. A pipe entering horizontally through a wall sleeve shall be restrained with rods through the wall. A pipe entering vertically through a slab shall be restrained through the floor to the ninety degree (90°) bend and thrust block. All rods shall be a minimum of ¾" all thread. All pipes through walls and slabs must be Class 52 cement lined ductile iron pipe. Confirm particulars to meet this requirement with mechanical designer.
7. Any existing water utility lines not to be utilized by the proposed project shall be properly abandoned at the mains by the developer / owner.

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 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.
3. 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.
4. 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.
5. The minimum size of all sanitary sewer laterals shall be six-inch (6").
6. 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.
7. Any existing wastewater utility lines not to be utilized by the proposed project shall be properly abandoned at the mains by the developer / owner.

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.
3. Provide all stormwater management calculations and erosion and sedimentation control plan as required by Article 5, Section 11.2 and 11.2 of the City of Dover Zoning Ordinance. No additional stormwater runoff will be allowed to enter the City of Dover stormwater infrastructure.

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. No structures, including permanent signage, may be located within ten feet (10') of underground utility infrastructure.
3. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

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

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1.

WATER

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

STORMWATER / STREETS / GROUNDS

1. None

SANITATION

1. The solid waste on this property shall be served by a private contractor.

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. The applicant is advised that the existing private utilities located on site shall be verified for accuracy prior to final design submission.
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: 03/05/14

CITY OF DOVER FIRE MARSHAL

APPLICATION: 65 Carver Rd and 901 Forest St

FILE #: S-14-04 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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

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

CITY AND STATE CODE REQUIREMENTS:

Proposed buildings are Educational. 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 50 % of the proposed building.

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

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

Any natural or LP gas bottles, meters, values, regulators, etc., must have impact protection.

Full building and fire plan review is required.

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

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.

When current proposed renovations are complete, Booker T. Washington will be at 88,589 square feet. If the building reaches 100,000 square feet, building shall meet the requirements of Large Area Buildings per Delaware State Fire Prevention Regulations 2009. At that time a Fire Command Center will be required.

Sprinkler system required. Sprinkler system is to be monitored.

Fire Department connection is to be located within 50 feet of the main entrance.

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

Fire alarm system required.

Knox Box required.

Project to be completed per approved Site Plan.

Proposed demolition and addition are not to interfere with existing school fire alarm, fire suppression, and means of egress while in session.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

Installation of pull station covers in the Kent County Community School

We have had a problem regarding storage in the Kent County Community School, please consider adding storage areas during this project and/or future projects.

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.

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

The proposed building will be reviewed under Educational Occupancy.

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.

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: February 26, 2014

D E L D O T

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APPLICATION: Kent County Community School Additions at 65 Carver Road and 901 Forest Street.

FILE#: S-14-05 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 department has no comments for the proposed addition.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/9/13

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Kent County Community School Addition at 65 Carver Road & 901 Forest Street

FILE #: S-14-04 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 3/17/2014

Project Review

S-14-04 Kent County Community School Addition at 65 Carver Road & 901 Forest Street

The site is accessible by DART bus as well as school bus. There is a good pedestrian network in the area and between schools. The new traffic light to provide access to the Booker T Washington School complex will be installed this spring.

There is going to be an additional entrance to a currently closed portion of the BTW School remote from the school entrance. The District should consider placing bicycle parking facilities at the new entrance.

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

DATA SHEET FOR MINOR SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF March 5, 2014

PLANNING COMMISSION MEETING OF March 17, 2014

Plan Title:	Lands of Dover Mall L.P. at 1365 North DuPont Highway SB-14-01
Plan Type:	Minor Subdivision Plan
Property Location:	East side of North DuPont Highway, North of College Road and South of Rustic Lane
Tax Parcel Number:	ED-05-057.00-01-14.00-000
Owner:	Dover Mall L.P. C/O Simon Property Group
Site Area:	149.3225 acres +/-
Parcels to be created:	Lot 1: 53.1704 acres +/- Lot 2: 30.7046 acres +/- Residual (Dover Mall): 65.4475 acres +/-
Existing Sewer & Water:	Water: City of Dover Sewer: City of Dover
Zoning Classification:	SC-3 (Regional Shopping Center Zone) SWPOZ (Source Water Protection Overlay Zone) – Tier 3
Waivers Requested:	Waiver of Requirement for Lots to Have Frontage on a Public Street

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: March 5, 2014

APPLICATION: Lands of Dover Mall L.P.: Minor Subdivision

FILE #: SB-14-01 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Ann Marie Townshend, AICP PHONE #: (302) 736-7196

PLAN SUMMARY

This Minor Subdivision Plan proposes to create three (3) parcels of land from the existing 149.3225-acre +/- parcel of the Dover Mall. The parcel will be subdivided into a 53.1704-acre +/- parcel, a 30.7046-acre +/- parcel, and a 65.4475-acre +/- parcel. The property is zoned SC-3 (Regional Shopping Center Zone), and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 3 – Excellent Recharge Area. The property is located on the east side of North DuPont Highway and south of but not adjacent to Rustic Lane. The owner of record is Dover Mall L.P. Address: 1365 North DuPont Highway. Tax Parcel: ED-05-057.00-01-14.00-000. Council District 3.

The property includes the existing Dover Mall. Within the larger Dover Mall parcel, three parcels are carved out for the anchor tenants of Sears, Boscov's, Macy's, and JC Penney. The parcels for JC Penney and Boscov's include the parking areas associated with these anchors in addition to the building area. The Minor Subdivision Plan proposal would strike a lot line in a north/south direction east of the Dover Mall building and parking area and another lot line perpendicular to and extending eastward from this line, to create three separate parcels out of the Dover Mall parcel. The two parcels created on the east side of the property are currently undeveloped. There is no development proposed as a part of this application.

In order to subdivide the property, the plan review must ensure that the subdivision does not create any non-conformities with the bulk standards of the *Zoning Ordinance*. These bulk standards include minimum lot size, front yard setbacks, side yard setbacks, rear yard setbacks, floor area ratio, etc.

Previous Applications:

Since the Dover Mall's initial construction in the 1980's, several building expansions and site improvements have occurred. Most recently in 2012, Planning Commission reviewed the Site Development Plan S-12-16 to construct Dick's Sporting Goods on the front of the Dover Mall. In September 2007 Application S-07-44 Dover Mall Grading Plan involved woodland clearing and site grading on the eastern portion of the Mall property. Other applications at the Dover Mall property include the following: Application SB-98-18 Dover Mall Minor Lot Line Adjustment Plan, S-98-20 Building Addition for Carmike Movie Theaters, S-97-10 Boscov's Building Addition and Parking

Lot Expansion, and S-97-6 Building Addition at former Leggett's (now Macy's location).

PROPOSED SUBDIVISION PLAN:

This proposal is to divide the property into three parcels. Lot 1 would consist of 53.1704± acres of land on the northeast side of the property. This includes the pan-handle area that runs east of DuPont Manor and consists of a large woodland area. Lot 2 would consist of 30.7046± acres on the southeast side of the property. The area that would comprise Lots 1 and 2 is currently undeveloped. The residual lot would include 65.4475± acres currently developed as the Dover Mall and associated parking areas.

The procedures for subdivision of land are found in the *Land Subdivision Regulations*. Planning Staff confirms this application as a Minor Subdivision. Therefore, the Planning Commission may find the application is subject to one public hearing and review for action by the Planning Commission followed by the administrative process to complete the Final Plat for recordation.

This subdivision of land and any future development or use of the parcels are subject to the requirements found in the City of Dover *Zoning Ordinance*, Article 3 §17 and referenced sections outlined in the permitted uses for the SC-3 (Regional Shopping Center Zone) and the provisions of Article 3 §29 regarding the SWPOZ (Source Water Protection Overlay Zone).

Parcel Considerations

For the Minor Subdivision Plan, the proposed parcels must be in compliance with these and other requirements of the *Zoning Ordinance.* The following table highlights some of the bulk requirements for the SC-3 (Regional Shopping Center Zone). NOTE: This chart is not an all-inclusive listing of the code requirements, but is provided as summary information on some development requirements.

Minimum setback from:	SC-3
Street right-of-way	100′
Nonresidential zone	100′
Residential zone	200′

The SC-3 Zone also requires that the property be a 50-acre contiguous area. While the one of the lots created would be less than 50 acres, the *Zoning Ordinance* does not specify a minimum lot size, but indicates contiguous area. Therefore the proposed parcels meet this requirement. Uses on the property must also comply with the use requirements of the SC-3 Zone.

SWPOZ (Source Water Protection Overlay Zone)

A small portion of the residual parcel is located within the SWPOZ (Tier 3: Excellent Recharge Area) found in Article 3 Section 29.7 of the *Zoning Ordinance*. This portion is located along the frontage of U.S. Route 13. Any development within this area shall comply with the use and coverage requirements specified in Article 3 Section 29.7 of the *Zoning Ordinance*.

Site Considerations

With the appearance of this application before the Planning Commission other site improvement elements must be reviewed for compliance with the *Zoning Ordinance*. These items include access, parking, bicycle parking, sidewalks, woodland preservation, tree plantings, etc.

There are a number of non-conformities on the property which are recognized as existing conditions. Currently, the Dover Mall has more parking spaces than permitted by the *Zoning Ordinance*. Additionally, the Dover Mall was constructed prior to current tree planting requirements. As portions of the mall have redeveloped, a project area is defined for which compliance with tree planting requirements has been required. As there is no actual development proposed with this application, the existing conditions are accepted. Future applications for development may require that non-conformities be brought to the standards applicable at the time of such application.

Access

Currently, all access to the subject property is through two access drives connecting to North DuPont Highway (U.S. Route 13). The two parcels created on the east side of the subject property would not have frontage on a public street and would therefore take access through the residual parcel and/or potentially other surrounding properties.

According to the *Zoning Ordinance*, Article 8 §1:

> 1.1 No building permit shall be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street improved to the satisfaction of the planning commission, or without access to a public sewer.

In order for a Building Permit to be issued in the future for either Lot 1 or Lot 2, frontage upon or legal access to a public street shall be required. Therefore, in the absence of direct access to a public street, easements are required to ensure permanent access to the satisfaction of the Planning Commission prior to development of Lots 1 and 2.

Waiver Requested: Creation of Lots without Frontage on a Public Street

As proposed, the subdivision would create two lots without frontage on a public street. In the waiver request submitted by the applicant, the applicant states that proposed Lots 1 and 2 have frontage on State Route 1. The proposed Lot 2 does not have frontage on State Route 1. Additionally, the purpose of the requirement for frontage on a public street is to ensure access to lots created. As State Route 1 is a limited access highway where direct access is not permitted, frontage on State Route 1 is not deemed adequate to meet the requirements of the *Land Subdivision Regulations*.

According to the *Subdivision Regulations*, Article VI. Subdivision General Requirements and Design Standards, Section E. Lots:

> All lots in a subdivision shall have frontage on a public street.

According to the *Subdivision Regulations*, Article VII. Special Provisions, Section A. Variance

and Waiver:

1. Upon the findings of the commission that, due to special conditions peculiar to a subdivision or a site, certain requirements of these regulations are inappropriate, or that strict compliance with said requirements may cause extraordinary and unnecessary hardships, the commission may recommend to the city council, and the city council may vary or waive said requirements, provided that such variance or waiver shall not be detrimental to the public health, safety, or general welfare, or have the effect of nullifying the intent and purpose of the official map, the zoning ordinance, the development plan or these regulations. In varying or waiving certain requirements, the council may specify such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or waived.

WOODLAND AREA

The parcel identified as "Lot 1" includes a large woodland area. In 2007, the Planning Commission reviewed application S-07-44. This Site Plan was a clearing and grading plan for the eastern portion of the Dover Mall property. Under that plan 50 percent of the woodland existing at the time was cleared. This is the maximum amount of woodland clearing permitted under the provisions of the *Zoning Ordinance,* Article 5 §16. Any proposed clearing in the future will be subject to the requirements of this section as it relates to woodland mitigation.

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 Plan will need to be updated to reflect any changes recommended or approvals by the Planning Commission and City Council (in reference to waiver request).

2) In the Data Column, please add the following information specific to the residual lot, listing the code requirement and the existing/proposed condition:
   a) Building height and number of stories
   b) Total Floor Area for each building and the Floor Area Ratio (FAR)
   c) Parking calculation and number of parking spaces by parcel
   d) Bicycle parking

3) The two lots proposed on the east side of the subject property do not have frontage on a public street. According to the *Land Subdivision Regulations,* Article VI. Subdivision General Requirements and Design Standards, Section E. Lots, all lots are required to have frontage on a public street. A waiver request was submitted to allow creation of two lots without frontage on a public street. The Planning Commission shall make a recommendation to City Council. This recommendation will be forwarded to the Safety Advisory and Transportation Committee, who will in turn make a recommendation to City Council.
   a) In order to grant a waiver of the requirement that all lots have frontage on a public street, the Planning Commission and City Council shall determine that compliance with the

requirements of the ordinance would cause extraordinary and unnecessary hardship and that " such variance or waiver *shall not be detrimental to the public health, safety, or general welfare*, or have the effect of nullifying the intent and purpose of the official map, the zoning ordinance, the development plan or these regulations." (emphasis added)

b) All necessary easements to provide access to the eastern parcels, including any access required for utility installation, shall be secured and incorporated into the Record Plan prior to approval of the Minor Subdivision for recordation.

4) The information on a cross easements, utility easements, and stormwater management are to be noted on the Final Plan. A copy of the documents must be submitted to the Planning Office upon recordation.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver of Requirement for Lots to Have Frontage on a Public Street:
In order for City Council to grant a waiver from the requirements of the *Land Subdivision Regulations*, the applicant must demonstrate that compliance with the requirements of the Regulations would cause *extraordinary and unnecessary hardship,* and that the variance or waiver "*shall not be detrimental to the public health, safety, or general welfare*, or have the effect of nullifying the intent and purpose of the official map, the zoning ordinance, the development plan or these regulations."
    a. Staff does not believe that the requirement that lots have frontage on a public street causes an extraordinary and unnecessary hardship for the property, but does acknowledge that this requirement causes difficulty in development of the rear portion of the Dover Mall property.
    b. Staff recommends that if the waiver is granted, the Planning Commission require cross access easements among all three lots (between the Residual Lot and both Lots 1 and 2; and between Lot 1 and Lot 2) so that permanent access to U.S. Route 13 is secured. Similar easements may also be required of the Boscov's lot, the JC Penney's lot, and the land leased from the State of Delaware on the northwest corner of the ring road.
    c. Staff recommends that these easements allow for the owners of each lot to make any improvements necessary to the internal circulation system, specifically to the Mall ring road and the access drives to U.S. Route 13, that would be required to improve this access to the satisfaction of the Planning Commission as specified in the *Zoning Ordinance,* Article 8 § 1, and to ensure that internal circulation and site access are beneficial to the public health, safety and general welfare.
    d. Staff recommends that the applicant be required to explore the feasibility of extending Rustic Lane to the proposed Lot 1.

ADVISORY COMMENTS TO THE APPLICANT:

1) The subject property was the subject of a tree clearing and grading plan (S-07-44), in which 50% of the woodland area on the site was cleared. The clearing associated with this plan maximized the amount of woodland clearing permitted under Article 5, Section 16 of the *Zoning Ordinance*. Additional clearing for any future development of the northeast parcel

will require a Tree Mitigation Plan to be reviewed by the Planning Commission as a part of the Site Development Plan application.

2) A Traffic Impact Study scoping meeting was recently held with DelDOT to discuss the scope of the traffic study that will be required for a subsequent development proposal on the proposed eastern parcels. Provided the subdivision application is successful, any subsequent development applications will be subject to the findings and improvements identified in the Traffic Impact Study.

3) This area is part of the *2007 North U.S. Route 13 Circulation Study*. Any future development of the subject property may require construction of improvements identified in this Study.

4) The Planning Office encourages the applicant to work adjacent property owners to identify opportunities to extend road access to the proposed lots.

5) Development of the eastern parcels may require review through the Preliminary Land Use Service (PLUS) process. If the proposed development includes 150 or more residential units or 75,000 square feet or greater of non-residential use, review through the PLUS process is required prior to submitting an application for Site Development Plan.

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

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

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

9) Upon final approval and endorsement, this Minor Subdivision Plan must be recorded at the Kent County Recorder of Deeds Office.

10) The applicant shall be aware that Minor Subdivision approval does not represent a Site Plan approval for development. A separate application process is required for Site Plan Review.

11) The applicant shall be aware that Minor Subdivision 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.

DOVER FIRE DEPARTMENT

DOVER'S VOL. FIRE DEPT.
Since 1882

February 27, 2014

Ann Marie Townshend
15 Loockerman Plaza
Dover, DE 19901
RE: PROPOSED SITE PLAN/DOVER MALL

Dear Mrs. Townshend:

The Dover Fire Department is opposed to the proposed site plan submitted by the Dover Mall that intends to subdivide the property into two (2) parcels.

The plan suggests using the same entrance/exit that patrons of the Dover Mall currently use. Constructing 700 residential units and a 295,000 sf building would undoubtedly cause a considerable increase to the already steady traffic that exists at this location.

The Dover Fire Department would like to suggest the following revisions take place:

- The existing access road around the Dover Mall would need to be improved and maintained to include curbing on the inside to limit access points to the Dover Mall Parking lot.

- Rustic Lane would need to be converted into an access point leading to the apartment complex.

If you have any questions or require additional information, please do not hesitate contact me.

Sincerely,

Matthew Carey
Fire Chief – Dover Fire Department

DEPARTMENT OF POLICE

James E. Hosfelt, Jr.
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302/736-7111
Fax 302/672-1842

February 27, 2014

Ann Marie Townshend
15 Loockerman Plaza
Dover, DE 19901

RE: PROPOSED SITE PLAN/DOVER MALL

Dear Mrs. Townshend:

The Dover Police Department is strongly opposed to the current site plan submitted by the Dover Mall to subdivide property into three (3) parcels, two of which would have no direct access to a public street.

The current plan shows using the same entrance/exit that patrons of the Dover Mall currently use. I understand that this subdivision would allow for future plans to add 700 residential units and a 295,000 sf building, a substantial increase to the already significant amount of traffic congestion at this location.

In order for the Dover Police Department to support this site plan, the following revisions would need to take place:

1. The existing access road around the Dover Mall would need to be improved and maintained to include curbing on the inside to limit access points to the Dover Mall Parking lot.

2. Rustic Lane would need to be extended as an access point into the proposed apartment complex.

If you have any questions or require additional information, please do not hesitate to give me a call.

Sincerely,

James E. Hosfelt, Jr.
Chief of Police

JEH/rmr

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: FEBRUARY 26, 2014

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Dover Mall, 1365 N. Dupont Hwy : Minor Subdivision Plan**

FILE #: **SB-14-01**

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

1. Our office has no objection to the proposed minor subdivision.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

1. None.

ADVISORY COMMENTS TO THE APPLICANT

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

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations 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.
4. This property does not have direct access to a public street, proper easements shall be obtained in order to access said streets at the sole cost of the applicant / owner.

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: 03/05/14

CITY OF DOVER FIRE MARSHAL

APPLICATION: Dover Mall at 1365 N DuPont Hwy

FILE #: SB-14-01 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

The Office of the Fire Marshal has major concerns on access and egress at Lots 1 and 2. These concerns have been passed onto the Dover Fire Department and Dover Police Department. Considerations may include connecting Rustic Ln. to Lot 1 and making the entrances/exits and surrounding circle of the Dover Mall a City street compliant with City of Dover regulations.

ADVISORY COMMENTS TO THE APPLICANT:

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.

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

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.

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: February 26, 2014

D E L D O T

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APPLICATION: Dover Mall at 1365 North Dupont Highway: Minor Subdivision Plan - Minor

FILE#: SB-14-01 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 a Letter of No Objection (LONO) for this minor subdivision, the department will require the applicant to provide the proper forms, fees, and plans.

2. Call-out and show the proposed entrance location for Lot #1 and Lot #2 on the plot plan. Also, the finalized cross-access easement agreement and/or recorded deed must be provided to the Department prior to the issuance of the LONO.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

3. As part of the major residential subdivision, Signal Agreements will be required for the intersection of US Route 13 (KCR 002) and North Dover Mall Entrance re-alignment and other intersections. Also, the necessary rights-of-way and permanent easements (PE) dedication per the US Route 13 Circulation Study will be required as part of the major residential subdivision.

4. The department will require the applicant to provide the proper forms, fees, and plans in order to be issued a Letter of No Objection (LONO) and entrance permit for the north entrance re-alignment and the proposed major residential subdivision.

5. Prior to the issuance of the LONO for the major residential subdivision, the Traffic Impact Study (TIS) and the Noise Pollution Study must be completed by the applicant.

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

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
March 2014

APPLICATION: Dover Mall

FILE #: SB-14-01

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 minor subdivision of the above referenced site.*

ADVISORY COMMENTS TO THE APPLICANT:
The Following comments are advisory and apply to the development of a detailed site plan for this project.

- *A detailed Sediment and Stormwater Management Plan must be approved by our office prior to any land disturbing activity (i.e. clearing, grading, filling, etc.) over 5000 square feet.*

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 10/9/13

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Dover Mall at 1365 North DuPont Highway: Minor Subdivision Plan

FILE #: SB-14-01 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 3/17/2014
Project Review
SB-14-01 Dover Mall at 1365 North DuPont Highway: Minor Subdivision Plan

The Dover/Kent County MPO typically reserves comment on subdivision plans, but this is a substantial subdivision within the area of a study undertaken by the MPO. For this reason, the MPO chooses to provide information that may impact future plans.

The Mall was a part of the North Dover Study completed by RK & K engineers for the MPO in late 2008. The Plan offered several improvements to the area around US 13 from Scarborough Road to Jefferic Boulevard. Several elements are of consequence to the project area if implemented. There is an access proposed along Route 1, from Exit 104 to a new alignment of Leipsic Road. A new access road from US 13 to the parking areas at the rear of the Mall and of Dover Downs would intersect with US 13 immediately adjacent to Dover Litho, between the Mall property and those owned by Dover Downs. Not as consequential to the subdivision is the realignment of the north Mall entrance. A copy of the Plan is available from Jim Galvin at the Dover/Kent County MPO, 302.387.6030.

A copy of the "Consensus Plan" and the technical report for the North Dover Study are available from the MPO and will be provided at the DAC meeting of March 5.

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.

WAIVER REQUEST

DOVER MALL / MINOR SUBDIVISION

PUBLIC STREET FRONTAGE

REQUEST: Waive the requirement that all lots shall have frontage on a public street.

EXTENT OF THE REQUEST:

The City of Dover Subdivision Code, Article VI § E.5 requires all lots shall have frontage on a public street. The two (2) parcels proposed have frontage on a public street, SR 1. Therefore, it is our opinion that the intent of the subdivision code is met, and a waiver is not required. The City of Dover Planning staff interprets the subdivision code to require all lots have access to a public street.

BASIS FOR REQUEST:

1. The City of Dover Subdivision Code, Article VII § A.1 allows City Council to waive requirements of the subdivision code due to special conditions unique to the site, or the strict compliance with the code may cause extraordinary and unnecessary hardships. City of Dover Planning Commission will review the waiver and make a recommendation to City Council.

2. The following justifications are provided in support of the waiver:

    a. The proposed parcels are situated between the Dover Mall and SR 1. SR 1 is a denied access road. There are no other public streets that can be extended at this time to meet the code requirement. An unnecessary hardship would be created without the waiver in that extending a public street to serve the two parcels would require right-of-way from adjoining properties, which is beyond Dover Mall, LLC control.

    b. There are four (4) existing parcels (Boscov's, Macy's, Sears and J C Penny's) at the Dover Mall that do not have frontage on a public street. The interior loop road serves as access to these parcels. Granting the waiver would be consistent with current access to other parcels at the Dover Mall.

    c. An agreement will be provided that permits the interior loop road to be used for ingress / egress for the proposed parcels.

    d. The 2007 US Route 13 Circulation Study identifies public service and connector roads to serve these parcels. At the time the proposed parcels develop, DelDOT will require right-of-way reservations for the service and connector roads. Although right-of-way will be dedicated, significant challenges remain to acquire right-of-way from the adjoining property owners necessary to implement the Consensus Plan.

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF March 5, 2014

PLANNING COMMISSION MEETING OF March 17, 2014

Plan Title:	New Volkswagen Showroom at 1387 North DuPont Highway S-14-05
Plan Type:	Site Development Plan
Applicants:	Owner of Record: 1387 DuPont Highway, LLC Leasee: Winner Dover 1387, LLC (c/o Michael Hynansky)
Location:	East side of North DuPont Highway and northwest of the entrances to Dover Mall.
Address:	1387 North DuPont Highway
Tax Parcel:	ED-05-057.00-01-15.00-000
Site Area:	5.505 acres +/-
Zoning:	C-4 (Highway Commercial Zone)
Proposed Use:	Auto dealership
Building Areas:	Existing Building(s) – 21,441 S.F. (Total) Auto Showroom/Service Building (18,465 S.F.), Auto Detailing Building (2,976 S.F) Proposed Building – 20,178 S.F. Auto Showroom/Service Building
Impervious Areas:	Proposed – 96%
Floor Area Ratio:	0.17
Off Street Parking:	Required – 209 parking spaces (maximum of 261 spaces) Existing – 51 marked parking spaces on site Proposed – 491 total parking spaces for customer & employee parking, car display, repair and inventory parking
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Consideration of a Tree Mitigation Plan Reduction of 30’ Arterial Street Buffer

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: March 05, 2014

APPLICATION: New Volkswagen Showroom at 1387 North DuPont Highway, Dover, DE

FILE #: S-14-05 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Bill Cook, Planner PHONE #: 302.736.7196

PLAN SUMMARY

This is a Site Plan to allow for the construction of a 20,178 S.F. auto dealership showroom/service building with the associated site improvements on a 5.505 acre parcel. The property is zoned C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located on the east side of North DuPont Highway and northwest of the entrances to Dover Mall. The owner of record is 1387 DuPont Highway, LLC c/o Michael Hynansky and lessee is Winner Dover 1387, LLC c/o Michael Hynansky. Property Address: 1387 North DuPont Highway. Tax Parcel: ED-05-05.-00-01-15.00-000.

Previous Applications

S-02-15 is a Site Plan for the addition of buildings to the site which expired with no construction occurring. The existing detailing building was approved and built under Site Plan S-08-06 giving the site its present total of two buildings. Currently, a Building Permit application (Permit #14-124) has been submitted to complete interior and exterior renovations to the existing building which will become the location for the Subaru dealership upon completion of the New Volkswagen Showroom project.

PROJECT DESCRIPTION

This project will add a structure in the southwest portion of the property to be used by the Volkswagen dealership, while the existing structure will house the Subaru dealership. Additional paved area for parking and auto display will be constructed in the rear of the property which is currently unpaved. An existing detailing building will remain. The project makes adjustments to the display area along the property frontage and proposes the removal of an existing sign near the present building, with a new pylon sign to be placed near the new structure. Access to and from North DuPont Highway is consolidated by removing a curb cut and providing a single entry/exit point of access to the property, and the project includes a paved sidewalk along the highway frontage.

BUILDING ARCHITECTURE

The architecture of the new showroom/service building is presented in color renderings and annotated building elevation drawings. The overall style is modern with extensive use of glass

window and metal panel building systems. The building has a flat roof using a parapet wall system. The main elevation fronting North DuPont Highway consists primarily of a glass window panel system with anodized aluminum framing punctuated by solid wall areas using an aluminum panel system. The main entry is centrally located and marked with signage depicting the dealer name and brand logo. The glass and metal design continues partly on each side elevation, and the rear of the building and rear portions of the side elevations are masonry. The right side (southeast) elevation, visible to the highway, features additional signage near the roofline, large window area, and several doors for pedestrian and vehicle entry. The left (northwest) elevation faces the existing building, has two glass overhead doors to the service area, and has a simpler architectural treatment. The rear (northeast) elevation is exclusively masonry and features additional signage near the roofline. All the signage depicted on the elevation drawings is subject to a separate review and approval process.

SITE CONSIDERATIONS

The C-4 zoning district requires 150 ft. of lot width per building (*Zoning Ordinance*, Article 4 §4.15). With only 400.00 feet of lot width along North DuPont Highway/Route 13, the property would be limited to the existing two buildings.

On February 19, 2014 the Board of Adjustment granted an area variance (V-14-04) to allow a reduction of the minimum lot width to 133.33 per building for three (3) buildings totaling 400 feet. The existing service/detail building is in the rear of the property and upon construction of the proposed building would not be visible from the public right-of-way.

A portion of the property lies within the Source Water Protection Overlay Zone (SWPOZ), Tier 3. For redevelopment of existing sites or portions within the SWPOZ, a 15-percent reduction in the amount of impervious surface on the site is required compared to pre-redevelopment conditions. This Site Plan shows a 29-percent reduction in imperious surface for the portion of the property subject to the SWPOZ.

PARKING SUMMARY

The parking requirement in the C-4 zoning district is 1.5 parking spaces per 300 S.F. of floor area or one space per employee. The number of employees was not identified. Based on the floor area of 41,619 S.F. for the total facility, a minimum of 209 parking spaces are required (maximum of 261 parking spaces). The existing site includes a total of 51 marked parking spaces and will have a total of 491 parking spaces upon completion of this project. The following table presents a tally of the types of parking spaces proposed for the site.

Parking Description	**Number of Parking Spaces**
Customer	19
Used Cars Display/Storage	90
New Cars Display/Storage (Subaru)	99
New Cars Display/Storage (Volkswagen)	182
Active Service	41
Employee & Reserved	50
Wholesale	10
TOTAL	491

The *Zoning Ordinance* does not have a parking calculation specific to motor vehicle sales and motor vehicle service to address the fact that the sales inventory and service inventory is actually 'parked' on site. A diagram has been provided indicating proposed parking/storage areas by type. The applicant is reminded that parking on grass surfaces is also prohibited.

Loading Spaces

The requirement for loading spaces for retail and service establishments is based on building square footage. The rate is one loading space for establishments of 8,000 to 25,000 square feet in floor area with an additional loading space per 25,000 square feet of floor area or fraction thereof. However, the maximum number of required loading spaces for buildings totally up to 150,000 square feet is three loading spaces. This site will require two (2) loading spaces. This plan notes that loading will occur in the non-public areas in the rear of the site behind the buildings.

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 209, then eleven (11) bicycle parking spaces are required. The plan indicates twelve (12) bicycle parking spaces will be provided by two (2) racks of six (6) spaces each located in front of each building.

Dumpster

For retail uses, one dumpster is required for the first 8,000 square feet of gross floor area, and one required for each additional 16,000 square feet of gross floor area or fraction thereof. For this project with a total building area of 41,619 S.F. in the complex, the requirement is for four (4) Dumpsters. For this plan the applicants have submitted a request to reduce the required Dumpsters constructed to two (2), located at the existing location along the northwest property line. A designated reserved area for two (2) additional Dumpster locations is show on the plans, adjacent to the existing location, should the need for future use arise. An enclosure is required when the Dumpsters are visible from the public right-of-way or from an adjacent property.

Lighting

The location of the proposed lighting is shown on the plan with lighting fixtures at the edges of the parking lot areas and within the parking lot.

Sidewalk

Sidewalk is required along the street frontage of North DuPont Highway in accordance with *Zoning Ordinance,* Article 5 §18. In addition sidewalks connecting from the street frontage sidewalk into the site are required and for pedestrian access from parking areas to building entrances.

The existing site frontage consists of only a striped area reserved in the existing paved area as a designated sidewalk. However, with this project the Site Plan includes construction of a clearly delineated, paved sidewalk along the North DuPont Highway frontage.

Curbing

The *Zoning Ordinance,* Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The plan shows new curbing for the parking areas in the new paved area in the rear of the site, and in the parking areas along the property lines nearest the proposed new structure. Some

areas along the northwest property line do not include curbing and this is considered an existing condition.

Signage

The project documents indicate the removal of one (1) freestanding pylon sign currently in the parking/display area in front of the existing showroom structure. A new pylon sign is shown in front of the proposed new showroom structure. Additional signage is proposed near the roofline on the building frontage, as well as the right side and rear elevations.

Any signage must be approved through a separate sign approval and permitting process. The existing site is considered legal non-conforming with respect to the number of signs. The Site Plan proposal incorporating one entrance to the property would limit the property to one (1) pylon sign. Staff suggests a Unified Comprehensive Signage Plan submission in order to allow the installation of the pylon sign in front of the new proposed structure.

TREE PLANTING AND LANDSCAPE PLAN

One (1) tree is required for every 3,000 SF of land area. The tree planting requirement is based on the total lot area. This project site consists of a total lot area of 5.505 acres (239,798 S.F.). Based on the 5.505 acres of non-woodland area, 80 trees are required. A Landscape Plan is included in the submission, indicating that all existing trees on the site will be removed.

The C-4 zoning district requires a landscape strip of open space that is ten (10) feet in width along street lines. Only small areas along the southern portion of the North DuPont Highway frontage comply with this requirement. The remaining frontage areas are considered existing conditions where the vehicle display and parking areas limit the open space.

The site is also subject to the Arterial Street Landscape Buffer requirement along the North DuPont Highway frontage of the property for a landscaped open space of thirty (30) feet, per Article 5 of the *Zoning Ordinance*. The existing configuration does not meet this requirement due to the existing condition of paved areas for vehicle display and parking.

Waiver Request of 30’ Arterial Street Landscape Buffer

Article 5 § 7.3 allows the Planning Commission to grant a waiver to approve a lesser amount of landscape buffering due to lot constraints or other conditions provided that the objective of establishing landscaped open space along arterial roadways is achieved. The applicant’s proposal for the southern portion of the frontage of the property, fronting the proposed new structure, includes a larger and more consistent unpaved area than currently exists. An overall reduction in paved area is also achieved in response to the requirements of the Source Water Protection Overlay Zone (SWPOZ).

Request for Consideration of Tree Mitigation Plan

Article 5 § 16.91(a) allows the Planning Commission to grant a waiver to allow for tree mitigation of the trees required to be planted to achieve the tree density requirements of the non-woodland areas of the site. The applicant is proposing to do off-site tree mitigation. A written waiver request to allow for off-site tree mitigation for the required trees was submitted for consideration by the Planning Commission. Reasons cited for the tree mitigation include

planting limitations on the site due to limited open space for planting, potential to impede visibility, and potential for damage to vehicle finishes.

The concept of the Tree Mitigation Plan is to work with the Dover Housing Authority and Caesar Rodney School District to plant a total of eighty (80) trees on properties located within Dover. Proposed Dover Housing Authority sites are at Manchester Square (76 Stevenson Drive), Simon Circle (375 Simon Circle), Derby Estates (787 Bacon Avenue), Queen Manor (411 South Queen Street) and Willis Road (4 Willis Road). The proposed Caesar Rodney School District site is at W. Reily Brown Elementary School (360 Webbs Lane).

There are no trees proposed for the subject property.

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 C-001:
   a) The Site Data Column will need to be updated prior to Final Approval with the following:
      i) Provide Floor Area Ratio for project site.
      ii) Any changes recommended or approvals including information on any waivers granted by the Planning Commission.

3) Sheet C-201:
   a) Label parking rows with space tally.

4) Add construction details for site elements such as bicycle racks, sidewalks, traffic control signage, etc.

5) The tree planting requirement shall be provided in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission approving a Tree Mitigation Plan. A written waiver request for Tree Mitigation was submitted for consideration by the Planning Commission.

6) Documentation of agreements with Dover Housing Authority and Caesar Rodney School District and implementation plans for the planting of the off-site trees must be submitted.

   a) Confirm that the letters from parties agreeing to accept trees as part of a Tree Mitigation Plan are correct in terms of the number and proposed location of trees.
   b) Provided updated letters indicating the correct dealer entity name, and also include the Site Plan number (S-14-05) and/or street address of the proposed Site Plan under consideration.

7) The proposed sign locations shown on this plan are for informational purposes and approval of this plan does not grant approval to the signage shown on the Site Plan or in building elevation drawings. Additional review is required to evaluate compliance with the Sign Regulations.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waiver Request- Arterial Street Landscape Buffer: Staff recommends conditional approval of the Waiver Request to reduce the width of the Arterial Street Landscape Buffer to a minimum of 10 feet.
   a) Staff notes that a portion of the North DuPont Highway frontage is within the Source Water Protection Overlay Zone (SWPOZ) and the required impervious surface must be provided.
   b) Staff recommends that the landscape buffer include a landscape treatment of shrubs and groundcovers in lieu of or addition to grass.

2) Consideration of Tree Mitigation Plan: Staff recommends conditional approval of the Tree Mitigation Plan thus allowing for the required tree plantings to be planted at off-site locations in the City of Dover. The potential locations for these off-site tree plantings include five (5) properties of the Dover Housing Authority and one (1) property of the Caesar Rodney School District located within City limits. Staff notes the difficulty in planting on this site due the limited amount pervious areas available for suitable planting due to the proposed impervious surface coverage of the site.
   a) Staff requires a written agreement be established between the applicant and the tree recipients regarding the planting of, purchase of, and long-term care of the trees to satisfy the tree planting requirements.
   b) Additional comments on the specific proposed off-site planting location may be issued upon submission of an implementation plan for review.

ADVISORY COMMENTS TO THE APPLICANT:

1) Offsite traffic improvements imposed by DelDOT may potentially impact the configuration and area of the proposed Arterial Street Landscape Buffer and require modifications to the final Site Plan.

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

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

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

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. It is recommended that the applicant discuss the sign regulation requirements with the Planning Staff prior to applying for a Sign Permit.

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.