CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, November 18, 2013 – 7:00 P.M.

City Hall Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

1) *Application US-13-02 Delaware Technical Community College Comprehensive Signage Plan will not be heard on November 18, 2013 due to inadequate Public Notice. This application will be rescheduled for the December 16, 2013 Planning Commission meeting and will be subject to Public Notice requirements.*

ADOPTION OF MINUTES OF REGULAR MEETING of October 21, 2013

COMMUNICATIONS & REPORTS

1) Reminder: The Planning Commission Quarterly Workshop is scheduled for Tuesday, November 19, 2013 at 12:00noon in the City Hall Conference Room.

2) Reminder: The next Planning Commission regular meeting is scheduled for Monday, December 16, 2013 at 7:00pm in the City Council Chambers.

3) Update on City Council Actions

4) Update on Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

NEW DEVELOPMENT APPLICATIONS

1) AX-13-02 Lands of Raul Juarez at 508 Acorn Lane – Public Hearing and Review of an Annexation and Rezoning Request for two parcels of land totaling 2.45+/- acres located at 508 Acorn Lane and divided by Acorn Lane. Parcel 1 located on the west side of Acorn Lane contains 1.315 acres +/- and Parcel 2 located on the east side of Acorn Lane contains 1.135 acres +/-. The property is currently zoned RS-1 (Single Family Residential) in Kent County. The proposed zoning for the property is R-8 (One Family Residential Zone). The property is located south of White Oak Road on both the west and east sides of Acorn Lane. The annexation category according to Dover's *2008 Comprehensive Plan* is Category 1: High Priority Annexation Area and the land use designation is Residential Low Density. The owner

of record is Raul M. Juarez. Address: 508 Acorn Lane. Tax Parcel: ED-00-068.15-01-10.00-000.

2) AX-13-03 Lands of the City of Dover on Acorn Lane – Public Hearing and Review of an Annexation and Rezoning Request for one parcel of land totaling 0.075 acres (3,264 S.F. +/-) located on the west side of Acorn Lane. The property is currently zoned RS-1 Single Family Residential) in Kent County. The proposed zoning for the property is R-8 (One Family Residential Zone). The annexation category according to Dover's *2008 Comprehensive Plan* is Category 1: High Priority Annexation Area and the land use designation is Residential Low Density. The owner of record is the City of Dover. Address: Acorn Lane. Tax Parcel: ED-00-068.15-01-12.00-000.

3) C-13-09 Bee Hive Beauty Shop at 27 West Loockerman Street – Public Hearing and Review of a Conditional Use Plan to allow for the establishment beauty salon within the existing building at 27 West Loockerman Street. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the north of West Loockerman Street west of South State Street. The owner is Forty S. Bradford Street, LLC c/o Chris Raubacher. The lessee is Kathryn Lord. Address: 27 West Loockerman Street. Tax Parcel: ED-05-077.09-02-37.00-000. Council District 2. *This Application was postponed from the September and October meetings due to inadequate Public Notice.*

4) SB-13-06C The Meadow Subdivision on Jefferson Terrace – Public Hearing and Conceptual Subdivision Plan Review to create five (5) residential lots from an existing parcel totaling 4.23 acres +/- of land. The property is zoned R-10 (One Family Residence Zone) and R-8 (One Family Residence Zone). The property is located south of but not adjacent to Wyoming Avenue and west of Monroe Terrace. The proposal includes an extension of the street known as Jefferson Terrace. The owner of record is Penntex, LCC. Address: Jefferson Terrance. Tax Parcel: ED-05-077.17-06-2.01-000. Council District 2. *Waivers Requested: Length of Dead End Street and Increased Percentage of Lots on Cul-de-sac.*

5) S-13-20 Uzin Utz Manufacturing N.A. at Garrison Oak Technical Park Lot #12 – Public Hearing and Review of a Site Plan to allow for the construction of a dry mortar plant located on Lot 12 in the Garrison Oak Technical Park. The plant facility includes an office building, warehouse, and production building. Review of the Performance Standards Review Application associated with the Site Plan to determine if the proposed use will conform to the applicable performance standards as outlined in *Zoning Ordinance*, Article 5 §8 Performance Standards. The subject parcel is 10.86 acres +/- and is zoned IPM-2 (Industrial Park Manufacturing Zone – Technology Center). The Garrison Oak Technical Park is located on the north side of White Oak Road east of State Route 1 and this lot is located on the west side of Garrison Oak Drive. The owner of the property is the City of Dover. The equitable owner is Uzin Utz Manufacturing North America, Inc. Address: 200 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-12.00-000. Council District 3. *Waivers Requested: Partial Elimination of Curbing and Reduction in the Required Parking.*

6) US-13-03 Loockerman Plaza (Loockerman East) Comprehensive Signage Plan – Public Hearing and Review of a Unified Comprehensive Signage Plan application to permit the construction and implementation of signage for the multiple building complex undergoing redevelopment at Loockerman East consisting of two pylon signs, monument sign, and wall signs for the hotel building and building tenants. The subject site is a total of 4.29 acres ± and is

zoned C-4 (Highway Commercial Zone) and C-PO (Commercial/Professional Office Development District). The property is located at the southwest corner of South DuPont Highway and Loockerman Street. The owners of record are Hub Associates, LLC and A&G Kramedas Associates. Property Addresses: 514 East Loockerman Street, 516 East Loockerman Street, 554 East Loockerman Street, and 222 South DuPont Highway. Tax Parcels: ED05-077.06-01-62.00-000. ED05-077.06-01-63.00-000, ED05-077.06-01-64.00-000, and ED05-077.06-01-87.00-000. Council District 2. *The Planning Commission granted conditional approval of the associated Site Plan S-11-08 on May 16, 2011, approval of revised architecture on August 19, 2013 and Final Plan approval was granted on July 19, 2013.*

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: November 8, 2013 posted 11:15am

CITY OF DOVER PLANNING COMMISSION
October 21, 2013

The Regular Meeting of the City of Dover Planning Commission was held on Monday, October 21, 2013 at 7:00 PM with Vice Chairman Mr. Tolbert presiding. Members present were Mr. Holden, Mr. Cregar, Mr. Holt, Mr. Baldwin, Dr. Jones, Ms. Still and Mr. Tolbert. Mr. Ambruso and Colonel Welsh were absent.

Staff members present were Mrs. Townshend, Mrs. Melson-Williams (arrived at 8:22pm), Mrs. Harvey and Mrs. Mullaney. Also present were Mr. Gregg Moore, Mr. Ted Henderson, Mr. Russ Huxtable, Mr. Tom Ayd, Ms. Monica Sloan, Mr. Brad Cowen, Dr. Michael Thomas, Mr. Carl Krienen and Dr. Evelyn Edney. Also speaking from the public were Ms. Cora-Marie Yoder, Ms. Valerie Boyer, Mr. Les Blakeman, Mr. Rufus Green and Mr. Gene Montanyo.

APPROVAL OF AGENDA

Mrs. Townshend stated that the revisions to the agenda included the removal of applications C-13-09 Bee Hive Beauty Shop at 27 West Loockerman Street and SB-13-05 Wynsome Oaks Subdivision on White Oak Road.

Dr. Jones moved to approve the revised agenda to include the removal of applications C-13-09 Bee Hive Beauty Shop at 27 West Loockerman Street and SB-13-05 Wynsome Oaks Subdivision on White Oak Road, seconded by Mr. Baldwin and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

Mr. Cregar stated that this was the second month that application C-13-09 Bee Hive Beauty Shop at 27 West Loockerman Street was removed from the agenda. Is there a limit to the number of times the application can be removed? Responding to Mr. Cregar, Mrs. Townshend stated that she spoke to the Realtor who has been assisting the business owner and he assured her that he would complete the public notice this time around and that it would be done correctly. Planning Staff will work closely with him to make sure that it goes appropriately.

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

Mr. Holt moved to approve the Planning Commission minutes of September 16, 2013, seconded by Ms. Still and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that the next Planning Commission meeting will be held on Monday, November 18, 2013 at 7:00 PM in the City Hall Council Chambers.

Mrs. Townshend stated that the next Planning Commission Workshop meeting will be held on Tuesday, November 19, 2013 at noon in the City Hall Conference Room.

Mrs. Townshend stated that the Mayor presented the Planning Office with a Proclamation of National Community Planning Month.

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings

held on September 23, 2013 and October 14, 2013.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

1) MI-13-10 Nottingham Meadows: Revised Active Recreation Area – Review and Acceptance of the amount of the cash-in-lieu payment of Active Recreation Area construction for the Nottingham Meadows Subdivision. The property is zoned R-8 (One Family Residence Zone) and a portion is subject to SWPOZ (Source Water Protection Overlay Zone) Tier 3 – Excellent Recharge Area. The subdivision is located on the south side of Hazlettville Road and west of Wyoming Mill Road. The owner of record is Siobain-VI, LLC. Address: Nottingham Meadows Subdivision. Council District 2. *The Planning Commission on June 17, 2013 approved a Revised Active Recreation Plan determining that a cash-in-lieu payment was appropriate instead of recreation area construction for this subdivision.*

Representatives: None

Mrs. Townshend stated that this is the final phase of multiple trips to the Planning Commission. The remaining lots located in Nottingham Meadows have been purchased by another developer. The new developer came back with a revision to their Active Recreation Area. In June 2013, the Planning Commission approved cash-in-lieu of Active Recreation Area provided. It then went to the Parks, Recreation and Community Enhancement Committee on September 9, 2013 after the calculation was done to determine the amount. That amount was recommended favorably to the City Council who accepted the amount on September 23, 2013 and now the final step is for the Planning Commission to accept the amount. The proposed cash-in-lieu donation that was determined in accordance with the procedure established in the Code is $14,517. A motion is needed from the Planning Commission to accept the amount.

Mr. Holden abstained from the vote; his employer assisted with this application.

Mr. Holt moved to approve MI-13-10 Nottingham Meadows: Revised Active Recreation Area cash-in-lieu payment of $14,517, seconded by Dr. Jones and the motion was unanimously carried 6-0 with Mr. Holden abstained from the vote due to his employer assisting with the application and with Mr. Ambruso and Colonel Welsh absent.

NEW DEVELOPMENT APPLICATIONS

1) C-13-11 Dover Christian Church at 1783 Forrest Avenue – Public Hearing and Review of a Conditional Use Site Plan for construction of a one story 9,699 SF place of worship (church building) and associated site improvements. The existing residence on the property is proposed for demolition. The property is 1.5576 acres and is zoned R-10 (One Family Residential Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the south side of Forrest

Avenue and west of Dover High Drive. The owner of record is Dover Christian Church, Inc. Address: 1738 Forrest Avenue. Tax Parcel: ED-05-075.00-01-04.00-000. Council District 1.

Representatives: Mr. Gregg Moore, Becker Morgan Group; Mr. Ted Henderson, President of Dover Christian Church

Mr. Holden recused himself from this application; his employer assisted with this project.

Mrs. Townshend stated that this was a Conditional Use Site Plan for the Dover Christian Church located at 1738 Forrest Avenue. The property is approximately 1.5576 acres and the property is zoned R-10 (One Family Residential Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposal is for a 9,600 SF place of worship and other associated site improvements. In terms of the location, this is adjacent to Leander Lakes which is on the west and south side of the project. It is also adjacent to the Capital School District property of the Dover High School project and some residual land maintained by the Capital School District near Dover High Drive. The proposal as presented complies with the requirements of the COZ-1 (Corridor Overlay Zone). The building architecture includes two (2) different colors of split face masonry and metal siding for the walls and a metal roof system for the pitched hipped roofs. Other exterior finish details in the form of banding, windows, trimwork of openings include the use of ground face masonry and translucent panels. Main entrances to the building are located on the north elevation and the south elevation. These entrances are highlighted by a glass and aluminum storefront window/door systems and a metal canopy. There are series of tall arched windows that are used in the sanctuary section on the west end of the building and on the east elevation of the building with aluminum storefront windows. There are sixty-five (65) parking spaces required. The Site Plan includes sixty-seven (67) spaces. There are a minimum of four (4) bicycle parking spaces provided. Bike racks are included near the building's south entry.

There is an entrance off of Dover High Drive, not off of Forrest Avenue that is going to be consistent with the DelDOT requirements. There are a number of easements that are part of the Leander Lakes project that will be utilized as a part of this as well. The coordination with this project, the Dover High School and the Leander Lakes construction are going to be very important moving forward.

Mr. Moore stated that they had no problems with any of the DAC comments. The report is well done and they are able to comply with everything. Two things that he wanted to point out: 1) a steeple is shown on the architectural drawings, the church has decided that they do not want a steeple so that will not be built. Therefore, Mrs. Townshend will not require them to go to Board of Adjustment. This is the desire of the church even before the height issue was raised. 2) DelDOT strongly requested that they have their entrance in the location shown rather than on Route 8.

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

Mr. Cregar questioned the traffic study that is part of this application. Responding to Mr. Cregar, Mr. Moore stated that there was actually a comment from DelDOT about two options: either doing a traffic impact study or contributing money to the fee-in-lieu of which they have just created. The applicant has told DelDOT that they prefer to pay the fee-in-lieu of. The applicant gives DelDOT cash; they do a regional study and improvements that are based on the regional study.

Mr. Holt questioned the plantings located near the south entrance door and, if they can survive under the proposed canopy? Responding to Mr. Holt, Mr. Moore stated that they plan to eliminate the canopy so that they don't have that problem.

Mr. Cregar moved to approve C-13-11 Dover Christian Church at 1738 Forrest Avenue based on all of the DAC recommendations and the Staff Report, seconded by Mr. Holt and the motion was unanimously carried 6-0 with Mr. Holden recused and Mr. Ambruso and Colonel Welsh absent.

2) MI-13-16 Request for Street Abandonment: Harmony Lane – Public Hearing and Review for Recommendation to City Council of a request to abandon the improved street known as Harmony Lane which serves the Walker Woods development. This request consists of Harmony Lane as it runs north of Walker Road. This request was filed by Milford Housing Development Corporation. Council District 4. *This application is associated with Application S-13-18 Redevelopment of Walker Woods.*

Representatives: Mr. Russ Huxtable, Milford Housing Development Corporation; Mr. Tom Ayd, Green Street Development

Mrs. Townshend stated that the proposal is for the abandonment of Harmony Lane which is a City street north of Walker Road that serves the Walker Woods and the Walker Woods II community. Currently, there are fifty-five (55) lots being served by the City street. Under the development proposal that is next on the agenda, all of the lots will be consolidated to one parcel and Harmony Lane if abandoned, would serve as the interior drive to the apartment complex. There are a number of easements that will be required to be maintained that are addressed specifically in the Public Works Report. In the case of the abandonment because it is an improved right-of-way, the Planning Commission makes a recommendation to City Council. From the Planning Commission, the project will go to the Utility Committee for their recommendation and then City Council will set a hearing once they have that recommendation. The recommendation of the Planning Staff is that there is no objection to the abandonment and they recommend that the abandonment be conditioned upon the completion of the Site Development Plan and the Parcel Consolidation Plan and that the City not give up ownership of the road until such time that the Parcel Consolidation Plan is recorded. The concern is that if the abandonment precedes that and for some reason it (if the project) does not move forward, there will be a private street with fifty-five (55) lots and no one to be responsible for it. Their only recommendation is for the timing of the abandonment.

Mr. Huxtable stated that they were excited to bring this project forward in the re-development process and they do not have any objections to the DAC comments.

Mr. Cregar questioned if the Consolidation Plan was part of the application that will be seen next? Responding to Mr. Cregar, Mrs. Townshend stated yes.

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

Ms. Still moved to recommend approval to the City Council of MI-13-16 Request for Street Abandonment: Harmony Lane, conditional to the Site Plan Development and the Parcel Consolidation Plan as recorded in accordance with the DAC comments, seconded by Mr. Cregar and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

3) S-13-18 Redevelopment of Walker Woods: The Village of Sherwood – Public Hearing and Site Plan Review to redevelop the property with twelve (12) two story and three story apartment buildings (a total of 77 units in Buildings A-L) and a 3,400 SF Community Building. The properties are zoned RG-2 (General Residence Zone). The project also includes a Parcel Consolidation Plan. The properties known as Walker Woods Phases 1 and 2 are situated on the north side of Walker Road adjoining Harmony Lane. The owners of record are Walker Woods Properties, LLC and Milford Housing Development Corporation. Addresses: 1357-1383 Walker Road and multiple addresses on Harmony Lane. Tax Parcels: multiple parcels on map ED-05-067.18-01. Council District 4. *This property was rezoned from RG-3 and ROS to RG-2 on September 9, 2013 with Application Z-13-01. This Application is also associated with Applications MI-13-16 Request for Street Abandonment: Harmony Lane and MI-13-17 Active Recreation Area Plan for Walker Woods. Waivers Requested: Partial Elimination of Upright Curbing and Elimination of Rear Emergency Access for Two and Three Story Apartments.*

Representatives: Mr. Russ Huxtable, Milford Housing Development Corporation; Mr. Tom Ayd, Green Street Development

Mrs. Townshend stated that this was a project related to the prior application. The street abandonment helps them set the stage for redevelopment of Walker Woods and Walker Woods II. They may recall that in August, the Planning Commission recommended favorably on the rezoning application for this property. That was approved by City Council in September 2013 so the project is zoned RG-2 (General Residence Zone). Currently, there are seventy-two (72) townhomes on fifty-five (55) lots and the proposal is to consolidate everything to one lot and to construct using the existing foundations a total of seventy-seven (77) garden apartments. There are two (2) waivers being requested. One is the elimination of the emergency rear access requirement. The buildings are going to be sprinklered. Planning Commission's role in this is to make a recommendation to City Council and they will ultimately decide upon that waiver. They have also requested partial elimination of curbing. There is a graphic that shows where the applicant is looking to have curbing that is at grade with the sidewalk and the parking area. It is shown in blue in front of the apartment buildings where there is pull in parking. There are one hundred seventy-four (174) parking spaces required. If there is an office on site that will increase the parking required by one space per 200 SF. That information will come forward in a subsequent Check Print after the Planning Commission process. There are nine (9) bicycle parking spaces required. The plan shows eight (8) bicycle racks at various locations throughout the site. This exceeds the required bicycle parking. For the Active Recreation Area Plan, this was reviewed by the Parks, Recreation and Community Enhancement Committee in September 2013. For seventy-seven (77) dwelling units, they are required to provide 150 SF of recreation area per unit for a total of 11,550 SF. They meet this requirement through a Community Center Building with meeting rooms and activity rooms and a playground area adjacent to the Community Center. They also have a small tot lot proposed on the east side of the site. There is an ADA accessible picnic area that is on the east side of the site as well. A five (5) foot wide mulch path connects the picnic area to the end of the cul-de-sac along the east side of the property. There are three (3) 15'x12' exercise stations proposed throughout the development and a series of benches and relaxation stations scattered through the development. The relaxation stations include a bench, trash receptacle, recycling receptacle and smoking receptacle on a concrete pad. The units will be smoke free so the relaxation stations would allow a place for any smoking residents to smoke. In terms of the elimination of the rear access requirement, the *Zoning Ordinance* requires a sixteen (16) foot alley or an eighteen (18) foot secondary fire lane behind the

units. Because the units are sprinklered, there is no objection to the waiver. This has been discussed with the Fire Marshal's Office and they are comfortable that it meets the Fire Code requirements and that it is a safe design. In this case, the other agency comments have been provided and recommendations on the waiver requests.

Mr. Cregar questioned if the Recreation Area that is being proposed exceeds the requirement that they put forth? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Holden questioned if snow removal was going to be handled by the Milford Housing Development Corporation? Responding to Mr. Holden, Mr. Huxtable stated that there will be an on-site management company that will handle contracting for snow removal.

Mr. Holden stated that he noticed one recreation trail was a mulch trail which he thinks works well but his concern was if it was not maintained. He questioned if this gave the applicant any concern for maintenance? Responding to Mr. Holden, Mr. Huxtable stated that it would be worked into the operating budget of the project and will be maintained professionally by the property management company. They will make sure that they walk the grounds daily, pick up trash and things of that nature. They are confident in the management company's capabilities.

Mrs. Townshend questioned the applicant in terms of the architecture. The Staff recommendation was that windows be added to the ends of the buildings to break up the expanse of vinyl wall. She knows that the applicant had expressed some concern with that comment so this would be the opportunity to change it. Responding to Mrs. Townshend, Mr. Ayd stated that they do not object to the windows but they ask that they have the option to break it with an architectural detail versus windows. The reason being is to provide a uniform amenity of windows across the whole property.

Mr. Townshend further stated that the Staff has no objection to some other type of architectural relief.

Mr. Holden stated that he believed one of the Staff recommendations was for curb bumpers where there is flush curbing. He questioned if the applicant was okay with that recommendation? Responding to Mr. Holden, Mr. Ayd stated that they didn't have any problems with that recommendation.

Mr. Tolbert questioned if there were an adequate number of dumpsters in the development? Responding to Mr. Tolbert, Mrs. Townshend stated yes, they meet the Code requirement. They are scattered at various locations.

Mr. Cregar questioned if the elimination of curbing was to facilitate drainage? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Cregar further questioned if the waivers needed to be broken up into different motions or could it be done as one? Responding to Mr. Cregar, Mrs. Townshend stated that it could all be done as one motion but the emergency access elimination would be a recommendation to City Council.

Mr. Tolbert questioned if the Active Recreation Area Plan should be included in the motion? Responding to Mr. Tolbert, Mrs. Townshend stated yes.

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

Mr. Holt moved to approve S-13-18 Redevelopment of Walker Woods: The Village of Sherwood with the requested waiver of the partial elimination of curbing and the Active Recreation Area Plan. Also to recommend approval to City Council on the waiver request for the elimination of the emergency rear access requirement, seconded by Ms. Still and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

4) S-13-19 Woodmill Apartment Storage Buildings and Garage Building and Revised Active Recreation Area at Woodmill Apartments – Public Hearing and Site Plan Review for this construction of a Phase 1: 6 – unit garage building at 1,632 SF, construction of Phase 2: a storage building at 4,800 SF, and construction of Phase 3: a storage building at 4,000 SF for a total of 10,432 SF. The plan also includes revisions to the Active Recreation Area. The revisions to the Active Recreation Area include the removal of the tennis courts and the creation of a park area with a horseshoe pit and picnic table. The property is zone RG-2 (General Residence Zone). The property is located on the south side of Fairview Drive and east of Mifflin Road. The owners of record are Multiresidential and Multiresidential-M, LLC. Address: 1300 Farmview Drive. Tax Parcels: ED-05-076.10-02-07.01-000 and ED-05-076.10-02-56.00-000. Council District 1. *This Application partially supersedes S-13-11 Woodmill Apartment Storage Building and Revised Active Recreation Area; information on the Revised Active Recreation Area will still be applicable to S-13-19.*

Representatives: Ms. Monica Sloan, North Point Engineering

Mrs. Harvey stated that the review of the Site Plan is for the construction of two (2) storage buildings for a total of 8,800 SF, one 6-unit garage building for a total of 1,632 SF to be completed in three (3) phases on two (2) parcels of land. The plan also includes revisions to the Active Recreation Area. The revisions are to remove two (2) existing tennis courts and replace with the two (2) storage buildings. The creation of the park area with a horseshoe pit and picnic tables would be established on the west side of the property. The revisions of the Active Recreation Area were reviewed and approved by the Parks, Recreation and Community Enhancement Committee at their April 8, 2013 meeting. The apartment complex consists of two (2) parcels of land with eight (8) apartment buildings. The existing Recreation Area which includes the swimming pool, club house, volleyball court and tennis courts will all remain except for the tennis courts. There is also an existing playground located on the west side of the parcel. The complex was constructed prior to the *Zoning Ordinance* requiring an Active Recreation Area. The site is considered legal nonconforming with regards to the Active Recreation Area. The plan for the six (6) unit garage building will be constructed in the first phase in the parking lot on the east side of Apartment Building L on Parcel 3. The construction of the garage building will occupy eight (8) existing parking spaces and two (2) parking spaces will be relocated in the parking lot on the south end of Building N on Parcel 3. The existing cross-striping in the parking spaces will be removed to create two (2) parking spaces. Based on the number of required parking spaces, thirty (30) bicycle parking spaces are required for this site.

Ms. Sloan stated that Phase 1 is going to be the six (6) unit garage building which is on the lower parcel. That will take away the two (2) parking spaces but there are actually three (3) striped spaces that they will be removing the striping from. This will create one (1) additional parking space for that parcel. When Phase 1 is constructed, the landscaping on that lower parcel will be done with that phase.

For Phase 2 they are proposing the lower of the two (2) storage buildings, the 4,800 SF storage building. When that building is constructed all of the landscaping and the Active Recreation Area will be put in with that phase. Phase 3 is going to be the remaining building and they have met with the Fire Marshal to discuss access to that building. On this plan, they have added a fire lane in order to get the accessibility that is required. A submission to the Fire Marshal does need to be made and they will be doing so next.

The only other thing that she wants on the record is that there is a requirement of additional evergreen trees on the north end of the Active Recreation Area. There are quite of few large trees in that area already so they would like to discuss that requirement.

Mr. Holt stated that there was a recommendation from Staff that the building should have a pitched roof with horizontal siding so that everything matches. Responding to Mr. Holt, Ms. Sloan showed pictures of the architectural drawings that were submitted and it will match anything existing on the property.

Mr. Cregar questioned that because the project is legal nonconforming with the existing number of parking, do they have to make sure that there is no further reduction in parking in order for it to remain legal nonconforming? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Cregar further questioned if the applicant could comply with that requirement? Responding to Mr. Cregar, Ms. Sloan stated yes.

Mr. Holden questioned who maintained the recreation areas? Responding to Mr. Holden, Ms. Sloan stated that there was a property management company that maintains the entire apartment complex and they would maintain the recreation areas as well.

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

Mr. Cregar questioned if the issue regarding trees could be left to the Planning Staff for a determination? Responding to Mr. Cregar, Mrs. Townshend stated yes, the Planning Commission can include in the motion that if the existing trees provide enough of a buffer that Staff would be able to allow that to count towards the tree requirement.

Mr. Cregar moved to approve S-13-19 Woodmill Apartment Storage Buildings, Garage Building and Revised Active Recreation Area with the caveat that Staff be able to review the existing tree buffer and make a determination about the appropriateness and to also include the DAC recommendations, seconded by Mr. Holt and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

7) MI-13-18 New Dover High School: Revised Parking Justification and Waiver Request for Parking Reduction – Public Hearing and Consideration of Revised Parking Justification for parking associated with the New Dover High School and a Waiver Request for a Reduction in the required parking. 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 conditional approved Conditionally Use Site Plan C-10-05 on December 20, 2010 and Final Site Plan Approval was granted to S-11-18.*

Representatives: Mr. Gregg Moore, Becker Morgan Group; Mr. Brad Cowen, EDiS Company; Dr. Michael Thomas, Superintendent of Capital School District; Mr. Carl Krienen, ABHA Architects; Dr. Evelyn Edney, Co-Principal for Administration at Dover High School

Mr. Holden recused himself from this application. His employer is the engineer of record.

Mrs. Townshend stated that this application was for the new Dover High School project located at 1650 Forrest Avenue on the west side of the City. The project is 106.5222 acres. The property is zoned R-10 (One Family Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). Planning Commission approved application C-10-05 in December 2010. That was a Site Development Master Plan and Conditional Use application. The subsequent phase of that application was the Administrative Site Plan S-11-18 which was also known as Bid Pack C where the Final Plan approval was granted through the Planning Office. At this point in time, the school is well under construction. A lot of progress can be seen on the site and some of the aspects of the site are being evaluated that are not necessarily associated directly with the building.

The School District has submitted a waiver request for a reduction in required parking and they have also provided Commission members with a revision to the Parking Justification that was originally reviewed in December 2010. The big change between 2010 and now is that the initial seating capacity of the auditorium was planned to be eleven hundred (1100) seats; it has been reduced to nine hundred (900) seats. That brings down the number of required parking spaces of eight hundred forty (840) to eight hundred (800). In looking at the Report, the best place to look in order to understand some of the changes as it relates to the parking on the Site Plan is on Page 7, Table 3: Summary of Parking Revisions. This shows the number of parking spaces on the approved Site Plan S-11-18, the number of parking spaces by lot area on the Revised Plan for this evening and the difference. There are some parking spaces that were not counted as parking spaces in the 2010-2011 plans that in looking at the reduction they are requesting be considered. The site initially has eight hundred forty-seven (847) parking spaces. If comparing how they reached that number and what the plan is today, it would have five hundred sixty-four (564) parking spaces. So there are two hundred eighty-three (283) fewer parking spaces. However, in addition to those five hundred sixty-four (564) parking spaces there are twenty-four (24) drop off spaces around the front and side of the school. The front being the north entrance and then the east side of the school. There are also twenty-eight (28) bus spaces that were counted as parking spaces before but the bus parking can be converted to one hundred seventy (170) car parking spaces in the case of a large event. If those spaces are added in that were not counted on the previous analysis then there would be a total of seven hundred thirty-four (734) spaces and twenty-four (24) drop-off spaces. There are alternative methods to reaching the parking reduction that is being requested. One way would be to count the drop-off spaces and the bus parking spaces that were not previously counted to help reflect the required parking. What is seen on the Site Plan that was submitted is there are three (3) areas that had been proposed as parking lots that are at this point being asked to be waived. They would be available for overflow parking in the case of a large event. It would be grass parking which technically is not approved parking under the Code but it would be available for a large event. Two (2) of these parking lots are located on the west side of the site for ninety-five (95) spaces and one hundred eight (108) spaces which is two hundred three (203) spaces total. There is a parking lot on the east side by the competition stadiums for baseball and softball that

was supposed to be one hundred eleven (111) spaces. They are showing thirty-one (31) pull-in spaces instead of one hundred eleven (111) which would be an eighty (80) space reduction in that area.

In terms of turning it over to the District, she knows that parking is the matter before the Planning Commission for consideration tonight but they also thought this would be a good opportunity for the District to show the progress on the site. Before getting into the parking request, the District is going to share a Power Point Presentation that has been shared with the School Board to show how the project is unfolding. This is one of the largest projects that has been seen in the City. It is a 315,000 SF school building on 106 acres with the fields and stadiums. It is something that we are all excited to see open next fall. They thought it was a good opportunity for the District to share where things stand with construction, answer the questions and then ultimately request the Planning Commission's indulgence on the parking issue.

Mr. Moore stated that Mr. Brad Cowen from EDiS Company would be giving an update on the construction progress, the budget project process and what is happening out at the Dover High School now. Before doing so, he wanted to bring up one issue. He asked Mrs. Townshend to provide the Planning Commission with the letter from July 12, 2013. Notice on the plan that the connection to Tribbitt Street is shown and that is shown as "by Leander Lakes". They actually have an agreement with Leander Lakes for them to build that connection to Tribbitt Street shown in green on the display. They reached out to them in order to make sure that they do build that connection and because of that agreement, the School District had their attorney reach out to them to make sure they were coordinating. The letter (given to Mrs. Townshend) dated July 12, 2013, basically says that they are progressing towards construction and they believe the road will be done by May 1, 2014. The budget that Mr. Cowen will be speaking about is predicated on them accomplishing that based on the agreement and then based on the follow-up letter.

Mr. Callan stated that he was with EDiS Company, the construction managers for the new Dover High School. He thanked Mrs. Townshend for allowing them the time to go through the Power Point. It is a fantastic project and they are glad to share it with everyone.

Mr. Callan shared the Power Point of the progression for the new Dover High School.

Mr. Callan stated that they were right on schedule. The building is progressing very well and they are pleased with the progress. There has been some favorable weather; the masonry is complete on the building. The mason will be moving off site in a couple of weeks and as you drive by you can see that all fields are being graded and seeded. The curbing is going in all around the building and paving will be taking place in the next few weeks.

Mr. Cregar questioned the square footage of the library? Responding to Mr. Cregar, Mr. Callan stated that it was 2200 SF. It's a large space. It is actually two (2) stories. As you walk in from the rotunda area you walk into the library. As you walk toward the front of the building, it goes up two (2) stories.

Mr. Tolbert questioned how many students they expect the school to accommodate in comparison to the current Dover High School? Responding to Mr. Tolbert, Mr. Callan stated that right now its capacity is eighteen hundred (1800) students. He is unsure of how many students the Dover High School currently has.

Dr. Thomas, the Superintendent of Capital School District stated that the current enrollment is just under seventeen hundred (1700). The school is being built for eighteen hundred (1800).

Mr. Tolbert further questioned how many students are in the current Dover High School? Responding to Mr. Tolbert, Dr. Thomas stated just under seventeen hundred (1700). That number has been rising over the past two (2) years. The school two (2) years ago sat at the average of about fifteen hundred fifty (1550) students on any given year. Over the past two to three years it has gradually increased to just less than seventeen hundred (1700).

Mr. Cowen stated that one of the things they find as they build high schools and they will notice it in Dover is that people tend to move into town so that they can go to that new high school. There will be a dramatic growth in that area which is encouraging.

Mr. Tolbert stated that at this location, there will be considerably more athletic fields than at the old school. Will all of these fields be needed? Responding to Mr. Tolbert, Mr. Callan stated that he was sure they would use every one of the fields.

Mr. Tolbert further stated that his concern was that there is a lot of ground being used for those fields and they will not all be used at the same time. Responding to Mr. Tolbert, Dr. Thomas stated that there are sixteen (16) sports at the high school and about thirty-three (33) teams because most of sixteen (16) varsity sports also have a junior varsity and varsity team and a few sports have a varsity, junior varsity and freshmen teams. There are sixteen (16) sports but thirty-three (33) different teams that can play the sixteen (16) different sports. Obviously, baseball will not be played during the winter time but certainly there will be some activity on that field in the fall and spring. In the interior of the school, there is both a competition gymnasium and an auxiliary gymnasium which is to field all of the physical education classes. Then the two (2) competition fields are set-up for girl's sports as well as boys sports. Right now, school stops every night at 9:00PM for practice of teams. They will now be able to have them practice at a more convenient time with the two (2) fields. Sometimes they stagger the schedule now because they can't play every sport the same day. But those fields will constantly be in use both in the spring and in the fall because in the spring there are double the sports that they had twenty (20) years ago. Every team of the sixteen (16) sports has at least two (2) teams and some have three (3) teams.

Mr. Cowen stated that a project of this size always comes with its share of problems. One thing that they wanted to discuss with the Planning Commission is that they have had their share of budget items they have had to deal with throughout the project. During the time of the passing of the referendum there was one item that was not in the referendum; the west entrance along with Dover High Drive. The developer adjacent to the Dover High School was to build the west entrance and also the entrance road. So what the voters voted on was a referendum that did not include any money for that project. The original referendum budget for the west entrance Dover High Drive was $0. All of that money was in the school and their fields. When Leander Lakes was unable to meet their commitment and build the road, the District and Leander Lakes met and struck an agreement and $1.3 million was taken out of the school's budget to build the west entrance and what was then a City street to enter the school. Since that time through the approval process with the City of Dover and DelDOT and their plans on making a connection to Kenton Road and Hazlettville Road, the final cost of that entrance and road is $3.1 million. He thinks that's important to note because in order to absorb $3.1 million into a project, things have to be cut in other areas or they need to be deferred or not designed at all. That is the battle

that they face all of time as construction managers is managing a budget and accounting for these items. In order to do that as they work through the bidding process they establish a "Base Bid". This means that these are the must haves, which are building size, program, function and fields. Next, they develop a field of add alternates which are done if the money is there and they can be incorporated into the project. This is how their strategy works throughout all bid packages that they have had. Keep in mind that they have had to accommodate $3.1 million from somewhere. It does not just come out of contingency; things have to happen on the project. What they call "value engineering," which means things that the School District asked for but they weren't able to afford them or they have had to be deferred until a later date or materials have to be changed to account for the budget. Several things were listed on the Power Point. For example: VCT in lieu of terrazzo flooring, decorative display wall, indoor batting cages, backs to the seats in the main gymnasium and food service equipment. The size of some of the bleachers has been reduced. There has been a lot of back and forth, a lot of value engineering and a lot of compromise in order to absorb the $3.1 million that the District had to spend for that road that was originally $0. So as they manage the budget, a lot of things take place and the value engineering continues. It continues to the two (2) parking areas that were mentioned by Mrs. Townshend. It also went to the east entrance and the baseball parking. It is their desire and the District's desire to build everything shown on this plan; however, what they needed to do was come before the Planning Commission and point out that there have been some budget issues and they are working through those. The building is on schedule; it is ready to open next year but they need to take appropriate measures to safeguard the school's budget. Some of these things either have to be eliminated or they have to be deferred. They understand the critical importance of the east entrance and the road; that is priority number one. Second to that is the baseball parking; they know that is a priority. They would also like to have the west parking areas. But they are here tonight to talk about an approval for waiving those parking areas because they were told to bring this to the Planning Commission's attention sooner rather than later. Not come to them in six (6) months and say they are out of money and can't do it. They want to have an open discussion to tell the Commission members where they are with the project. They are not just asking for a waiver to get rid of some parking so that they can afford more nice things in the building. This has been ongoing for some time now. This is how they manage the budget throughout the entire project. But to absorb $3.1 million is a tough item to do. They are doing it; they are making it work. They certainly want to build the east entrance, the loop road and all of the parking areas but they are asking for a little relief in that area at this point. If at the end of the project there is money available then that is priority number one, to construct those parking areas.

Dr. Jones questioned if the drop-off parking spaces would become part of regular parking during special events? Responding to Dr. Jones, Mr. Cowen stated yes, they are factored into the count.

Dr. Jones further questioned if the drop-off parking was basically utilized for during the school day? Responding to Dr. Jones, Mr. Cowen stated yes, they talked to the Fire Marshal and those spaces are considered parking spaces.

Dr. Jones questioned if that meant that there would be a time limit set for the drop-off parking spaces? Responding to Dr. Jones, Mr. Cowen stated yes.

Mr. Krienen stated both the drop-off spaces and bus parking spaces for event parking would serve as true parking spaces. They are actually lined that way so they will be very clear that they serve as parking spaces when there is an event.

Dr. Jones questioned if the signage would indicate as much for special events? Responding to Dr. Jones, Mr. Krienen stated yes, but that it would either be gated or coned during drop-off/pick-up hours so that the public will be kept away. Particularly for the bus area but signed as well to let people know that flexibility exists.

Mr. Baldwin questioned if the reduction of parking spaces would encourage parking into the nearby neighborhoods? He has been to a lot of schools where a lot of the parking is in the neighborhoods and the neighbors are upset because their driveways are blocked. Is this one of the situations where this activity would be encouraged? Responding to Mr. Baldwin, Mr. Cowen stated that he was not sure that encourage was the right word to use because it would be hard to stop them since they are adjacent to a neighborhood.

Mr. Baldwin stated that a reduction in parking would put more cars in that area. Responding to Mr. Baldwin, Mr. Cowen stated that they have a lot of parking near the stadiums. There is parking all along the loop road and there are spaces by the baseball stadium. There is also some overflow parking available. With all of these spaces available, it is almost triple of what it is at the existing Dover High School.

Mr. Moore stated that the one advantage to this design is the bus layout area is literally right next to the football field and that is the largest event held at Dover High School. The one hundred seventy (170) parking spaces that Mrs. Townshend mentioned that was originally not counted could actually be taken up that event and is there for that purpose. So there is very close parking to the football field so that people don't spill into the adjacent neighbors as much. That bus layout area is literally right next to the stands so it is the most convenient parking, most accessible and the easiest to get to.

From the original time that the plan came to the Planning Commission, there has been a reduction in the auditorium by two hundred (200) total seats. That has brought with it a need for the reduction in parking. Those things along with the things that Mr. Cowen pointed out have been getting cut as they go along to manage the budget. That is why they can come to the Planning Commission and say that they can cut out this amount of parking and actually have adequate parking. The current Dover High School is in the range of two hundred fifty to two hundred seventy-five (250-275) which is much less than the proposed amount of parking spaces for the same amount of students. They have a tremendous amount of more parking spaces than at the current Dover High School.

Mr. Cregar questioned the number of spaces on a given day that the sophomores, juniors and seniors require parking on campus as well as staffing? On any given day at Dover High, what would be the parking requirement? Responding to Mr. Cregar, Dr. Thomas stated that currently there are about one hundred thirty (130) staff parking spaces on the lot at the current Dover High School site. There are an overall total of about two hundred fifty-six (256) parking spaces which would leave about one hundred thirty (130) parking spaces for students parking. If you ride through the current high school at 10:00AM, well after school as started, there are a lot of vacant spots. Will student driving increase or decrease at the new high school? It is very hard for them to predict but the new high school has over double the parking for daily parking than the current high school. When he sees vacant spots during the day it tells him that if they have double to parking at the new high school, there is not going to be an issue with parking during the day. It is more than adequate.

Mr. Cregar stated that he thought students who couldn't get parking permits because of the number available were parking in the adjacent residential area. Responding to Mr. Cregar, Dr. Thomas stated that he was sure there are students parking in this residential area but he couldn't begin to give a number of how many are parking there. He could certainly ask the school administration if they have any idea on the number of students parking in that area. He promised that during the day they would have double the parking available and that it was not a concern today.

Mr. Cregar questioned what kind of parking issue would be created during the Caesar Rodney High School and Dover High School football games? Responding to Mr. Cregar, Dr. Thomas stated that he could not speak with great accuracy on that. On a really big year when both teams are competing for a title, that game draws a huge crowd. Even with the maximum number of parking spots at that stadium which will be three and a half times more than what is available now; he could not begin to speculate on that issue. They are going to have as much parking as they can possibly have and they are working extremely hard to see what funds will be remaining at the conclusion of the project. The priorities have been listed as to what will be completed first as funds allow and parking is in that priority.

Mr. Cregar further questioned if the bus area parking would be marked for cars? Responding to Mr. Cregar, Mr. Moore stated that right now the bus area parking will be chevroned and show the buses where to be. The District hasn't yet decided if whether they will also mark for cars so that it's clear or whether they will use actual staff during the biggest events to park vehicles in order to make sure that they maximize that area.

Mr. Cregar stated that was his question. Whether they would get maximum utilization if the spaces weren't marked? Responding to Mr. Cregar, Mr. Moore stated that he personally thought it was better for the District to use their staff to do that in order to assure that they are utilizing the area properly. Sometimes when you get multiply striping it gets hard for people to understand and they don't park correctly; they won't get full utilization of the pavement.

Dr. Thomas stated that he has seen "dot parking" which is small lines. But even if they have these small lines in this parking area, on a big game night they envision having a large amount of staff available making the most use of parking.

Mr. Tolbert opened a public hearing.

Ms. Cora-Marie Yoder – 920 Yoder Drive Hartly, DE 19953

Ms. Yoder stated that she is a 1969 graduate of Dover High School and she is very proud of the Capital School District. She has two (2) children who have graduated from Capital School District with no problems. She volunteered when her children were in school. She now has four (4) grand-children; one (1) is ready to graduate. She has been with them since they started school and is still at the school volunteering. She has had four (4) heart attacks but if not, she would be running for the School Board because she is so upset at what they are doing to Capital School District. She voted for this referendum; she had her whole family vote for this because they were going to have two (2) roads. She has a grandchild who has a heart problem that needs to have an entrance at that east section that they can get to from either end of the school in an emergency. You cannot fool with a heart attack. Her grandchild has a friend who has a worse problem than he does; who attends the Capital School District. Her number one concern is the students.

Her next concern is that in today's newspaper it said that if you couldn't find parking, go to the surrounding neighborhoods. She has lived Route 8 all of her life, she knows what the traffic is like. Someone is going to get killed if they park along Route 8 or if they are walking across the road in the dark or after the games are over without lighting.

The last issue is that she has a check book; she knows how much money she has to spend. Something should have been done before this school was ever started to know that they had enough money. If not, they should have been watching a long time ago. She has friends who live in the developments on the opposite side of Route 8. They have enough issues with trying to get their own cars parked in the development. They have one parking space in their driveways and one on the street. What is going to happen when people come to park in their neighborhood and there is no place to park due to people from school parking there? When these people cross Route 8, they are going to be hit. What mother, father, child, grandparent is going to be worth that? Also, if she wants to go to football game now, she has to get there between 5:30PM – 5:45PM so that she can get a parking space.

Ms. Valerie Boyer – 3 Somerset Circle Dover DE 19904

Ms. Boyer stated that she was representing Cranberry Run. She has spoken to many people in the neighborhood and they vehemently protest and object to this wavier of parking reduction. They have quite a bit of reasons for it and she has done the research. She knows that if you bring strangers into the community, crime will rise. She knows what has happened to Woodcrest. They don't want the same thing to happen to their neighborhood. If there is a lack of parking at the school then that overflow will come into their neighborhood. As Ms. Yoder just said, parking spaces are going to be taken, driveways are going to be blocked and crime is going to start. Everyone didn't come from a good home. They do not want their community to be the victims of crime. There are a lot of women who live in this community; they do not want problems at night when people are coming home from work. Women are the number one group that is sexually assaulted. They do not need one; one is too many. They have a very nice neighborhood and they want to keep it that way. The School District started the project with eight hundred forty-seven (847) parking spaces so they need to do the eight hundred forty-seven (847) parking spaces. Quite frankly, the School District does not know how many people are currently parking in Woodcrest when students can't find a parking space in those two hundred fifty (250) spots. They may have to knock out a field; someone may have to wait their turn to play because the field had to be used for parking. But don't make them pay the price for it because the School District didn't plan adequately and didn't have the money. The School District said the money may come later. Everyone knows recessions come later too and then what do you do? The neighborhood of Cranberry Run vehemently protests this. They don't want to be a victim of crime or any kind of problems period. They like their neighborhood like it is and they should be able to keep it that way. They should be able to have a school across the road and everyone live in peace and harmony.

Mr. Les Blakeman – 209 Falmouth Way Dover DE 19904

Mr. Blakeman stated that he graduated from the other Dover High School in 1965; the last class out of the previous school before they built the current high school. Fifty years later, he is going to watch the first class graduate from this high school and couldn't be more proud. His concern is that is there are eighteen hundred (1800) students and two hundred fifty (250) staff and if 39% of the students need parking spaces, they are going to need nine hundred fifty (950) parking spaces. If 28% of the students park, they are going to need seven hundred fifty-eight (758) parking spaces. He is not referring to special events; he is talking about everyday parking. There will need to be two hundred fifty (250)

spaces for staff and five hundred eight (508) for the students. If they think less than 28% of the students are going to drive, then he has a surprise for them. So their concern is that there will be overflow, there will be people who can't get parking permits because they can only issue a certain number of spaces. These people are going to park somewhere else. Cranberry Run is the closest neighborhood. People can leave this neighborhood, walk 200 feet, cross Route 8 and be on the school's sidewalk. If they go another couple 100 feet up the road there is a walking sidewalk built for people to use to get to the school. This is how students will get to the school. That represents cars in their neighborhood and a lot of kids, more than the one hundred (100) kids who live in this neighborhood who will be trying to get across that road. It will happen just like it did in Woodcrest. They will be back in front of City Council trying to get parking permits for their neighborhood which is difficult. It is not a desirable thing to do. He thinks that the School District needs to find some way to accommodate at least the minimum number or people who are going to be trying to park at the school. He does not know how else to look at the numbers. 28% is not very many of the students, its five hundred eight (508) out of eighteen hundred (1800) of those students driving.

Mr. Cregar questioned where Mr. Blakeman got the 28%? Responding to Mr. Cregar, Mr. Blakeman stated that he just picked two (2) numbers. He had originally looked at the numbers that they had which had changed. They originally had nine hundred fifty (950) and seven hundred fifty-eight (758). He thought a likely number of students who were going to park there would be a maximum of 39% and a minimum of 28%. He thinks these numbers are reasonable.

Mr. Rufus Green – 305 Chelsea Way Dover DE 19904

Mr. Green stated that they have been given the figures of how many children are in the school and how big the school is but is doesn't seem like there is any planning for traffic lights, the overflow of traffic in the area or sidewalks for the children coming from other developments. He was curious to know with it being as hard as it is now for them to get out of Cranberry Run there is no planning for anything in the future. As far as them parking in their neighborhood during special events such as football games or baseball games and one team loses, the children have a tendency to rebel. They don't know if it will be vandalism and crime. To his understanding one thing is being said but on the other hand something different is going to happen and they are going to have a problem.

Mr. Gene Montanyo – 1526 Fawn St Dover DE 19904

Mr. Montanyo stated that he was former Principal at the Dover High School and wanted to give an overview. With the parking that the current Dover High School has now with facility staff and students, there are very rarely any student spots that have a waiting list. If you walk to school or drive to school there will be at least twenty five (25) spots open at the school. When moving to the new school, there will be so much more additional parking that he thinks will create access parking for students. Even with the one hundred eighty (180) staff members at the new school, there will be quite a bit more. A couple of the reasons why students park off site; they don't get a permit to park. They have to have a valid driver's license, valid insurance and tags. Some of the issues in Woodcrest are students who have issues with presenting these things in order to get a pass. This is why they park in the surrounding neighborhood. This is an issue that the City needs to take care of with them as well. If you look at the distance between the new high school and Cranberry Run, there will be very few people who are going to park there and walk across to any big events. If they don't get the parking spots setup at these new parking lots right now, there will be a huge amount of grass area where they can park quite a few vehicles. There is going to be so much more parking at this new school than at the current high school. They are not going to have very many people parking anywhere other than that. Even if

you look at the connector between Cannon Mill development there aren't any houses on that new roadway. Pretty much everyone will be parking right there at the school site. He thinks they will have plenty of space.

Mr. Tolbert closed the public hearing.

Mr. Cregar questioned if they had a calculation on what some of those grass areas would allow or provide for additional parking for events? Responding to Mr. Cregar, Mr. Moore stated that the two (2) parking lots shown in red on the display are adjacent to the lanes and could be used for overflow parking for events. They are curbed but they are planning not to continue with the construction at this point. They could be used as overflow parking for events without any problem. It would be easy for the staff to direct people there because they already have the curb openings and they are very organized. They would be grassed in order to save money on pavement. These areas are equal to what is being requested for their waiver tonight so they would be there.

Mr. Cregar stated that no matter how many spaces they have on site, the Planning Commission can't control parking on a public road. There is nothing they can do about the fact that people park on a public street but they do have to consider what they need to do as far as the amount of parking. He is interested in those grassy areas.

Dr. Jones stated that numbers were given on the projected number of students who may drive on a daily basis. She understands the scenario about Dover High and the empty spaces. She would be interested in hearing a response to that concern. Do they anticipate a greater number of students driving during the day? Someone had mentioned earlier that because it is a new school it will attract new residents. Responding to Dr. Jones, Dr. Thomas stated that the best they could go on would be historical data. He asked if Dr. Edney could help address this issue, she is the Co-Principal of Dover High School and can give them more insight regarding the parking permits that are requested.

Dr. Edney stated that Mr. Montanyo put it in a nutshell as far as parking is concerned and students requesting parking permits at this time. They have empty spaces on a given day. They call one area where the students park "the pit". There are empty spaces there even during high time. Right now their dynamics are going to change when they move to this building. A lot of the kids who actually ride the bus now may become walkers and a lot of their walkers may be riding the bus. As far as students living in the City of Dover driving, those students don't drive now they walk to school or their parents drive them when they can. They have students who walk home from practices all of the time so now it's a matter of being able to get those buses. She doesn't think that they are going to have a big shift in the number of students who are going to be getting permits to park in the parking lot any more than they have right now.

Ms. Still stated that the request was for the reduction in parking but the east entrance is also outlined in red. Is that at the top of the list of priorities for future construction or it is going to be constructed? Responding to Ms. Still, Mr. Moore stated that they were not eliminating the east entrance with their application. Their application is geared at updating the Planning Commission so they can see the things that have been cut due to the budget problems and it's important that saving money in the parking will help them attribute that money to the other things that are high priority like the east entrance.

Mr. Cregar stated that Planning Staff was running numbers based on a certain justification. Can they share where they ended up versus where Capital School District ended up? Responding to Mr. Cregar, Mrs. Townshend stated that what Staff did was in Table 3 they made it where they were comparing the same things. From the Staff's perspective, they don't have a problem with the applicant counting the bus parking for the car parking as well; however, they do believe that it should be dually striped so that they have clear parking spaces for when it is available for cars. They don't have any objection to them using the twenty-four (24) drop-off spaces as well. They did verify that these spaces are outside of the required fire lane so it's not a matter of having required parking in a required fire lane and therefore a conflict. They did address that issue as well. From Staff's perspective, they were trying to make sure there was a common thread in the numbers that they were looking at. Based on that information, they are looking at seven hundred twenty-four (724) spaces if you count the bus parking plus another twenty-four (24) drop-off spaces which brings them a lot closer to the eight hundred (800) spaces. This would create a sixty-six (66) space difference, which is a differential of 8.25%. The other piece that Staff reviewed was the distribution of parking on the site. When looking at the parking lot that is proposed to be eliminated near the ball field area. There is significant distance between that and the remainder of the parking on the site. One of the concerns Staff has is how that impacts the Village of Westover where there is a bicycle/pedestrian entrance just on the other side of the field that goes in between the two (2) stadiums. There is a multimodal path. The concern is that if they eliminate those one hundred eleven (111) spaces and reduce it to thirty-one (31), that a reduction is eighty (80) spaces. While they may end of with empty lots when there is baseball and softball going on the west side but its a quarter mile away so people are going to park in the Village of Westover. It was not necessarily a concern with the numbers it was more the distribution on the site. The main thing of Table 3 was to make sure they were looking at things consistently rather than saying well now that it benefits us so they are going to count it differently.

Mr. Cregar questioned how the applicant will address the issue of distribution and the concern of people parking in the Village of Westover? Responding to Mr. Cregar, Mr. Moore stated that they and Staff are on the same page with the numbers. There are just different ways to look at the numbers of spaces. As far as the distribution is concerned, they have also made a major cut to the stadiums that are in that area. They have cut them by 50% in the baseball and softball. They have also cut out a building that was going to be there permanently and that building is now not in the plan because of the budget as well. So cutting each of those stadiums by 50% which is hundreds of seats and cutting out a permanent building, they think they have made commeasurable cuts so that they have enough parking. The one thing that isn't noted is that they do have fifty (50) parking spaces along the edge of the loop road that are in that area that allow people to either use the tennis courts or baseball fields and not have to go back to the other side of the school. They think the distribution is actually commensurate with their cuts.

Mr. Tolbert stated that the motion should state explicitly what your thoughts are regarding this matter.

Mrs. Townshend recommended that since there were different ways to look at the numbers that perhaps it be addressed by lot. What is being looked at is a request to reduce or eliminate and reserve the area for Lot C, D and G. The motion should address those specifically so that they are not necessarily looking at a percent reduction and they don't know what the percent is based on. Just look at the request to eliminate the spaces in Lot C – one hundred eight (108), Lot D – ninety-five (95) and Lot G – eighty (80).

Mr. Cregar stated that he wanted to make sure that when talking about these parking areas that are still going to be curbed and still could serve as overflow (grass areas) that at some point could be constructed. Responding to Mr. Cregar, Mr. Moore said absolutely.

Mr. Cregar questioned if they wanted to continue to reserve that? Responding to Mr. Cregar, Mrs. Townshend stated that in all cases, these lots would continue to be reserved.

Mr. Moore stated that all of the spots that they are asking to be removed are reserved in place and are on the plan in terms of be able to put them back in the future. They are not fully eliminating the ability to put those parking areas back.

Mr. Cregar questioned if they were putting them on hold? Responding to Mr. Cregar, Mr. Moore stated yes.

Mrs. Townshend stated for the record that the way the parking reduction works is if there is an issue with an continual parking problem, the City could go back and say okay now you need to go back and construct this.

Mr. Cregar stated that this raises a separate issue. They are talking about dollars to do that. They can say that the parking lot needs to be put in but the District comes back with "I'm sorry I don't have any money." Then what will be done at that time? Responding to Mr. Cregar, Mrs. Townshend stated that this is one of our challenges. Once the Certificate of Occupancy is issued, leverage significantly reduces.

Mrs. Melson-Williams made a suggestion that the request has two (2) components to it. One is the consideration of a Revised Parking Justification and that would set the number of required spaces for the campus. So the Planning Commission members may want to address that first. Then the second piece is the waiver request to actually reduce parking on the campus which is what Mrs. Townshend was suggesting be dealt with on a lot by lot scenario.

Mrs. Townshend stated that one motion could be made to accept their Revised Justification, which everyone has agreed that there is no issue with the numbers that have been put forward. So this might be the starting point of a motion which could be broken down into two (2) motions.

Mr. Cregar moved to approve MI-13-18 New Dover High School Revised Parking Justification which was used to arrive at the number of spaces for the school and the accessory uses for that school with it set at 800 parking spaces, seconded by Dr. Jones and the motion was unanimously carried 6-0 with Mr. Holden recused and Mr. Ambruso and Colonel Welsh absent.

Mrs. Melson-Williams stated that their second request is related to a reduction in required parking.

Mr. Cregar stated that Mr. Moore was talking about the use of the field and not having the one building. Planning Staff has reviewed this and is still concerned about the spill-over. He is trying to hear how Staff feels Mr. Moore's discussion about that particular item versus their concerns? Responding to Mr. Cregar, Mrs. Townshend stated that from a numbers standpoint, if they take the east drive parking which is forty-nine (49) spaces and what was proposed in a parking lot which was one hundred eleven (111), that's one hundred sixty (160) spaces that were purposed on that side of the

campus. The current request would reduce that number to eighty (80) spaces. So when you have concurrent baseball and softball games which typically do happen at the same time, there is still a concern of is eighty (80) spaces enough? She thinks it's certainly is less spill-over than if you had no parking on that side but there's still the potential for spill-over. Even if they construct one hundred sixty (160) spaces there is still the potential for spill-over but they can't correct everything. She thinks at eighty (80) spaces, could there be two (2) games going on at the same time? Probably, but are some people going to park in the Village of Westover? It's likely. Is it to the point of being intolerable? It's hard to say until it happens.

Mr. Cregar wants to make sure that they get to the correct number. He wanted to review the chart to make sure they have the number of spaces needed. In Lots A and B there is no change? Responding to Mr. Cregar, Mrs. Townshend stated that was correct.

Mr. Cregar further questioned if in Lot C there was a difference of one hundred eight (108) spaces? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Cregar questioned if that was one of the lots that have the spill-over parking? Responding to Mr. Cregar, Mrs. Townshend stated yes and it will be curbed and grass. While not permanent parking, it would be acceptable for events.

Mr. Cregar stated that in Lot D they had the same situation. They have grass and curbing just not paved, Responding to Mr. Cregar, Mrs. Townshend stated yes, those are in the vicinity of where the majority of the parking on the site is.

Mr. Cregar stated that if the bus area was the same but that there was a difference between one hundred sixty-two (162) and one hundred seventy (170). He asked for clarification. Responding to Mr. Cregar, Mrs. Townshend deferred the question to the engineer because Staff took their calculations to be correct.

Mr. Moore stated that they spent more time analyzing how to park that bus area with actual cars during a big event this time than they originally spent before because they were getting tighter on parking and wanted to make sure they were right. That is the difference, eight spots.

Mr. Cregar questioned if they were agreeing that one hundred seventy (170) spaces would work? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Cregar stated that Lot F had no change. He questioned if Lot G would have a reduction of eighty (80) spaces? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Cregar questioned if parallel to the east entrance drive would stay at forty-nine (49) spaces? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Cregar further questioned if looking at grassed areas as still being available, the total reduction of space ends up being eighty (80) spaces? Responding to Mr. Cregar, Mrs. Townshend stated that in this case it's not curbed. This is different than the other side. In the case of Lot G, it's not curbed and changing it from one hundred eleven (111) to thirty-one (31) spaces affects the drainage because those thirty-one (31) spaces is where a swale would be if a larger parking lot were to be built.

Mr. Moore stated that the applicant is agreeing with the Staff comments not to do those thirty-one (31) spaces along the edge of the road and actually start the basis of that secondary parking lot. That is one of Staff's recommendations and since they did not contest that, they are agreeing with Staff on that recommendation. This allows that parking lot to be started and allows that full parking lot to be available to grass. Their calculation shows they have no net loss in actual spots; there will just be some of them that will be grass as they are in the two (2) red zones (Lot C and Lot D) near the school. All of the spots are still available to use and pave in the future and to use as grass if the need arises.

Mr. Cregar questioned if the net reduction ends up being the auditorium seats? Responding to Mr. Cregar, Mrs. Townshend stated that it factors into the revised calculations. They have forty (40) spaces fewer that are required because of the auditorium reduction.

Mr. Cregar stated that if they look at these areas as being grass but still being able to be utilized, by the reduction in the number of seating in the auditorium is all well within what is permitted to be done.

Mrs. Townshend stated that the concern would be its one thing to use the grassed areas as overflow parking but the code is clear that permanent parking lots are required to be hard paved, dust free surfaces. When they become the regular daily parking for everything, that's when the grass becomes a concern.

Vice Chairman Mr. Tolbert suggested that perhaps the motion would address that concern. That if the grass is being used routinely for parking then that may be when it's required to be paved.

Mr. Cregar stated that what raised the separate logistical issue for him was that because this is a Conditional Use, are they able to go back and revisit this and make it part of what they do or does it need to be done now?

Mr. Tolbert questioned if they were going to use the grass areas for parking, will the people know that? How will they know that they can park on the grass? Responding to Mr. Tolbert, Mr. Moore stated that during events they would have Staff there parking vehicles to maximize the use of parking areas. They don't believe that they will need these parking spaces on a daily basis but if they do they would have to make that clear to those users. They think those grass areas will be used for big events as overflow parking.

Mr. Tolbert further questioned if the school could assure that they would have Staff at these events to direct parking on the grass? Responding to Mr. Tolbert, Dr. Thomas stated that he referenced his earlier comment. If you go to a football game now they probably have eight to ten (8-10) Staff members directing traffic. That number is not going to get less as they move to the new school. Yes, they will have people out there to direct traffic. He thinks that they have a historical record to document that's what they do.

Mr. Tolbert stated that a lot of people will not just ordinarily park on grass areas. Responding to Mr. Tolbert, Dr. Thomas stated that they would have people directing to the curb cuts.

Mr. Cregar questioned the issue of the striping for the bus parking areas? That seems to still be up in the air. Planning Staff had looked at having that area fully striped for cars so those areas will be fully

designated as parking areas. Responding to Mr. Cregar, Mrs. Townshend stated yes, they could stripe in two (2) different colors, one for the buses and one for the cars.

Mr. Moore stated that they think Staff members actually parking people would keep them organized and maximize the parking because of double striping maybe confusing.

Mr. Cregar moved to approve MI-13-18 New Dover High School: Waiver Request for Parking Reduction as specified in Table 3: Parking Lot A and Parking Lot B - no changes; Lot C and Lot D – parking reduction still grassed and can be utilized in that number for parking for events; Lot E the bus parking converted to car parking - one hundred seventy (170) spaces; Parking Lot F - no changes; Parking Lot G – thirty-one (31) spaces; parallel parking - no changes with a total number of eight hundred (800) spaces and the District having to designate the bus area with lines as car parking as well, along with the DAC comments, seconded by Mr. Holt and the motion was unanimously carried 6-0 with Mr. Holden recused and Mr. Ambruso and Colonel Welsh absent.

Meeting adjourned at 9:08 PM

Sincerely,

Kristen Mullaney
Secretary

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the Planning Commission
November 18, 2013

Applicants/Owners:	Raul Juarez
Property Address:	508 Acorn Lane
Tax Parcel ID #:	ED-00-068.15-01-10.00-0001
Size:	1.315 acres
Present Use:	Residential
Proposed Use:	Residential

Comprehensive Plan Designation: Category 1 – High Priority Annexation Areas

Comprehensive Plan Land Use Designation: Residential Low Density

Present Zoning:	RS-1 (Single Family Residential)
Proposed Zoning:	R-8 (One Family Residence Zone)
File Number:	AX-13-02

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 6, 2013

APPLICATION: Lands of Juarez – Annexation and Rezoning from RS-1 to R-8

FILE#: AX-13-02 REVIEWING AGENCY: City of Dover Planning Office

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

This application is for the annexation and rezoning of property located at 508 Acorn Lane. The property is owned by Raul Juarez. The Tax Parcel Identification Number is ED-00-068.15-01-10.00-0001.

Existing Property:
The property is located on Acorn Lane and is bisected by Acorn Lane. The east side of the property includes a house. The west side of the property is undeveloped. It is located in an enclave area that is in Kent County but surrounded by the City of Dover. The residential portion of the property needs to connect to the City's water and sanitary sewer system, and annexation is required to be eligible to receive City services.

Surrounding Land Uses:
The surrounding uses are residential properties. The property to the west is Manchester Square, which is zoned RG-2. To the southeast is the undeveloped portion of Patriot Village, which is zoned RM-1. The remaining lots are one-family residential lots, zoned R-15 and R-20 (One Family Residence Zones) and RS-1 (Single Family Residential) in Kent County.

Comprehensive Plan:
In the *2008 Comprehensive Plan*, this property is identified as a Category 1 (High Priority) Annexation Area with a land use classification of Residential Low Density.

Request for R-8 (One Family Residence Zone)
The types of permitted uses in the R-8 (One Family Residence) zone include primarily one family detached residences, but also agricultural uses and public uses. A series of conditional uses and accessory uses, generally deemed compatible with the residential uses, are also permitted in the One Family Residence Zones.

Recommendation of the Planning Staff:
Staff recommends that annexation of the property and the rezoning to R-8 (One Family Residence Zone) be approved as submitted.

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

ADVISORY COMMENTS TO THE APPLICANT:

1) The applicant shall be aware that approval of any rezoning application does not represent Site Development Plan or Record Plan approval. A separate Site Development Plan must be submitted and approved if development activities are proposed on the property. A separate Record Plan must be submitted and approved if changes to existing property lines are proposed.

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

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

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the Planning Commission
November 18, 2013

Applicants/Owners:	City of Dover
Property Address:	West side of Acorn Lane
Tax Parcel ID #:	ED-00-068.15-01-12.00-0001
Size:	0.075 acres (3,264 SF)
Present Use:	Vacant
Proposed Use:	Vacant

Comprehensive Plan Designation: Category 1 – High Priority Annexation Areas

Comprehensive Plan Land Use Designation: Residential Low Density

Present Zoning:	RS-1 (Single Family Residential)
Proposed Zoning:	R-8 (One Family Residence Zone)
File Number:	AX-13-03

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 6, 2013

APPLICATION: Lands of City of Dover– Annexation and Rezoning from RS-1 to R-8

FILE#: AX-13-03 REVIEWING AGENCY: City of Dover Planning Office

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

This application is for the annexation and rezoning of property located on Acorn Lane. The property is owned by the City of Dover. The Tax Parcel Identification Number is ED-00-068.15-01-12.00-0001.

Existing Property:
The property is located on Acorn Lane and is directly south of the western portion of the property located at 508 Acorn Lane.

Surrounding Land Uses:
The surrounding uses are residential properties. The property to the west is Manchester Square, which is zoned RG-2. To the southeast is the undeveloped portion of Patriot Village, which is zoned RM-1. The remaining lots are one-family residential lots, zoned R-15 and R-20 (One Family Residence Zones) and RS-1 (Single Family Residential) in Kent County.

Comprehensive Plan:
In the *2008 Comprehensive Plan*, this property is identified as a Category 1 (High Priority) Annexation Area with a land use classification of Residential Low Density.

Request for R-8 (One Family Residence Zone)
The types of permitted uses in the R-8 (One Family Residence) zone include primarily one family detached residences, but also agricultural uses and public uses. A series of conditional uses and accessory uses, generally deemed compatible with the residential uses, are also permitted in the One Family Residence Zones.

Recommendation of the Planning Staff:
Staff recommends that annexation of the property and the rezoning to R-8 (One Family Residence Zone) be approved as submitted.

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

ADVISORY COMMENTS TO THE APPLICANT:

1) The applicant shall be aware that approval of any rezoning application does not represent Site Development Plan or Record Plan approval. A separate Site Development Plan must be submitted and approved if development activities are proposed on the property. A separate Record Plan must be submitted and approved if changes to existing property lines are proposed.

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

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

City of Dover

DATA SHEET FOR CONDITIONAL USE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 9, 2013

PLANNING COMMISSION MEETING OF October 21, 2013

Plan Title:	Bee Hive Beauty Shop C-13-09
Plan Type:	Conditional Use Plan
Property Location:	North side of West Loockerman Street west of South State Street
Property Address:	27 West Loockerman Street
Tax Parcel:	ED-05-077.09-02-37.00-000
Owner: Lessee:	Forty S. Bradford Street, LLC c/o Chris Raubacher Kathryn Lord
Site Area:	2,377 SF ±
Present Use:	Vacant first floor tenant space/ second & third floor apartments
Proposed Use:	Beauty Shop – First floor
Sewer & Water:	City of Dover
Zoning Classification:	C-2 (Central Commercial Zone) H (Historic District Zone)

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: October 9, 2013

City of Dover Planning Office

APPLICATION: Bee Hive Beauty Salon at 27 West Loockerman Street

FILE #: C-13-09 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Tracey Harvey PHONE #: (302) 736-7196

PLAN SUMMARY:

This Conditional Use Plan Review is to permit a Beauty Salon on the first floor of the existing building located at 27 West Loockerman Street. The property for the proposed development is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Zone). The property is located on the north side of West Loockerman Street west of South State Street. The owner of record is Forty S. Bradford Street, LLC c/o Chris Raubacher, and the lessee is Kathryn Lord. The property address is 27 West Loockerman Street. Tax Parcel: ED-05-077.09-02-37.00-000.

Project Site

This building was built in the 1800s as a three story commercial building. It is within the Historic District Zone and listed in the National Register of Historic Places as a contributing resource to the Victorian Dover Historic District (K-396.100).

> K-396.100: 27 West Loockerman Street – Late-19th century, 3-story, 3-bay, brick commercial/residential structure; flat roof, ornate cornice; arched fenestration 2nd floor level; modernized 1st floor level; pen eave.

The building is within the Historic District. Any exterior changes including signage are subject to the Architectural Review Certification process and compliance with the *Design Standards and Guidelines for the City of Dover Historic District Zone.*

The building consists of three floors. The first floor of the building was most recently utilized as a restaurant. The second and third floors of the building consist of four separate apartments that are presently occupied. The first floor of the building is currently registered as a vacant building under the provisions of the Vacant Building Ordinance.

Proposed Project

The application seeks to allow for the establishment of a Beauty Shop on the first floor of the

existing building. The plan indicates there will be four (4) working stations, three (3) shampoo bowls, a nail station and a hair color room.

Due to its location, this type of land use as an Beauty Salon on the first floor requires Conditional Use approval by the Planning Commission as noted in Article 3 §13.21 of the *Zoning Ordinance*.

> 13.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 10.1 [1] of this ordinance and to any specified requirements set forth below. Any of the following uses in existence at the time this ordinance [section] is adopted are considered permitted uses, and shall not lose their status as permitted uses in their existing locations unless the use is changed to one of the uses listed above in [sub] section 13.1 of this ordinance [section]. Changes from one conditional use to another will require conditional use approval.
>
> 13.21 Personal service stores, including, but not limited to, barbershops, beauty shops, tailors, day spas, and other establishments in which the primary business is the sale of a service, rather than a product, located on the first floor on Loockerman Street between State Street and New Street and located within 250 feet of another personal service store.

This Conditional Use is subject to the requirements of Article 10 §1 further discussed below. With Conditional Use applications, the Planning Commission reviews the proposed project to determine whether or not the intended use is appropriate in type and scale for the immediate neighborhood. The Commission must also consider whether or not the proposed use will have an adverse impact on the future orderly development of the surrounding area. Several sections of the *Zoning Ordinanc*e which relate to the role of the Commission in reviewing Conditional Use applications are particularly relevant when reviewing this application:

> 1.1 *Accessibility for emergency response.* That all proposed structures, equipment or material shall be readily accessible for fire, ambulance, police, and other emergency response;
>
> 1.2 *Harmony of location, size and character.* That the proposed use shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the zone in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties;

For a use seeking conditional use approval that proposes to occupy an existing structure in the C-2 Zoning District, Article 3 §13.3 outlines the submission requirements. These requirements include a map of the property showing existing conditions and a conceptual floor plan with the appropriate legal data.

> 13.3 *Submission requirements for conditional uses in the C-2 zone.* The following submission requirements shall be used in lieu of the requirements of article 10, section 1.6, in the event that the business, office, or establishment seeking conditional use approval will be occupying an existing structure:
>
> > (a) The applicant shall cause a site map to be prepared. The applicant shall submit 21 copies of the site map at the time of application. The site map shall conform to the following specifications and the following elements shall be included on the site map:

1. The map shall be at least 11 [inches] by 17 inches, but not more than 24 [inches] by 36 inches, and at a scale of ten, 20, 30 or 40 feet to the inch, except that, if the property has a maximum dimension over 900 feet, a scale of 50 feet to the inch may be used.

2. The existing building and conditions on the lot must be depicted. It is permissible to utilize the most recent mortgage survey of the property for this purpose. If conditions, such as landscaping and accessory structures, on the lot have changed since the survey was completed, the applicant shall depict these changes on the plan to the best of his/her ability. However, the nature and extent of such revisions must be approved by the city planner at the required pre-application meeting.

3. A conceptual floor plan of the building is required. This floor plan must depict the location and percent of total floor area devoted to the proposed uses. Any uses on separate floors which are not the subject of the application must be referenced by a note on the plan. The city planner may request more detailed information, including architectural floor plans, on a case-by-case basis at his/her discretion.

4. Legal data:
   (a) Lot, blocks, and section number.
   (b) Name and address of the owner of record.
   (c) Name and address of the equitable owner, if any.
   (d) Name and address of the person, firm, or organization preparing the map.
   (e) Date, north point, and written and graphical scale.
   (f) The location and names of adjacent streets.
   (g) The location, zoning, and owners of record of all adjacent properties.

The Bee Hive Beauty Salon was permitted to open in advance of their Conditional Use hearing, as the tenant space they previously occupied experienced severe water damage so that it could no longer be occupied. The Planning Staff met with the applicant and explained the requirement for Conditional Use approval in order to operate, clarifying that if the Conditional Use Permit is not approved, the business would be required to relocate. Opening of the business at this location in advance of the Conditional Use hearing was permitted by the Planning Office, following an inspection by the Chief Building Inspector and Fire Marshal, to ensure that no irreparable harm to their business resulted from prolonged closure due to the property damage that their former location.

SITE CONSIDERATIONS:

Trash Collection

There is not a specific Dumpster pad requirement for personal service uses. Arrangements for trash collection will need to be made with either the City of Dover or a private trash collection service. Dumpster enclosures are required and must be implemented where space is available on site.

Parking
The C-2 zoning district does not have an off-street parking requirement for existing buildings. Staff notes that there several municipal parking lots located within the immediate area and on street parking.

Bicycle Parking
Bicycle parking is not required as there is no off-street parking requirement. There are bicycle parking facilities along West Loockerman Street (post and loop style).

Sidewalk
There is existing sidewalk along West Loockerman Street.

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

CITY AND STATE CODE REQUIREMENTS:

1) The Site Data and plan drawing column will need to be updated prior to Final Approval with the following:
   a) Any changes recommended or approvals by the Planning Commission.
   b) Indicate the proposed use.
   c) Indicate the amount of floor area within the building to be utilized by the tenant
   d) Add legal data items :
      1. Name and address of the owner of record.
      2. Name and address of equitable owner, if any.

2) Provide an Owner's Certification note and signature line to plan sheet. See text below.

   OWNER'S CERTIFICATION:

   I, _____, hereby certify that I am the owner of the property described and shown on this plan, that the plan was made at my direction, and that I acknowledge the same to be my act and desire the plan to be developed as shown in accordance with all applicable laws and regulations.

   DATE _____ SIGNATURE_____

   Lessee's signature will need to be added to the plan sheet.

3) Clarify any existing parking spaces that are available on this parcel at the rear of the property.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1. Install a bicycle parking rack in the rear parking lot to serve this facility. This will allow the street side bicycle parking racks to be utilized by customers.

ADVISORY COMMENTS TO THE APPLICANT:

1) The ability of the business to remain at this location is dependent upon approval of the Conditional Use Permit application. The Planning Office issued temporary approval for the business to open in the interim, as water damage made the previous business location unable to be occupied.

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

3) It appears that this new use will involve a change of occupancy classification with implications for compliance with Building Codes and Fire Codes. The applicant is advised to meet with the City's Fire Marshall and Building Inspector.

4) The applicant shall be aware that the Conditional Use 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. A Sign Permit # 13-1077 was issued for the installation of a wall sign.

5) The applicant shall be aware that the Conditional Use 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 and Certificate of Occupancy from the City of Dover.

6) Exterior renovations to the building are subject to Architectural Review Certification as the property is located within the Historic District. This may include review by the Historic District Commission.

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: AUGUST 28, 2013

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: **BEE HIVE BEAUTY SHOP AT 27 W. LOOCKERMAN ST.**

FILE #: **C-13-09**

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

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

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

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

1. Owner is responsible for following the requirements outlined in the City of Dover's Electric Service Handbook. The handbook is now available on the website at the following link: http://www.cityofdover.com/Public-Documents-4017/.

WATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. 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.
3. Due to the fact that this property is changing uses, water usage projections (peak demand or plumbing fixtures) must be submitted to our office to correctly determine if the size of the existing domestic and irrigation (if applicable) water meter for the building is sufficient. These projections must be submitted prior to approval so the meter size can be placed on the final site plan. If the meter needs to be changed, a waiver letter must be submitted to the Department of Public Works requesting a relaxation of the requirement that all water meters must be installed in a pit.

WASTEWATER

1. Our office has no objection to the conditional use proposed for the subject property.
2. 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.
3. 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, to correctly determine if the size of the existing sanitary sewer lateral for the building sufficient. All proposed wastewater utility components must meet the requirements of the Water / Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.

STORMWATER / SANITATION / STREETS / GROUNDS

1. None

GENERAL

1. The final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg format) and Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

1. None

WATER / WASTEWATER / STORMWATER / STREETS / GROUNDS / GENERAL

1. None

SANITATION

1. The City of Dover will continue to provide the current level of trash service to 27 West Loockerman Street. If additional trash service is required, the owner shall secure a private company to take over the sanitation service.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

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

1. None

GENERAL

1. 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:

CITY OF DOVER FIRE MARSHAL

APPLICATION: Bee Hive Beauty Shop at 27 W. Loockerman St.

FILE #: C-13-09 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 building is mercantile. The Fire Marshal has already reviewed the business and at the time of inspection the location met all of the requirements of the Office of the Fire Marshal and was ready for business occupancy. The current business has already moved in under those conditions due to severe water damage at their prior location.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

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 proposed building will be reviewed under Business 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: August 28, 2013

D E L D O T

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APPLICATION: Bee Hive Beauty Shop at 27 West Loockerman Street
FILE#: C-13-09 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.

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:

CITY OF DOVER FIRE MARSHAL

APPLICATION: Bee Hive Beauty Shop at 27 W. Loockerman St.

FILE #: C-13-09 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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CITY AND STATE CODE REQUIREMENTS:

Proposed building is mercantile. The Fire Marshal has already reviewed the business and at the time of inspection the location met all of the requirements of the Office of the Fire Marshal and was ready for business occupancy. The current business has already moved in under those conditions due to severe water damage at their prior location.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

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 proposed building will be reviewed under Business 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.

TO: Dover Delaware Planning Commission

FROM: Kathryn Lord
Owner, *Bee Hive Beauty Shop*

DATE: July 26, 2013

I have enclosed completed documents with the required information in order to qualify for conditional occupancy at 27 W. Loockerman Street under the business name of *BEE HIVE BEAUTY SHOP.*

Relocating to (address) Loockerman Street provides me with an opportunity to provide an attractive and inviting venue for existing clients, future clients and everyone moving through Loockerman Street each day.

The *Beehive* already enjoys an established thriving business with a strong and regular client base. Because we are simply relocating, we have the advantage of not being a start-up enterprise. Because of our existing success and uninterrupted business flow, the risk of failing or abandoning this location is minimal. Because of the locations's size and capacity we are prepared to accommodate a larger number of clients in the immediate future.

In addition, clients who come to our location are likely to visit other stores and businesses in the area when they are downtown.

I remain committed to supporting downtown Dover and embrace the opportunity to remain an integral part of the positive growth of our City.

Thank you for your attention and consideration. Please let me know if I can answer any questions you may have.

Enclosures



VICTORIAN APARTMENTS, L.L.C.
ZONING: C-2
ED05-077.09-02-37.00
P#38: R&D TRADING COMPANY, L.L.C.
P#36: JAY G & PENELOPE P REYNOLDS
P#35: JD LAND CORPORATION
P#41: DELAWARE TRUST BANK
P#40: SUZIE S STEHLE



ODL DISTRICT

NOTE: THIS MAP IS PREPARED FOR PROPERTY LOCATION AND ASSESSMENT, AND IS NOT FOR ENGINEERING USE.

76.08	77.09	77.08
76.12		77.10
	77.13	77.14

SHEET INDEX

CITY OF DOVER
ED-05
KENT COUNTY, DELAWARE
100 0 100
GRAPHIC SCALE
SCALE 1 INCH = 100 FEET

77.09

DELAWARE STATE PLANE COORDINATE GRID SYSTEM
MAP DATE: SEPTEMBER 12, 1977
REVISED TO: OCTOBER 23, 2012

Color Room
Back Door EXIT
BATHROOM
Sink
Sink
NAILS
Shampoo Bowls
Stations
Front Desk
Exit
Front Door
Window
Window

City of Dover

DATA SHEET FOR CONCEPTUAL SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF November 6, 2013

PLANNING COMMISSION MEETING November 18, 2013

Plan Title:	The Meadow Subdivision at Jefferson Terrace SB-13-06C
Plan Type:	Conceptual Subdivision Plan
Applicant/Owner:	Penntex, LLC
Project Engineer:	Element Design Group
Location:	West of Monroe Terrace, south of but not adjacent to Wyoming Avenue
Tax Parcel:	ED-05-077.17-06-02.01-000
Existing Site Area:	Parcel 1 - 2.35 acres ± Parcel 2 - 1.88 acres ±
Total Proposed Site Area:	4.23 acres ±
Zoning:	R-8 (One Family Residence Zone) R-10 (One Family Residence Zone)
Present Use:	Vacant
Proposed Use:	Five (5) single family lots for residential development
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Exceed the Maximum Street Length of a Dead End Street Increased Percentage of Lots on Cul-de-sac

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 6, 2013

APPLICATION: The Meadow Subdivision at Jefferson Terrace – Conceptual Subdivision Plan

FILE #: SB-13-06C REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSON: Tracey Harvey and Dawn Melson-Williams, AICP
PHONE #: 302-736-7196

PLAN SUMMARY

This review is a Conceptual Subdivision Plan to permit the subdivision of land totaling 4.23 acres ± into five (5) parcels for single family detached dwellings with residual land to be known as The Meadow. The parcel is zoned R-8 (One Family Residence Zone) and R-10 (One Family Residence Zone). This parcel is located west of Monroe Terrace and south of but adjacent to Wyoming Avenue. The owner of record is Penntex, LLC. Tax Parcel: ED-05-077.17-06-02.01-000.

Previous Applications

The Planning Staff administratively reviewed a Minor Lot Line Adjustment Plan (Application MI-12-10) and granted approval on June 5, 2012 (recorded June 12, 2012). The Plan reduced the size of the parcel that included the existing dwelling at 324 Wyoming Avenue by aligning its rear property line with adjacent residential parcels and dividing it from the lands to the south. The parcels impacted by the revisions were 324 Wyoming Avenue and the land south of 324 Wyoming Avenue with frontage on Jefferson Terrace and Monroe Terrace. The property at 324 Wyoming Avenue is not part of the Conceptual Subdivision Plan application.

SITE CONSIDERATIONS

The minimum lot area for lots within the R-8 (One Family Residence Zone) Zoning District is 8,000 SF and 10,000 SF for R-10 (One Family Residence Zone) Zoning District. A majority of the subject tract of land is zoned R-10. However, the land area proposed as Lot 1 of the subdivision contains both R-10 and R-8 zoning. Overall, the lots within this proposed subdivision meet or exceed the minimum lot size requirements as all lots will be greater than 10,000 SF in size.

This subdivision of land and any future development on the parcels is subject to the requirements found in the City of Dover *Zoning Ordinance,* Article 3 §1 and referenced sections which outline the permitted uses for the R-8 (One Family Residence Zone) and R-10 (One Family Residence Zone). The following tables highlight some of the design standard requirements for the R-8 and

R-10 (One Family Residence Zones). (NOTE: These charts are not an all-inclusive listing of the code requirements, but are provided as information on development requirements.)

MINIMUM REQUIRED:	R-8 One Family Residence Zone
Lot Area	8,000 SF
Lot Configuration – width (ft.)	70 ft.
Lot Configuration – depth (ft.)	100 ft.
Front yard setback (ft.)	25 ft.
Residential zone setback (ft.)	10 ft.
Side yard setback (ft.)	20 ft.
Rear yard setback (ft.)	30 ft.
Off-Street Parking Spaces	2 per dwelling
Maximum Permitted : Building Height: Stories Feet	 2 ½ stories 35 feet
Lot Coverage	35%

MINIMUM REQUIRED:	R-10 One Family Residence Zone
Lot Area	10,000 SF
Lot Configuration – width (ft.)	80 ft.
Lot Configuration – depth (ft.)	110 ft.
Front yard setback (ft.)	25 ft.
Residential zone setback (ft.)	15 ft.
Side yard setback (ft.)	20 ft.
Rear yard setback (ft.)	30 ft.
Off-Street Parking Spaces	2 per dwelling
Maximum Permitted : Building Height: Stories Feet	 2 ½ stories 35 feet
Lot Coverage	30%

Since this parcel is zoned R-8 and R-10 it is subject to the provisions of *Zoning Ordinance,* Article 5 §1.7 Uniformity of design in all one-family residence zones. These provisions limit construction of buildings that are like or substantially like a neighboring building in order to prevent monotony of architectural design.

SITE CONSIDERATIONS

Flood Hazard Areas

Flood Hazard Areas (100-year flood plain) are to remain as natural open space. The southern portion of this tract of land includes a Flood Hazard Area. The rear lot lines of Lot 3 and Lot 4 have been revised to avoid inclusion of the Flood Hazard Area on the residential lot. The Flood Hazard Area remains as the natural area adjacent to an existing stream including woodland and wetland areas.

Wetlands

The southern portion of this tract of land also includes areas delineated as wetlands. One area is large enough in size to require a setback from the wetland area per the *Zoning Ordinance*. The setback of 100 feet can be reduced to fifty (50) feet when a riparian buffer is established. The existing woodland can be recognized as satisfying the riparian buffer requirement. This buffer requirement does not impact the five lots proposed for residential development; the impacts are to the residual land area (Parcel 2 area).

Wet Soils and Basements

The *Zoning Ordinance* Article 5 §11.23 regarding wet soils limits the building construction when seasonally high water table is within two and one-half feet of the surface and requires construction subject to conditions to address the prevention of water damage. Subdivision plans must identify the seasonal high water table on each lot if basements are proposed.

STREETS

The Subdivision Plan proposes an extension of Jefferson Terrace as a public street leading to the west from Monroe Terrace. There is existing right-of-way (60 feet wide) for a portion of the street. The extension of Jefferson Terrace is proposed as thirty-six (36) feet paved width that will taper to a width of twenty-four (24) feet of paved street just before terminating the cul-de-sac. The right-of-way for the street will be sixty (60) feet of width. The thirty-six (36) feet of paved street width will allow for on-street parking on both sides of the street. Parking would be prohibited in the area of the twenty-four (24) foot paved width and also within the cul-de-sac.

The street extension is required to include upright curbing and sidewalk constructed to the City of Dover Standards. The plan proposes the use of Type 3 Curb (an upright curb); however, the use of Type 2 (a rolled curb) shown for a portion of the street is not permitted. The applicant will need to work with the City's Department of Public Works regarding the street width design for this extension of Jefferson Terrace including paved width, where on-street parking may be provided, the curbing, and the sidewalk design.

Waiver Requested: Length of Dead-end Street

The proposed dead end street is approximately 390+/- feet in length when measured from the center line of Monroe Terrace to the center of the proposed Jefferson Terrace cul-de-sac. However, the length of the proposed cul-de-sac is 440 feet when measured to the terminus of the street right-of-way. It appears that the proposed dead end street (cul-de-sac) exceeds the permitted length of a dead end street per the *Land Subdivision Regulations*, Article VI §A.15. A written waiver request (Letter of October 4, 2013) has been submitted to the Planning Office for consideration. The Planning Commission will make a recommendation on this waiver request and to be forwarded to the appropriate Council Committee and with final action by the Dover City Council.

Waiver Requested: Increased Percentage of Lots on Cul-de-sac

The Plan depicts three proposed lots or 60% of the proposed five (5) lots in the subdivision to the front on the turnaround section of the proposed Jefferson Terrace cul-de-sac. This proposed lot percentage exceeds the maximum of 20% of the lots in a development allowed to front on the turnaround section of a cul-de-sac. A written waiver request (Letter of October 4, 2013) has been submitted to the Planning Office for consideration. The Planning Commission will make a

recommendation on this waiver request and to be forwarded to the appropriate Council Committee and with final action by the Dover City Council.

Tree Planting & Preservation Plan

The subject site includes areas of existing woodland. The details of the Tree Preservation and Planning Plan will be reviewed in the Preliminary Subdivision Plan application. Tree clearing is limited to a maximum of 50% of the woodland per lot. New tree plantings are required at a rate of one tree per 3,000 SF of non-woodland lot area.

Active Recreation Plan

The *Zoning Ordinance* includes requirements for areas of Active Recreation to be provided with the development of residential subdivisions at a land area rate per lot. There are exceptions to this requirement for residential subdivisions where the property is less than five acres and less than ten dwelling units are proposed. This requirement is reviewed in the Preliminary Subdivision Plan application process.

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) **Revise the name of the subdivision currently proposed as The Meadow.** Within the City of Dover, there is an existing residential subdivision known as The Meadows. A unique name must be utilized to avoid confusion in emergency response.
   a) The street name of Jefferson Terrace seems to be appropriate as the proposed street is a continuation of the existing street segment known as Jefferson Terrace.
   b) The Kent County GIS Division – 911 Addressing section in conjunction with the City of Dover must approve the development name and street names.

2) A written waiver request to exceed the maximum length of a dead-end street has been submitted to the Planning Office for consideration by the Planning Commission with final action by City Council.

3) A written waiver request for increased lot percentage of lots on a cul-de-sac has been submitted to the Planning Office for consideration by the Planning Commission with final action by City Council.

4) Indicate any existing or future easements (drainage, utilities, etc.) on the site. It appears that a drainage easement may also be proposed between Lot 3 and Lot 4 similar to the one proposed between Lot 4 and Lot 5.

5) The land area (remaining area of Parcel 1) to the south of Lots 3 & 4 should be combined into the residual area (Parcel 2).
   a) Appropriate deed restrictions and notes on the Record Plan should note the features of this southern area (Parcel 2 area) and the restrictions to development related to the existence of the flood hazard area, wetlands, retention of the woodland as a riparian buffer, tree clearing limitations, etc.
   b) Clarify if the upland area fronting on Monroe Terrace is proposed for residential

development.

6) The Project Notes will need to be updated with the following:
   a) In Item #6, clarify the date of the FIRM Panel stated on the plan as to be revised January 6, 2005. The FIRM Maps date to May 5, 2003 unless a LOMR was issued.
   b) Any changes recommended or approvals or waivers granted by the Planning Commission and/or City Council.

7) If basements are proposed, then the seasonally high water table must be identified for each lot. Construction is subject to specific requirements. See *Zoning Ordinance*, Article 5 §11.23.

8) Provide the percentage of the proposed Lot 1 within each of the zoning classifications of R-8 and R-10. This information is needed to determine the bulk standards for the parcel. The District and Bulk requirements for R-8 (One Family Residence Zone) may need to be added to the Plan if found to govern.

9) Revised the Building Height limitation to 2.5 stories (Required) in the District and Bulk Standards Chart.

10) The applicant will need to work with the Department of Public Works regarding the design of the extension of Jefferson Terrace to the City of Dover Standards for the street, curbing, and sidewalks.
   a) Revise street curbing as Type 2 curbing (rolled curb) is not permitted.
   b) Ensure handicapped accessible ramps are installed at street intersection points.
   c) Evaluate the location of curb cuts to serve the existing parcels (both developed and vacant tracts) along the new segment of Jefferson Terrace located between the subject parcel and Monroe Terrace.
   d) Evaluate the need to on-street parking along this extension of Jefferson Terrace. The *Land Subdivision Regulations* include minimum pavement widths depending on the placement of on-street parking.

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

1) <u>Recommendations on Waiver Requests</u>:
   a) <u>Exceed Maximum Street Length of a Dead End Street</u>: Staff recommends approval of the request to exceed the maximum length of a dead end street. The construction of the proposed extension of Jefferson Terrace terminating in a cul-de-sac is the only access to proposed residential lots. This is due to the configuration of the existing tract of land, the existing natural features of woodlands, wetlands, and flood plain areas, and the surrounding residential development.

   b) <u>Increased Percentage of Lots on cul-de-sac</u>: Staff recommends approval of the request to permit more than 20% of lots in a development to front on the turnaround section of a cul-de-sac. The configuration of the tract of land does not allow for the inter-connection of the proposed street to another existing street in order to avoid the cul-de-sac.

ADVISORY COMMENTS TO THE APPLICANT:

1) The waivers are at the discretion of the Planning Commission. However, regarding the dead-end street waiver request and the percentage of lots on the cul-de-sac waiver request, the Planning Commission will provide a recommendation each waiver request. These waiver requests require Safety Advisory and Transportation Committee recommendations and then City Council consideration for final approval or denial.

2) The Conceptual Plan is the first step in the major subdivision process. For this project, the next step is the submission of the Preliminary Subdivision Plan for review. A Pre-Application meeting is required to file the Preliminary Subdivision Plan.

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

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

5) In the event, that major changes and revisions to the Conceptual Subdivision Plan occur in the development 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 commissions making recommendations in regards to the plan.

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

7) The applicant shall be aware that Conceptual Subdivision approval does not represent a Building Permit, Sign Permit and other associated construction activity permits. A separate application process is required for issuance of a Permit from the City of Dover.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCTOBER 30, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **The Meadow Subdivision on Jefferson Terrace**

FILE #: **SB-13-06C**

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

CONTACT PERSON: **Steve Enss - 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. All cable and electrical equipment will be installed along the right-of-way in front of the lots.
7. Owner is responsible for site and/or street lighting.
8. Meter locations will be determined by City of Dover Engineering Department.
9. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
10. Any relocation of existing electrical equipment will be engineered by the City of Dover Electric Department. Developer may be required to perform a quantity of the relocation. Any work performed by the City of Dover will be at the owner's expense.
11. Prior to construction, owner is responsible for granting an easement to the City of Dover Electric Department. Easement forms will be furnished and prepared by the City of Dover Electric Engineering Department.
12. Fees will be assessed upon final site plans. The owner will be responsible for fees assessed prior to construction. Owner is required to sign off plans prepared by the Electric Department.
13. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
14. Prior to the completion of any/all designs and estimates, the owner is responsible for providing the Electric Engineering Department with a physical address of the property.
15. All Engineering and design for Dover Electric will be engineered upon final approved plans. All Engineering work will be furnished by the City's Electric Engineering Department.

WATER

1. All water utility components must meet the requirements of the Water Wastewater Handbook, effective date March 22, 2010. Please contact our office for more information.
2. The following notes must be added to the plans:
   a. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
   b. Any existing water lines not to be utilized by the proposed facility must be properly abandoned at the mains in accordance with the City of Dover Department of Public Works specifications and requirements.
   c. The site contractor shall contact the City of Dover Public Works Construction Manager at (302) 736-7025 prior to the start of construction. A representative from the City of Dover Department of Public Works must observe and approve all City owned water and sanitary sewer interconnections and testing. All water taps must be performed by a City of Dover approved contractor. The proposed location for the water connection may need to be adjusted in the field due to conditions of the existing main. Possible conditions that would require tapping relocation include proximity to pipe joints, other taps, concrete encasements, conflict with other utilities, and the like. Test holes must be performed by the contractor to determine the best tapping location. The City of Dover will not be held responsible for field conditions requiring adjustment of the tapping location or for any work required by the contractor to make an appropriate and lawful connection.
3. Hydrant connections by the contractor are prohibited. This method may not be utilized during any phase of the project.
4. All water mains within the proposed subdivision must be looped. No dead end mains are permitted. The utility plan must incorporate the appropriate termination valves on the water system between construction phases, if applicable.
5. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan. All water mains shall be cement lined Class 52 cement lined ductile iron pipe. Division valves must be provided every 800 feet.
6. Water service lines shall be shown for each residential lot meeting the following requirements: The water services shall be one-inch (1") diameter Type K copper tubing, and installed five feet (5') to the right of the sewer lateral as viewed from the center line of the street. Curb stops shall be installed one foot (1') outside of the right-of-way for each lot. A water meter and meter pit must be installed on the domestic water service, in a non-traffic bearing location just downstream of the curb stop.
7. Fire hydrants shall be spaced no greater than 600 feet as measured along the curb. Fire hydrants shall be placed between the curb and sidewalk at intersections or centered on lot lines. Fifteen feet (15') separation must be provided between all hydrants and hydrant valves.

WASTEWATER

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

4. Minimum slope criteria shall meet Ten States Standards. Provide flow calculations to justify sizing of the sewer mains, showing that velocity requirements are met. Waiver requests must be approved by the Department of Public Works.

5. The desired location for sewer mains is under the centerline of the street. One-tenth of a foot (0.1') drop must be provided across all manholes. The minimum slope for eight-inch (8") sanitary sewer pipe is 0.004 feet/feet. Minimum cover is 3.0 feet.

6. Sanitary sewer manholes shall be spaced no more than 400 feet apart.

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

8. 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.

9. Sanitary sewer laterals shall be shown for each residential lot meeting the following requirements: The sewer laterals shall be six-inch (6") diameter schedule 35 PVC and, where practicable, installed to the center of each lot. Sewer laterals shall be connected directly to the main, not manholes, unless impracticable. Sewer laterals are to be installed one foot (1') beyond the right-of-way line at a typical depth of three feet (3'), preferably not exceeding five feet (5'). Cleanouts shall be installed one foot (1') outside of the right-of-way for each lot.

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 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. Submerged pipe inlets to ponds may only be permitted if they are so designed that the permanent pool elevation of the storm water management area doesn't surcharge back into the City of Dover's storm drain structures and system.

4. The City of Dover Department of Public Works specifications require all culverts to be designed for the 25-year storm frequency and all storm sewers to be designed for the 10-year storm frequency. The Manning's equation shall be utilized in design as applicable. Storm sewers are required to provide a minimum full flow velocity of 2 fps. Provide the calculations for each proposed pipe segment that, at a minimum, include: upstream and downstream inverts, upstream and downstream ground elevations, and ground cover provided; pipe slope, length, material, n value, and diameter; design flow, depth and velocity; and full flow and velocity.

5. The City of Dover Department of Public Works specifications require that all inlets (catch basins) be designed for the 10-year storm frequency (25-year storm frequency for sump conditions) and that the spread of water shall not exceed eight feet (8') from the flow line of the curb. The design must also meet the requirement that the hydraulic grade line may be no higher than one foot (1') below the top of the inlet. Provide the calculations for each proposed catch basin utilizing flows determined by each catch basin's contributory drainage area, for the appropriate storm frequency. Spread, depth of flow and hydraulic grade line data for each inlet must also be included. Any carryover should also be noted and included at appropriate downstream catch basins as applicable.

6. 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. Ensure that individual lot grading, house locations with finished floor elevations, and driveway locations and grades are provided on the plans in order to verify the adequacy of the design. The provided information should also show adequate conveyance of runoff from each lot.

STREETS

1. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.

2. It shall be unlawful for any person to alter the curb of any street so as to create a curb depression for the purpose of permitting vehicles to enter onto or exit from the city streets, without a permit issued by the city manager.

3. When determined to be necessary, dead-end streets, designated to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end cul-de-sac with a turnaround having an outside roadway diameter of 80

feet and a street right-of-way diameter of 100 feet. In no instance shall more than 20 percent of the lots in a proposed development front on the turnaround section of a cul-de-sac.

4. Streets shall be laid out so as to intersect as nearly as possible at right angles. The inner right-of-way line of a street intersecting another street at an angle of less than 90 degrees shall be tangent to and follow a curve with a minimum radius of 150 feet centered on the nearest right-of-way line and shall be parallel to said inner right-of-way line.
5. Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which, for the centerline of the right-of-way, shall not be less than 500 feet on arterial streets, 300 feet on collector streets and 150 feet on minor streets. The outer and inner right-of-way line shall be parallel to said center right-of-way line.
6. Street rights-of-way lines at intersections shall be connected with a curve, the radius of which shall be at least 25 feet. The required radius may be increased by the city engineer if the increased radius is necessary for public safety.
7. Street grades shall not exceed five percent.
8. Street grades shall not be less than one-half percent wherever feasible.
9. All curbing within the right-of-way shall be DelDOT Type III curb and gutter. A construction detail of the Type III curb and gutter must be provided on the plan.
10. The owner shall be responsible for any and all costs associated with the construction of the proposed subdivision road.

SANITATION

1. Every person occupying a residence or duplex and every owner of an apartment shall provide such premises with a sufficient number of solid waste containers to provide adequate capacity for the solid waste placed out for collection without overloading the capacity of the containers.

GROUNDS

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

GENERAL

1. Add the following note to the plans, “A seven and one half feet (7.5’) wide easement is retained along all side and rear lot lines, to be unoccupied by building, for utilities, drainage and sanitary sewer purposes. Except where lots are divided for any reason whatsoever, said easements shall fall along the actual side and rear lot lines as conveyed. A fifteen feet (15’) wide utility easement is retained along all rear lines of lots abutting the project boundary and other open spaces.” A ten feet (10’) wide utility easement is required along all front yard lot lines for utility installation. When a water, sewer, or storm sewer main is not located in the right of way, it shall be located within five feet (5’) of the center of a twenty feet (20’) wide utility easement.
2. The final site plan must be submitted in the following compatible digital formats:

a. AutoCAD 2004 (.dwg format).

b. Adobe Reader (.pdf format).

3. 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.

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/media/documents/2010%20Electric%20Service%20Handbook.pdf

WATER

1. Install a fire hydrant at the end of the proposed cul-de-sac, it will be necessary for proper flushing operations.

STORMWATER

1. A low spot appears to be around Sta. 12+50, with the installation of the road, the storm water could be blocked from the natural flow pattern, causing standing water north of the road. Provide a culvert to direct the water to the south.
2. Provide greater detail on the proposed drainage easements and provide language on how the residual land will be maintained.

STREETS

1. The width of the proposed road should be consistent throughout the subdivision. The number of lots proposed does not merit a thirty-six foot (36') wide road way. A twenty-four foot (24') wide roadway is sufficient.
2. Provide underdrains for the proposed subdivision road.

GENERAL

1. Our office recommends that no trees be planted within the vicinity (10 feet) of any underground utilities (electric, water, sanitary sewer, storm sewer, etc.). All street trees shall be planted on private property.

WASTEWATER / SANITATION / GROUNDS

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 two (2) times per year during system wide flushing operations. 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.

WASTEWATER

1. The City of Dover sanitary sewer system is available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.
2. Prior to plan approval, the sanitary sewer system plans must be submitted to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.
3. Profiles of the sanitary sewer main must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.
4. The existing manhole must be core drilled and an approved (by our office) pipe to manhole connector must be used to construct the connection for installation of the sewer main. The existing manhole flow channel must be reconstructed accordingly.

STORMWATER

1. Profiles of the storm sewer must be provided with the construction plans. All water, sanitary sewer and storm sewer crossings must be shown on the profiles.

STREETS

1. Street profiles must be provided with the construction plans.
2. All streets to be dedicated to the City must meet the City of Dover Department of Public Works specifications.
    a. Pavement sections must be designed based upon poor soil conditions unless soil boring data is provided showing otherwise. Structural number calculations must be submitted for review and a pavement cross section detail must be included within the plan set.
    b. All curbing within the right-of-way shall be DelDOT Type III curb and gutter. All curb radii must be labeled on the plan. In particular, a minimum radius of twenty-five feet (25') must be provided at all street intersections. A construction detail of the Type III curb and gutter must be provided on the plan.
    c. Sidewalk proposed within the right-of-way shall be constructed as per the City of Dover Standards and Specifications. All sidewalks must be poured by hand; curb machine slip formed sidewalks will not be permitted. The sidewalk must be scored in five feet (5') squares using hand tooled joints. All tool marks shall be removed as tool finished edges are not permitted. Expansion joints shall be installed at a spacing of twenty feet (20') and shall be precut, one-half inch (½ ") thick, four-inch (4") wide, cork sheets. All sidewalk proposed within the right-of-way shall consist of Class B concrete, without reinforcing material, in order to prevent future interference with utility locating. The proposed five feet (5') wide public sidewalk shall be installed 5 feet from the back of curb. The sidewalk cross slope shall not exceed 2% including across the driveways to ensure ADA and FHA compliance. A sidewalk construction detail containing the above information must be provided on the plan.
    d. All barrier free access ramps and driveway aprons constructed with the site improvements shall be in accordance with the most current ADA and DelDOT requirements and standards at the time of construction. To meet cross slope requirements a five feet (5') wide grass strip must be provided between a five feet (5') sidewalk and the curb.
    e. Signage and markings must be included with the site plan in accordance the Manual for Uniform Traffic Control Devices. Signage proposed for streets to be dedicated to the City of Dover must be included on the plan (no parking signs, speed limit signs, street blades, stops signs, watch children, etc.) All signs must be installed on two-inch (2") square break away sign posts.

SANITATION / GROUNDS

1. None

GENERAL

1. Provide a materials listing table for proposed water mains and services, proposed sanitary sewer mains and services, and proposed storm sewer. A table listing all infrastructure elements to be dedicated to the City of Dover must also be provided on the plans.

2. Construction plans will not be reviewed by our office unless all previous comments have been clearly addressed within the plan set and accordingly identified within an itemized response letter and with the Water/Wastewater Initial Plan Submission Checklist, which can be obtained from the following website: https://imageserv9.team-logic.com/mediaLibrary/198/WaterWastewaterHandbookFinal_1.pdf, page 88.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: October 30, 2013

CITY OF DOVER FIRE MARSHAL

APPLICATION: The Meadow Subdivision on Jefferson Terrace

FILE #: SB-13-06C 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 building is residential.

Address numbers of at least 6 inches in height must be placed on the street side of the building visible from the street.

Project to be completed per approved Site Plan.

Need to ensure proper turning radius for fire apparatus in the cul-de-sac

Cul-de-sac needs 38' of clearance with no obstruction, on street parking will not be permitted

Need to have a fire hydrant in the cu-de-sac

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

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 proposed building will be reviewed under Residential 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: October 29, 2013

D E L D O T

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APPLICATION: The Meadow Subdivision on Jefferson Terrace
FILE#: SB-13-06C 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. DelDOT has no comments.

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.

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
November 2013

APPLICATION: *The Meadow Subdivision*

FILE #: SB-13-06C

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

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

ADVISORY COMMENTS TO THE APPLICANT:

1. The site may qualify for a quantity waiver; if it can be demonstrated that the site is that 1% of the analyzed watershed. Water quality must be however must be accounted for with the use of green technologies.
2. Green Technologies (bio retention, bio swales etc.) must be considered before traditional facilities can be considered.
3. The preferred methods of stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.
4. It is recommended that the stormwater management practices be incorporated into the overall landscape plan to enhance water quality and to make the stormwater facility an attractive community amenity.
5. A letter of no objection to recordation will be provided once the detailed Sediment and Stormwater Management plan has been approved.

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF November 6, 2013

PLANNING COMMISSION MEETING November 18, 2013

Plan Title:	Uzin Utz Manufacturing N.A. at Lot 12 Garrison Oak Technical Park S-13-20
Plan Type:	Site Development Plan
Applicants:	Property Owner: City of Dover Equitable Owner: Uzin Utz Manufacturing North America, Inc.
Location:	West side of Garrison Oak Drive, located on northwest side of White Oak Road and east of Route 1
Address:	200 Garrison Oak Drive
Tax Parcel:	LC05-068.00-01-12.00-000
Site Area:	Lot 12: 10.86 acres +/-
Zoning:	IPM-2 (Industrial Park/Manufacturing Technology Center)
Present Use:	Vacant/Agricultural
Proposed Use:	Dry Mortar Plant consisting of Office Building, Warehouse, and Production Building
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers:	Partial Elimination of Curbing Reduction in Required Parking

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 6, 2013

APPLICATION: Uzin Utz Manufacturing N.A. at Lot 12 Garrison Oak Technical Park

FILE #: S-13-20 REVIEWING AGENCY: City of Dover Planning Office

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

PLAN SUMMARY

This is a Site Plan to allow for the construction of a dry mortar plant located on Lot 12 in the Garrison Oak Technical Park. The Uzin Utz Manufacturing N.A. plant facility includes an office building, warehouse, and production building. Review includes the Performance Standards Review Application associated with the Site Plan to determine if the proposed use will conform to the applicable performance standards as outlined in *Zoning Ordinance,* Article 5 §8 Performance Standards. The subject parcel is 10.86 acres +/- and is zoned IPM-2 (Industrial Park Manufacturing Zone – Technology Center). The Garrison Oak Technical Park is located on the northwest side of White Oak Road east of State Route 1 and this Lot #12 is located on the west side of Garrison Oak Drive. The owner of the property is the City of Dover. The equitable owner is Uzin Utz Manufacturing North America, Inc. Address: 200 Garrison Oak Drive. Tax Parcel: LC-05-068.00-02-12.00-000. Council District 3.

Garrison Oak Technical Park

The Subdivision Plan to layout the lots, street network, and other infrastructure was reviewed as the Garrison Oak Technical Park (Application SB-09-06) to establish fifteen (15) individual lots and residual open space from two parcels totaling 381.84 acres +/- on a tract known as Garrison Oak. On January 19, 2010, the Planning Commission granted conditional approval of the proposed Conceptual Subdivision Plan for the project. Then at its meeting of September 20, 2010, the City of Dover Planning Commission granted conditional approval of the Preliminary Subdivision for the Garrison Oak Technical Park. Currently, the Subdivision Plan for the Garrison Oak Technical Park is in the Check Print review process (administrative review process) as plans are revised in order to achieve agency approvals for the associated Construction Plans. The Record Plan subdividing the large tract into the lot was recorded May 22, 2012.

Within the Garrison Oak Technical Park, several applications have already been approved. Application S-10-01 completed the subdivision of Lot #15 and its development as the Dover Sun Park. A Site Development Master Plan application (S-12-03) and Performance Standards Review Application (MI-12-21) along with Administrative Site Plan S-12-17 which received Final Plan approval September 9, 2013 is for Calpine's development of Lot #7 as the Garrison Energy Center. This Site Development Plan application and Performance Standards Review Application is for the development of Lot #12 as the Uzin Utz Manufacturing N.A. facility.

Preliminary Land Use Services Review (PLUS)

The Garrison Oak Technical Park Subdivision Plan application was reviewed on November 25, 2009 by the Preliminary Land Use Services as required by the City of Dover's Memorandum of Understanding (MOU). This MOU requires that non-residential developments of over 75,000 square feet complete the PLUS Review process prior to application submission. For this specific development of Lot #12, a waiver of the requirement for PLUS Review process was received from the Office of State Planning Coordination via email dated September 25, 2013.

PROJECT DESCRIPTION

The Site Development Plan proposes the construction of a Dry Mortar Plant facility. Overall, the project involves construction of an interconnected two story office building and one story office building, warehouse, and a five story production building. A parking lot is proposed south of the building facility. Between the building and Garrison Oak Drive is the paved shipping and receiving area including the loading spaces. The western portion of the property includes areas of lawn, meadow grass area, and tree plantings.

The IPM-2 zoning district allows this dry mortar manufacturing facility as a permitted use (*Zoning Ordinance,* Article 3 §20A.11). This is documented in a letter dated June 13, 2013 and Memorandum dated July 17, 2013 from the City Planner. Review of information on the product manufacturing process for the flooring product was determined not to be one of the manufacturing uses that is prohibited in the IPM-2.

The application submission provides the layout of the facility and example photographs of the similar facilities in other locations. The facility is enclosed by fencing along the property frontage with Garrison Oak Drive which continues to wrap the site to the west side of the proposed building.

BUILDING ARCHITECTURE

The Uzin Utz Manufacturing facility includes several different building segments of structural steel and concrete construction. The southern segment is the two story office building clad in a corrugated metal panels with series of windows on the first and second floors. The warehouse continues the use of corrugated metal panels as the exterior cladding. The production building uses a silver corrugated metal panel system and includes a series of horizontal bands of windows. The roof system on all area is a flat roof system.

The facility's tallest building, the production building, must comply with the maximum height limitations of the IPM-2 zoning district. For this zoning district, the maximum height is limited to distance of the element from the nearest property line. The production building is estimated at 110 feet in height and is located 160 feet from the front property line and 170 feet from the north side property line. As shown, it is in compliance for height in the IPM-2 zone. Also the facility is well within the buildable area established by the front yard setback of 60 feet and side yard and rear yard setbacks of 40 feet.

SITE CONSIDERATIONS

The facility is fenced. The fence is proposed as a chain link fence of 8 feet in height. This height is permitted along the frontage of Garrison Oak Drive as the fence is not located in the front yard

setback. The lighting internal to the site is shown for the parking lot and the shipping/receiving area.

The site has three access/egress points to Garrison Oak Drive. The southernmost entrance service the parking lot area. The other two connections to Garrison Oak Drive serve as a site access and a site egress thus creating a one way circulation pattern for the truck traffic entering and exiting the site. The site access/egress crosses a drainage area labeled as Preliminary Waters of the U.S. In order to establish crossings of this area there may be special permits required.

Flood Hazard Areas

Flood Hazard Areas (100-year flood plain) are to remain as natural open space. The southwestern corner of this tract of land includes a Flood Hazard Area. The Flood Hazard Area remains as the natural area and is to include additional tree plantings. A proposed drainage swale crosses the western side of this property and then crosses through the Flood Hazard Area as part of the regional stormwater management plan for the Garrison Oak Technical Park.

PARKING SUMMARY

The parking requirement in the IPM-2 zoning district is one space per 800 S.F. of floor area or one space per employee of the largest shift. The number of employees was identified beginning with fifteen (15) and up to twenty-three (23) employees. Based on the floor area of 53,832 S.F. for the total facility, a minimum of sixty-eight (68) parking spaces are required. The site includes one permanent parking lot area of forty (40) parking spaces (two handicapped parking spaces and 38 regular spaces) south of the office building.

Waiver Request: Reduction of Parking Requirement

Under the provisions of *Zoning Ordinance*, Article 6 §3.9 the Planning Commission may reduce the parking for a site up to 50% of the required parking when "the use is adequately served by transportation and parking alternatives." However, the site must have an area of designated space where parking can be constructed equal to the number being reduced and by accepting the parking reduction the applicant agrees to construct the additional required parking in the future should by Public Hearing the Planning Commission determines the reasons for granting the reduction no longer exist.

The applicant has filed a waiver request to reduce the number of parking spaces to be constructed at the manufacturing facility. They are seeking to reduce the parking requirement by 28 parking spaces or 41%. The proposed Site Plan of 10/04/2013 shows forty (40) regular spaces including handicapped parking spaces and an area reserved for the construction twenty-eight (28) parking spaces for future construction.

Loading Spaces

The requirement for loading spaces in the IPM-2 zone is based on building square footage; however, the maximum number of required loading spaces for building up to 150,000 square feet is three loading spaces. This plan shows three loading spaces 12'x60' in size and one temporary loading space of 12'x40' in size.

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, four (4) bicycle parking

spaces are required. A bicycle parking rack is located on the west end of the office building segment.

Dumpster

For industrial uses, one Dumpster is required for the first 40,000 S.F. of gross building area and one for each additional 40,000 S.F. of gross building area or fraction thereof. For this project with a facility building of 53,832 S.F. the requirement is for two Dumpsters. The plan locates a Dumpster area with enclosure at the north end of the building and also reserves a second dumpster pad location on the site.

Sidewalk

Sidewalk is required along all City street frontages and within the site in accordance with *Zoning Ordinance,* Article 5 §18. As part of the Garrison Oak Technical Park subdivision, sidewalk is planned to be implemented along the frontage of Lot #12 with Garrison Oak Drive in accordance with the subdivision plan for the Technical Park. In addition sidewalks connecting from the street frontage sidewalk into the site are required and for pedestrian access from parking areas to building entrances. This plan includes the required sidewalk connections from the street frontage sidewalk and from parking areas.

Waiver Requested: Partial Elimination of Curbing

The *Zoning Ordinance,* Article 6 §3.6(b) requires upright curbing for all parking areas and access drives. The plan does not include curbing for southern edge of the parking lot and surrounding the paved shipping and receiving area (including loading zones) to the east of the warehouse and production facility building. A written waiver request for the elimination of curbing in these areas was submitted to the Planning Office for consideration by the Planning Commission citing the reasons for the request related to drainage and water quality related to stormwater management.

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. For this project Lot #12 is consists of a total lot area of 10.86 acres with a small area of existing trees along the west property line. Based on the 10.86 acres of non-woodland area for the Lot #12 area, 158 trees are required. The Landscape Plan shows a concept for total of 158 trees. Groups of trees are proposed along the frontage of the site and adjacent to the parking lot. A majority of the tree plantings are to occur in the western portion of the property in three 'reforestation' areas where a mix of deciduous and evergreen trees is proposed. The project also includes areas of landscape plantings of shrubs and perennials adjacent to the building. In addition, the construction of Garrison Oak Drive is to include the planting of street streets.

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) Sheet C-1.1:
   a) The Site Data Column will need to be updated prior to Final Approval with the following:

   i) Check placement of footnote 3 in Data Column.
   ii) Any changes recommended or approvals including information on any waivers granted by the Planning Commission.
b) Height of Dumpster enclosure for private collection is seven feet in height.
c) Check spelling of "floodplain" on drawing label.

2) Upright curbing must be provided around all parking areas unless a waiver is granted by the Planning Commission. A waiver request was submitted to the Planning Office for consideration by the Planning Commission.

3) The parking as required must be constructed unless a waiver is granted by the Planning Commission. A waiver request was submitted to the Planning Office for consideration by the Planning Commission.

4) Provide detail of the proposed fencing. Gates will need access provisions (opt-con, Knox box, etc.) for emergency response.
   a) Add gates in fence for maintenance access to the western portion of the site.

5) Relocate the bike rack closer to the sidewalk and identify material of surface under rack. Also revise the Landscape Plan as proposed plantings limit access from the sidewalk.

6) Add construction details for site elements such as Dumpster enclosure, bicycle rack, sidewalks, curbing, fencing, etc.

7) Landscape Plan Sheet L1.1:
   a) Add planting details for trees.
   b) Add data column with plan specifications. See *Zoning Ordinance*, Article 5 §16.81.
   c) Revise quantity numbers in chart of the Monkey Puzzle Tree and Eastern White Pine to match plan drawing.
   d) Ensure landscape plantings do not block access to bicycle parking rack.

8) Clarify the determination status and requirements related to areas labeled as "Preliminary Waters of the U.S."

9) 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 at the site entrances. Additional review is required to evaluation compliance with the Sign Regulations.

10) Review and Approval of the *Performance Standards Review Application* is required for the property development in accordance with *Zoning Ordinance*, Article 5 §8. See separate *Performance Standards Review Application* submission and Staff Review Report for information.

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

1) <u>Waiver Request for Elimination of Upright Curbing</u>: Planning Staff recommends approval of the elimination of upright curbing for the south side of the parking lot and for the

shipping/receiving area due to the approaches for stormwater management at the site. The plan shows parking bumpers at the head of each parking space where the curbing is eliminated.

2) Waiver Request for Parking Reduction: Planning Staff recommends approval of the parking reduction of the 28 parking spaces on the site. This reduction of 28 parking spaces is a parking reduction of 41%; however, the parking constructed on the site is adequate to serve the facility given the staffing levels for this type of manufacturing facility. The project also includes a bicycle parking rack.
   a) Areas must be reserved for the construction of parking areas equal to the amount of any parking reduction. If in the future parking becomes an issue at the site then the provisions of *Zoning Ordinance*, Article 6 §3.9 can be implemented to construct parking spaces in the reserved areas. The plan reserves an area for 28 future parking spaces.

ADVISORY COMMENTS TO THE APPLICANT:

1) Continue to work with the City of Dover as owner of the Garrison Oak Technical Park and other state or federal agencies regarding the site access crossings of the drainage area labeled as "Preliminary Waters of the U.S." Special permits may be required if this is a regulated watercourse.

2) The drainage swale which crosses this property as part of the regional stormwater management project for the Garrison Oak Technical Park involves changes within the Flood Hazard Area. These changes involve reporting requirements to FEMA as the City of Dover is a participating community in the National Flood Insurance Program. This work in the Flood Hazard Area may also include a Conditional Letter of Map Revision (CLOMR).

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

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

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/licenses are required.

6) Construction may have an effect on the nearby temporary access drive and the future street of Garrison Oak Drive. Any work requiring the closing or rerouting of visitors to other properties served by these roads should be coordinated as to offer the least amount of inconvenience.

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

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: OCTOBER 30, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Uzin Utz Manufacturing N.A., Garrison Oak Technical Park Lot #12**

FILE #: **S-13-20**

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

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

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

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

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

CITY AND STATE CODE REQUIREMENTS

ELECTRIC

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

WATER

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

WASTEWATER

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

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

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

STORMWATER

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

STREETS

1. The current City of Dover standard street section provides for a 3' grass strip between the curb and sidewalk. This standard was administratively revised to meet ADA and FHA compliance with cross slope requirements and to prevent cars from scrapping at driveways. The revised standard utilizes a five feet (5') wide public sidewalk with a five feet (5') wide grass strip behind the curb.

SANITATION

1. None.

GROUNDS

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

GENERAL

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

2. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

WATER / WASTEWATER / SANITATION / GROUNDS / GENERAL

1. None.

STREETS

1. Submit truck turning radius diagrams to support the width of the proposed entrances. Staff has concerns about the width of each truck entrance, which could cause unwanted traffic flow.

STORMWATER

1. The owner / developer shall submit all applicable Federal, State or Local approvals to cross the "Preliminary Waters of The U.S." prior to site plan approval.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1.

WATER

1. The City of Dover water system is not currently available to this site. Installation is proposed in conjunction with the Garrison Oak Technical Park subdivision.
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.

WASTEWATER

1. The City of Dover sanitary sewer system is not currently available to this site. Installation is proposed in conjunction with the Garrison Oak Technical Park subdivision.
2. Prior to plan approval, the sanitary sewer system plans may be required to be submitted to the DNREC, Division of Water Resources, Surface Water Discharges Section for review and approval. The owner/developer is responsible for providing all application fees, completed forms and plan sets directly to DNREC.

STORMWATER / STREETS / GROUNDS

1. None.

SANITATION

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

GENERAL

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: October 30, 2013

CITY OF DOVER FIRE MARSHAL

APPLICATION: Uzin Utz Manufacturing at Garrison Oak Lot #12

FILE #: S-13-20 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 building is industrial/storage/business. Primary fire lanes are required to be 24 feet wide and cover the side of the building that has the primary entrance and exit. Secondary fire lanes can be reduced to 16 feet wide. Both can be no closer than 10 feet to the building and no farther than 50 feet from the building. Fire lanes shall cover 25% of the proposed building.

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.

Sprinkler system required. System to be monitored.

Fire Department connection to be located within 50 feet of 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.

Standpipes required.

Smoke control possibly required.

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

Project to be completed per approved Site Plan.

Need to ensure that Garrison Oak Drive can hold the weight of fire apparatus.

FDC is shown as PVC, needs to be compliant with NFPA 13/Public Works.

Fire department perimeter access needs to be 50% and shown on the plans.

Extend fire lane on North side of the building to the rear of the proposed warehouse.

Need to ensure that the hydrant on Garrison Oak Drive at the first entrance (to the parking lot) is there.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

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 proposed building will be reviewed under industrial/storage/business 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: October 29, 2013

D E L D O T

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APPLICATION: Uzin Utz Manufacturing N.A. at Garrison Oak Technical Park Lot #2
FILE#: S-13-20 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. DelDOT has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- A Traffic Impact Study (TIS) is not required for the proposed manufacturer. However, for the development of any other parcels within the technical park, a Traffic Impact Study (TIS) for the site will have to be performed.
- The entrance geometry must be verified using turning templates. The design vehicle for these entrances should minimally be WB-62.

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
November 2013

APPLICATION: *Uzin Utz at Garrison Oak Technical Park Lot #12*

FILE #: S-13-20

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. As the disturbance for this site will exceed 5,000 square feet, a detailed sediment and stormwater management plan must be reviewed and approved by our office prior to any land disturbing activity (i.e. clearing, grubbing, filling, grading, etc.) taking place. The review fee and a completed Application for a Detailed Plan are due at the time of plan submittal to our office. Construction inspection fees based on developed area and stormwater facility maintenance inspection fees based on the number of stormwater facilities are due prior to the start of construction. Please refer to the fee schedule for those amounts.
2. The following notes must appear on the record plan:
    - The Kent Conservation District reserves the right to enter private property for purposes of periodic site inspection.
    - The Kent Conservation District reserves the right to add, modify, of delete any erosion or sediment control measure, as it deems necessary.
    - A clear statement of defined maintenance responsibility for stormwater management facilities must be provided on the Record Plan.
3. A soils investigation may be required to support the water quality design to determine impacts of the seasonal high groundwater level and soils on below ground design such as bio-retention.

ADVISORY COMMENTS TO THE APPLICANT:

1. The individual lots will not be required to design facilities for water quantity. The technical park is designed with a stormwater facility to account for water quantity.
2. The Green Technologies (water quality) recommended for the individual lot designs are filter strips and bio swales. Given the poorly drained soils and lack of fall present on the site bio-retentions are not recommended for water quality facilities.
3. The preferred methods of stormwater quality are those practices that maximize the use of the natural features of a site.
4. It is recommended that the stormwater management areas be incorporated into the overall landscape plan to enhance water quality and to make the stormwater facility an attractive amenity.
5. The Conservation District supports the waiver request for the elimination of curbing to enhance water quality and drainage.

City of Dover

STAFF REVIEW REPORT
Of November 6, 2013 for
Review of Performance Standards Review Application
Before the City of Dover Planning Commission on November 18, 2013

Application for Review:	Performance Standards Review Application Uzin Utz Manufacturing North America, Inc. S-13-20
Plan Title:	Uzin Utz Manufacturing N.A. at Lot 12 Garrison Oak Technical Park S-13-20
Applicants:	Property Owner: City of Dover Equitable Owner: Uzin Utz Manufacturing North America, Inc.
Location:	West side of Garrison Oak Drive located northwest side of White Oak Road, east of Route 1
Address:	200 Garrison Oak Drive
Tax Parcel:	LC05-068.00-01-12.00-000
Site Area:	Lot 12: 10.86 acres +/-
Zoning:	IPM-2 (Industrial Park/Manufacturing Technology Center)

INTRODUCTION

The Uzin Utz Manufacturing N.A., Inc. has submitted its *Performance Standards Review Application* for review by the City of Dover Planning Commission in accordance with the provisions of the *Zoning Ordinance,* Article 5 §8. Performance Standards. The following Staff Review Report will provide a narrative of the project background, the next steps for the project, and the procedures for the review of the *Performance Standards Review Application*.

PROJECT LOCATION: Garrison Oak Technical Park

Within the Garrison Oak Technical Park, Lot #12 is proposed as the Uzin Utz Manufacturing N.A., Inc.

Garrison Oak Technical Park

The Subdivision Plan for the Garrison Oak Technical Park (Application SB-09-06) outlined the layout the lots, street network, and other infrastructure to establish fifteen (15) individual lots and residual open space from two parcels totaling 381.84 acres +/- on a tract known as Garrison Oak. At its meeting of September 20, 2010, the City of Dover Planning Commission granted conditional approval of the Preliminary Subdivision for the Garrison Oak Technical Park.

Previously on January 19, 2010, the Planning Commission had granted conditional approval of the proposed Conceptual Subdivision Plan for the project. Currently, the Subdivision Plan for the Garrison Oak Technical Park is in the Check Print review process (administrative review process) as plans are revised in order to achieve agency approvals for the associated Construction Plans. The Record Plan subdividing the large tract into the lots was recorded May 22, 2012.

PROJECT DESCRIPTION: Uzin Utz Manufacturing N.A., Inc.

The Uzin Utz Manufacturing facility project involves the construction of a Dry Mortar Plant facility. Overall, the project involves construction of an interconnected two story office building and one story office building, warehouse, and a five story production building. A parking lot of forty (40) parking spaces is proposed south of the building facility. Between the building and Garrison Oak Drive is the paved shipping and receiving area including the loading spaces. The western portion of the property includes areas of lawn, meadow grass area, and tree plantings.

The facility is enclosed by eight foot chain-link fencing along the property frontage with Garrison Oak Drive which continues to wrap the site to the west side of the proposed building. There are three gated access/egress points from Garrison Oak Drive (the internal Street of the Garrison Oak Technical Park). The site requires four bicycle packing spaces, two Dumpsters for trash disposal, site lighting, etc. as site improvements. A total of 158 trees will be planted on the property to meet the tree planting requirements. The facility is to be served by City of Dover utilities (water and sewer).

PROJECT REVIEW AND NEXT STEPS

The City of Dover Planning Commission will review Site Development Plan (S-13-20) for the Uzin Utz Manufacturing facility project on November 18, 2013 and conduct a Public Hearing on the project. The applicant is seeking the following waiver requests as part of the Site Plan review process including: the elimination the required upright curbing in designated areas of the parking lot and shipping/receiving area to address stormwater management practices and a reduction in the number of required parking spaces from sixty-eight (68) to forty (40) parking spaces.

If the Planning Commission grants conditional approval of the Site Development Plan (Application S-13-20 Uzin Utz Manufacturing) for this facility, the applicant is requirement revise the Site Plan for final plan approval to achieve all agency approvals and then commence authorized construction upon receipt of appropriate permits.

A Performance Standards Review is required to be completed as part of the Site Plan process for Uzin Utz Manufacturing facility project. This Performance Standards Review is being completed in conjunction with the Site Plan Review

PERFORMANCE STANDARDS REVIEW

Uses in the IPM-2 (Industrial Park Manufacturing zone – Technology Center) are subject to the performance standards as set forth in *Zoning Ordinance*, Article 5 §8.1.

> *Article 5 §8.1 Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the

reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

As part of the Site Plan review process, the Performance Standards Review begins with submission of a *Performance Standards Review Application* which the Building Inspector refers to the Planning Commission. The specific procedure is outlined in *Zoning Ordinance,* Article 5 §8.6 (see excerpt below). The Planning Commission may refer the Application to expert consultants for review if deemed necessary. The Planning Commission is charged with determining if the proposed use of the Uzin Utz Manufacturing N.A., Inc. facility conforms to the applicable performance standards. The review does not require a Public Hearing on the Application and is considered at a regular meeting of the Planning Commission.

Article 5 §8.6 Performance standard procedure.

8.61 *Application.* An application for a site plan approval shall be accompanied with a performance standard review application when a use or occupancy is required, and shall be referred by the building inspector to the planning commission. The applicant shall also submit, in an amount equal to the required number of site plan submissions, a plan of the proposed construction or development, including a description of the proposed machinery, operations, and products, and specifications for the mechanisms and techniques to be used in restricting the emission of dangerous and objectional elements referred to in article 5, section 8.1, in accordance with rules prescribed by the planning commission specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times.
No applicant will be required to reveal any secret processes, and any information submitted will be treated as confidential if requested. The fee for such application shall include the cost of the special reports required to process it, described below.

8.62 *Report by expert consultants.* The planning commission, if there is any reasonable doubt as to the likelihood of conformance, shall refer the application for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards specified herein. Such consultant or consultants shall make such report within 30 days after his or their receipt of such application. A copy of such report shall be promptly furnished to the applicant.

8.63 *Decision of the planning commission.* At the next regular meeting of the planning commission, but in no event more than 30 days after the board has received the aforesaid report, or within such further period as agreed to by the applicant, the board shall decide whether the proposed use will conform to the applicable performance standards and, on such basis, shall authorize or refuse to authorize the issuance of a building permit or certificate of occupancy, or require a

> modification of the proposed plan of construction. Such decision of the commission shall be in the form of a written report. Any building permit or certificate of occupancy so authorized and issued shall be conditioned on, among other things:
>
> (i) The applicant's completed buildings and installations in operation conforming to the applicable performance standards, and
>
> (ii) The applicant's paying the fees for services of the expert consultant or consultants deemed reasonable and necessary by the planning commission for advice as to whether or not the applicant's completed buildings and installations will, in operation, conform to the applicable performance standards.

Performance Standards Regulations

The Performance Standards Regulations are found with *Zoning Ordinance,* Article 5 §8.5. (See Attachment for full text of code.) The project's compliance with a series of performance standards for the "dangerous and objectionable elements" is to be considered. The "dangerous and objectionable elements" are as follows:

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke
- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases and other forms of air pollution
- Glare (from lighting or high temperature processes)
- Liquid or solid wastes
- Traffic congestion (Level of Service E)

The project cannot cause the above conditions to exist so that they adversely affect the surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance.* Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

Performance Standards Review Application for Uzin Utz Manufacturing N.A., Inc.

The applicant Uzin Utz Manufacturing N.A., Inc. has submitted the *Performance Standards Review Application* – Performance Standards Report (received 10/4/2013) in the format of a four page narrative report with attachments which describe the manufacturing process and addresses each of the performance standards noting activities and actions such as design considerations, required permits, and plans for the facility at 200 Garrison Oak Drive on Lot #12 in the Garrison Oak Technical Park.

Staff Review of the Performance Standards Review Application submission:

The Planning Office has reviewed the *Performance Standards Review Application* submitted for the Uzin Utz Manufacturing N.A., Inc. (Application S-13-20). The Planning Office also distributed copies of the Application to the Development Agency Committee members (City Departments and the agencies of DelDOT and the Kent Conservation District) for review.

Staff finds that the Performance Standards Review Application for the Uzin Utz Manufacturing North America, Inc. facility contains adequate information to confirm the project's compliance with the performance standards of *Zoning Ordinance*, Article 5 §8.5. The manufacturing process including storage of raw materials and finished product (warehousing) occurs within enclosed buildings at the facility.

For a number of the performance standards that are related to air quality, there are state or federal level permitting requirements that ensure the compliance both during construction and operation of certain types of facilities, thus limiting impacts to air quality resources. Some of the performance standards are governed by regulations and policies adopted and enforced by various City Departments such by fire protection regulations administered by the City of Dover Fire Marshal and liquid and solid waste disposal which are subject to the City's Water/Wastewater Regulations administered by the Department of Public Works in conjunction with other agencies.

The following review comments are provided by the City of Dover Planning Office. This listing also includes advisory comments related to the continuing plan review process and construction.

1) The Site Plan for the project must be in compliance with the comments and conditions outlined in the Development Advisory Committee Report and the adopted conditions of the Planning Commission for the Site Plan (S-13-20).

2) Clarify if any air emission permits (State or Federal) are required by DNREC – Division of Air Quality for this manufacturing facility.

3) The fire protection needs for the facility will be reviewed as part of the Site Plan and Building Permit application processes. The current plan shows designated fire lanes, fire hydrants, fire department connections as well as planning for sprinklering of the building areas at the facility.

4) In reference to glare from lighting, the Site Plan for the facility is required to show the lighting plan for the site. Lighting has additional compliance measures to adequately light the subject area while ensuring light does not reflect on adjacent properties and streets.

5) The design of water service and wastewater service components to serve the Uzin Utz Manufacturing facility is subject to the review and approval of the City of Dover Department of Public Works.

6) In regards to the surrounding transportation network, the facility is to take access from Garrison Oak Drive, a proposed City street within the Garrison Oak Technical Park. Garrison Oak Drive has two points of intersection with White Oak Road, a State maintained road. Design of the facilities access to Garrison Oak Drive is subject to review and approval by the City of Dover Department of Public Works as part of the Administrative Site Plan review process. The design review and approval of the intersections of Garrison Oak Drive with White Oak Road is by DelDOT through the entrance plan/permit process (currently plan review is underway). A Traffic Impact Study is not required for the development of this facility, but could be required for future development within the Garrison Oak Technical Park.

7) In the event, that major changes and revisions to the Site Development Plan occur contact the Planning Office. Examples include, but are not limited to, reorientation of the complex/buildings, relocation of site components like stormwater management areas, and increases in floor area. 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.

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

9) Following the Planning Commission's action on the Site Development Plan, the Plan if approved must be revised to meet all conditions of approval from the Development Advisory Committee and as otherwise noted by the Planning Commission. These revisions are to be depicted as part of the Site Plan submissions which are required to progress to construction.

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

11) The applicant shall be aware that approval of the Performance Standards Review Application does not represent a Building Permit and other associated construction activity permits. A separate application process is required for issuance of a Building Permit and other permits from the City of Dover.

Attachments:

- Uzin Utz Manufacturing N.A., Inc. Performance Standards Report submission
- Excerpt of *Zoning Ordinance*, Article 5 §8

Zoning Ordinance, Article 5

Section 8. - Performance standards.

8.1 *Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

8.2 *Uses requiring performance standards review procedure.* Those uses in the C-3, IPM and M zones and uses accessory thereto, which are specified as being subject to performance standards procedure, are subject to the procedure specified in article 5, section 8.6 in obtaining a site plan approval. The city planner may require other uses, whether existing or proposed and regardless of the particular zoning district, to submit to the performance standards review procedure when there exists reasonable grounds to believe that a proposed use is in violation, or is likely to violate, the performance standards, in which event, the property owner shall comply with [the] performance standards review procedure.

8.3 *Enforcement provisions applicable to other uses.* Even though compliance with the performance standards procedure in obtaining a site plan approval is not required for some proposed uses, initial and continuing compliance with the performance standards themselves is required of every use, and provisions for enforcement to ensure continued compliance with the performance standards shall be invoked by the city planner against the property owner, tenant, or other responsible party if there are reasonable grounds to believe that performance standards are being violated by a particular activity or use.

8.4 *Nonconforming uses.* Certain uses established before the effective date of this ordinance and nonconforming as to performance standards shall be given a reasonable time in which to conform therewith, as provided in article 7, section 1.53.

8.5 *Performance standards regulations.* Where the following regulations overlap regulations of the Delaware Department of Natural Resources and Environmental Control or other state or local agencies, the more restrictive regulations shall apply in case of a conflict:

8.51 *Fire and explosion hazards.* All activities involving, and all storage of, inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point. The relevant provisions of the state and local laws and regulations shall also apply.

8.52 *Radioactivity or electromagnetic disturbance.* No activities shall be permitted which emit dangerous radioactivity at any point, or electromagnetic disturbance

adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

8.53 *Noise.* The maximum sound pressure level radiated by any use or facility (other than transportation facilities) at the property line shall not exceed the values in the designated octave bands given in [the following] table I, after applying the corrections shown in [the following] table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z243-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, N.Y., shall be used).

Table I

Octave Band Range In Cycles per Second	Sound Pressure Level in Decibels re 0.0002 dyne/cm^2
30— 300	60
301—2,400	40
Above 2,400	30

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in table II shall be applied to the decibel levels given in table I.

Table II

	Type of Location of Operation or Character of Noise		Correction in Decibels
1.	Daytime operation only		
2.	Noise source operates less than*		
	a.	20 percent of any one-hour period	5
	b.	05 percent [sic] of any one-hour period	10
3.	Noise of impulsive character (hammering, etc.)		-5
4.	Noise of periodic character (hum, screech, etc.)		-5
5.	Property is located in one of the following zones and is not within 500 feet of any residential district*:		
	a.	Central commercial C-2 zone	5
	b.	Service commercial C-3 zone Manufacturing M zone	10
6.	Property is located in industrial park manufacturing zone IPM		10

*Apply one of these corrections only.

8.54 [*Vibration.*] No vibration shall be permitted which is discernible without instruments at the property line.

8.55 *Smoke.* No emission shall be permitted at any point, from any chimney or otherwise, of visible grey smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc., and copyrighted 1954 (being a direct facsimile reduction of the standard Ringlemann chart as issued by the United States Bureau of Mines), except that visible grey smoke of a shade equal to No. 2 on said chart may be emitted for four minutes in any 30 minutes. These provisions applicable to visible grey smoke shall also apply to visible smoke of a different color, but with an apparently equivalent opacity. Any emission shall be in conformance with air pollution regulations of the Delaware Department of Natural Resources and Environmental Control.

8.56 *Odors.* No emission shall be permitted of odorous gases or other offensive odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air emitted to four volumes of clean air. Any process which may involve the creation or emission of any offensive odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, Odor Thresholds, in chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists' Association, Inc., Washington D.C., and said manual and/or table as subsequently amended.

8.57 *Fly ash, dust, fumes, vapors, gases, and other forms of air pollution.* No emission shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point, and/or which does not conform to air pollution regulations of the Delaware Department of Natural Resources and Environmental Control, and, in no event, any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grain per cu. ft. of the conveying gas resulting from combustion. Standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air.

8.58 [*Glare.*] No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, shall be permitted. This restriction shall not apply to signs otherwise permitted by the provisions of this ordinance.

8.59 *Liquid or solid wastes.* No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, except in accord with standards approved by the Delaware Department of Natural Resources and Environmental Control, of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.

8.60 *Traffic congestion.* When, in the surrounding highway network, operating conditions are at or near the design capacity level beyond which would result in functional failure of the surrounding highway network. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor perturbations within the traffic stream will cause functional failures beyond acceptable levels. (The conditions described in this [sub]section are also used to describe "level of service E" as defined by the highway capacity manual developed by the transportation research board, dated 1985.)

8.6 *Performance standard procedure.*

8.61 *Application.* An application for a site plan approval shall be accompanied with a performance standard review application when a use or occupancy is required, and shall be referred by the building inspector to the planning commission. The applicant shall also submit, in an amount equal to the required number of site plan submissions, a plan of the proposed construction or development, including a description of the proposed machinery, operations, and products, and specifications for the mechanisms and techniques to be used in restricting the emission of dangerous and objectional elements referred to in article 5, section 8.1, in accordance with rules prescribed by the planning commission specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times.

No applicant will be required to reveal any secret processes, and any information

submitted will be treated as confidential if requested. The fee for such application shall include the cost of the special reports required to process it, described below.

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8.63 *Decision of the planning commission.* At the next regular meeting of the planning commission, but in no event more than 30 days after the board has received the aforesaid report, or within such further period as agreed to by the applicant, the board shall decide whether the proposed use will conform to the applicable performance standards and, on such basis, shall authorize or refuse to authorize the issuance of a building permit or certificate of occupancy, or require a modification of the proposed plan of construction. Such decision of the commission shall be in the form of a written report. Any building permit or certificate of occupancy so authorized and issued shall be conditioned on, among other things:

(i) The applicant's completed buildings and installations in operation conforming to the applicable performance standards, and

(ii) The applicant's paying the fees for services of the expert consultant or consultants deemed reasonable and necessary by the planning commission for advice as to whether or not the applicant's completed buildings and installations will, in operation, conform to the applicable performance standards.

(Ord. of 4-25-1994; Ord. of 4-28-2008(2))

SCOTT ENGINEERING, INC.
Consulting Engineers • Surveyors • Land Planners

October 4, 2013

Mrs. Dawn Melson-Williams
City of Dover
Department of Planning and Inspections
P.O. Box 475
Dover, DE 19902

RE: Uzin Utz Manufacturing North America, Inc.
Dry Mortar Plant
Garrison Oak Technical Park – Lot #12
Dover, DE
T.M.P. No. LC-05-068.00-02-12.00-000

Dear Mrs. Melson:

On behalf of Uzin Utz Manufacturing North America, Inc., our firm is submitting a site plan for review and approval by the Planning Commission for the development of Lot #12 in the Garrison Oak Technical Park located on the easterly side of Dover, just off White Oak Road. With the submission we are requesting two (2) waivers.

Waiver #1

The City of Dover zoning regulations require that curbing be installed around all parking areas and drives. Our client is requesting that a waiver be granted to allow for the elimination of curbing in several areas of the site in order to alleviate or eliminate the potential drainage problems caused by installing curbing and to allow for better water quality treatment.

The areas that a waiver for curbing is being requested are shown on the plan absent of curbing and include the north, south and easterly sides of the shipping and receiving area to the west of the buildings and the south side of the employee and customer parking area south of the buildings.

The reason for the request is to allow for the implementation of proper drainage off the parking areas and to meet stormwater management quality requirements of the State of Delaware by using Best Management Practices (BMP's). The paved areas of the shipping and receiving area and employee/customer parking areas are designed to sheet flow in lieu of concentrated flow toward the grassy areas adjacent the pavement. This practice allows the grassy areas to filter and clean the water before it discharges into localized drainage pipes, swales or basins. When curbing is installed, the water becomes trapped on site and must be handled by catch basins and storm drainage pipe. This site is extremely flat and installing catch basins and storm drain pipe to handle runoff does not allow for adequate fall of pipes to the discharge location at the southwesterly corner of the site. Furthermore, draining directly into piping systems does not allow for the treatment of the runoff prior to it entering the drainage system and does not allow for treatment before it runs off site. In addition, installing curbing requires additional fill on the site in order to get water to drain over the curbing and off site. Installing curbing will significantly

22 Old Rudnick Lane • Suite 2 • Dover, Delaware 19901 • Tel: 302-736-3058 • Fax: 302-736-3059
info@scottengineering.com • www.scottengineering.com

impact the drainage patterns and impede the drainage on the site. A waiver of the curbing in all areas except where curbing is shown on the site plan is being requested in order to accommodate the above state conditions.

Waiver #2

The zoning regulations for the IPM-2 zoning require that parking be provided at one (1) space for every 800 s.f. of floor area. The total floor area for the proposed facility is 53,832 s.f., which would require 68 parking spaces. It is important to note that the 5-story production building significantly increases the amount of parking required due to the number of stories surrounding the silos within the production building that are used for operational purposes. These floors are not heavily occupied by employees. Our client has projected that they will only have 15 employees when the plant becomes operational. The maximum number of employees through the year 2023 is projected to be at most 23 employees. This type of facility and manufacturing is also not the type that would see a lot of customers at the facility. Our client initially anticipates that they would only need approximately 18-21 parking spaces for employees and customers and a maximum of 28-30 at build-out of the initial phase of construction. A total of 40 parking spaces are being provided and a place hold area for the remaining required 28 parking spaces is shown on the plan should there ever be a need to expand the parking.

Article 6, Section 3.9(e) has provisions which allows the planning commission to reduce the amount of parking spaces required, when in the opinion of the commission, it has been demonstrated that the use is adequately served by parking alternatives. The proposed site provides for an enhanced pedestrian environment that connects to sidewalks within the Technical Park allowing for access to mass transit connections and a superior landscaping and shade tree planting plan. Our client is requesting that the planning commission grant a reduction in the number of parking spaces required to be constructed from 68 parking spaces to 40 parking spaces with a place hold area of 28 parking spaces being shown on the plan as noted.

Thank you for your consideration in these waivers. Should you have any questions or require additional information please let me know.

Sincerely,

SCOTT ENGINEERING, INC.

Gregory R. Scott, P.E.

Cc: Philipp Utz

City of Dover

STAFF REVIEW REPORT
Of November 6, 2013 for
Review of Performance Standards Review Application
Before the City of Dover Planning Commission on November 18, 2013

Application for Review:	Performance Standards Review Application Uzin Utz Manufacturing North America, Inc. S-13-20
Plan Title:	Uzin Utz Manufacturing N.A. at Lot 12 Garrison Oak Technical Park S-13-20
Applicants:	Property Owner: City of Dover Equitable Owner: Uzin Utz Manufacturing North America, Inc.
Location:	West side of Garrison Oak Drive located northwest side of White Oak Road, east of Route 1
Address:	200 Garrison Oak Drive
Tax Parcel:	LC05-068.00-01-12.00-000
Site Area:	Lot 12: 10.86 acres +/-
Zoning:	IPM-2 (Industrial Park/Manufacturing Technology Center)

INTRODUCTION

The Uzin Utz Manufacturing N.A., Inc. has submitted its *Performance Standards Review Application* for review by the City of Dover Planning Commission in accordance with the provisions of the *Zoning Ordinance,* Article 5 §8. Performance Standards. The following Staff Review Report will provide a narrative of the project background, the next steps for the project, and the procedures for the review of the *Performance Standards Review Application*.

PROJECT LOCATION: Garrison Oak Technical Park

Within the Garrison Oak Technical Park, Lot #12 is proposed as the Uzin Utz Manufacturing N.A., Inc.

Garrison Oak Technical Park

The Subdivision Plan for the Garrison Oak Technical Park (Application SB-09-06) outlined the layout the lots, street network, and other infrastructure to establish fifteen (15) individual lots and residual open space from two parcels totaling 381.84 acres +/- on a tract known as Garrison Oak. At its meeting of September 20, 2010, the City of Dover Planning Commission granted conditional approval of the Preliminary Subdivision for the Garrison Oak Technical Park.

Previously on January 19, 2010, the Planning Commission had granted conditional approval of the proposed Conceptual Subdivision Plan for the project. Currently, the Subdivision Plan for the Garrison Oak Technical Park is in the Check Print review process (administrative review process) as plans are revised in order to achieve agency approvals for the associated Construction Plans. The Record Plan subdividing the large tract into the lots was recorded May 22, 2012.

PROJECT DESCRIPTION: Uzin Utz Manufacturing N.A., Inc.

The Uzin Utz Manufacturing facility project involves the construction of a Dry Mortar Plant facility. Overall, the project involves construction of an interconnected two story office building and one story office building, warehouse, and a five story production building. A parking lot of forty (40) parking spaces is proposed south of the building facility. Between the building and Garrison Oak Drive is the paved shipping and receiving area including the loading spaces. The western portion of the property includes areas of lawn, meadow grass area, and tree plantings.

The facility is enclosed by eight foot chain-link fencing along the property frontage with Garrison Oak Drive which continues to wrap the site to the west side of the proposed building. There are three gated access/egress points from Garrison Oak Drive (the internal Street of the Garrison Oak Technical Park). The site requires four bicycle packing spaces, two Dumpsters for trash disposal, site lighting, etc. as site improvements. A total of 158 trees will be planted on the property to meet the tree planting requirements. The facility is to be served by City of Dover utilities (water and sewer).

PROJECT REVIEW AND NEXT STEPS

The City of Dover Planning Commission will review Site Development Plan (S-13-20) for the Uzin Utz Manufacturing facility project on November 18, 2013 and conduct a Public Hearing on the project. The applicant is seeking the following waiver requests as part of the Site Plan review process including: the elimination the required upright curbing in designated areas of the parking lot and shipping/receiving area to address stormwater management practices and a reduction in the number of required parking spaces from sixty-eight (68) to forty (40) parking spaces.

If the Planning Commission grants conditional approval of the Site Development Plan (Application S-13-20 Uzin Utz Manufacturing) for this facility, the applicant is requirement revise the Site Plan for final plan approval to achieve all agency approvals and then commence authorized construction upon receipt of appropriate permits.

A Performance Standards Review is required to be completed as part of the Site Plan process for Uzin Utz Manufacturing facility project. This Performance Standards Review is being completed in conjunction with the Site Plan Review

PERFORMANCE STANDARDS REVIEW

Uses in the IPM-2 (Industrial Park Manufacturing zone – Technology Center) are subject to the performance standards as set forth in *Zoning Ordinance*, Article 5 §8.1.

> *Article 5 §8.1 Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the

reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

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> (ii) The applicant's paying the fees for services of the expert consultant or consultants deemed reasonable and necessary by the planning commission for advice as to whether or not the applicant's completed buildings and installations will, in operation, conform to the applicable performance standards.

Performance Standards Regulations

The Performance Standards Regulations are found with *Zoning Ordinance,* Article 5 §8.5. (See Attachment for full text of code.) The project's compliance with a series of performance standards for the "dangerous and objectionable elements" is to be considered. The "dangerous and objectionable elements" are as follows:

- Fire and explosion hazards (activities with and storage of)
- Radioactivity or electromagnetic disturbance
- Noise (sound pressure level)
- Vibration
- Smoke
- Odors (Odorous gases or odorous matter)
- Fly ash, dust, fumes, vapors, gases and other forms of air pollution
- Glare (from lighting or high temperature processes)
- Liquid or solid wastes
- Traffic congestion (Level of Service E)

The project cannot cause the above conditions to exist so that they adversely affect the surrounding areas or adjoining properties. The specific limits of each performance standard are described in the *Zoning Ordinance.* Where the performance standards conflict with regulations established by other state or local agencies such as the Delaware Department of Natural Resources and Environmental Control (DNREC), the more restrictive regulations apply.

Performance Standards Review Application for Uzin Utz Manufacturing N.A., Inc.

The applicant Uzin Utz Manufacturing N.A., Inc. has submitted the *Performance Standards Review Application* – Performance Standards Report (received 10/4/2013) in the format of a four page narrative report with attachments which describe the manufacturing process and addresses each of the performance standards noting activities and actions such as design considerations, required permits, and plans for the facility at 200 Garrison Oak Drive on Lot #12 in the Garrison Oak Technical Park.

Staff Review of the Performance Standards Review Application submission:

The Planning Office has reviewed the *Performance Standards Review Application* submitted for the Uzin Utz Manufacturing N.A., Inc. (Application S-13-20). The Planning Office also distributed copies of the Application to the Development Agency Committee members (City Departments and the agencies of DelDOT and the Kent Conservation District) for review.

Staff finds that the Performance Standards Review Application for the Uzin Utz Manufacturing North America, Inc. facility contains adequate information to confirm the project's compliance with the performance standards of *Zoning Ordinance*, Article 5 §8.5. The manufacturing process including storage of raw materials and finished product (warehousing) occurs within enclosed buildings at the facility.

For a number of the performance standards that are related to air quality, there are state or federal level permitting requirements that ensure the compliance both during construction and operation of certain types of facilities, thus limiting impacts to air quality resources. Some of the performance standards are governed by regulations and policies adopted and enforced by various City Departments such by fire protection regulations administered by the City of Dover Fire Marshal and liquid and solid waste disposal which are subject to the City's Water/Wastewater Regulations administered by the Department of Public Works in conjunction with other agencies.

The following review comments are provided by the City of Dover Planning Office. This listing also includes advisory comments related to the continuing plan review process and construction.

1) The Site Plan for the project must be in compliance with the comments and conditions outlined in the Development Advisory Committee Report and the adopted conditions of the Planning Commission for the Site Plan (S-13-20).

2) Clarify if any air emission permits (State or Federal) are required by DNREC – Division of Air Quality for this manufacturing facility.

3) The fire protection needs for the facility will be reviewed as part of the Site Plan and Building Permit application processes. The current plan shows designated fire lanes, fire hydrants, fire department connections as well as planning for sprinklering of the building areas at the facility.

4) In reference to glare from lighting, the Site Plan for the facility is required to show the lighting plan for the site. Lighting has additional compliance measures to adequately light the subject area while ensuring light does not reflect on adjacent properties and streets.

5) The design of water service and wastewater service components to serve the Uzin Utz Manufacturing facility is subject to the review and approval of the City of Dover Department of Public Works.

6) In regards to the surrounding transportation network, the facility is to take access from Garrison Oak Drive, a proposed City street within the Garrison Oak Technical Park. Garrison Oak Drive has two points of intersection with White Oak Road, a State maintained road. Design of the facilities access to Garrison Oak Drive is subject to review and approval by the City of Dover Department of Public Works as part of the Administrative Site Plan review process. The design review and approval of the intersections of Garrison Oak Drive with White Oak Road is by DelDOT through the entrance plan/permit process (currently plan review is underway). A Traffic Impact Study is not required for the development of this facility, but could be required for future development within the Garrison Oak Technical Park.

7) In the event, that major changes and revisions to the Site Development Plan occur contact the Planning Office. Examples include, but are not limited to, reorientation of the complex/buildings, relocation of site components like stormwater management areas, and increases in floor area. 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.

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

9) Following the Planning Commission's action on the Site Development Plan, the Plan if approved must be revised to meet all conditions of approval from the Development Advisory Committee and as otherwise noted by the Planning Commission. These revisions are to be depicted as part of the Site Plan submissions which are required to progress to construction.

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

11) The applicant shall be aware that approval of the Performance Standards Review Application does not represent a Building Permit and other associated construction activity permits. A separate application process is required for issuance of a Building Permit and other permits from the City of Dover.

Attachments:

- Uzin Utz Manufacturing N.A., Inc. Performance Standards Report submission
- Excerpt of *Zoning Ordinance*, Article 5 §8

Zoning Ordinance, Article 5

Section 8. - Performance standards.

8.1 *Dangerous and objectionable elements.* No land or building in any zone shall be used or occupied in any manner so as to cause any one or more of the following conditions to exist and to be dangerous, injurious, noxious or offensive beyond the boundaries of such premises in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises: Fire, explosive or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness or electromagnetic disturbance; glare, liquid or solid refuse or waste; traffic congestion causing roadways or intersections in the surrounding highway network to fall below acceptable levels of comfort and convenience; or other substance, condition or element (referred to hereinafter as "dangerous or objectionable elements"), provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

8.2 *Uses requiring performance standards review procedure.* Those uses in the C-3, IPM and M zones and uses accessory thereto, which are specified as being subject to performance standards procedure, are subject to the procedure specified in article 5, section 8.6 in obtaining a site plan approval. The city planner may require other uses, whether existing or proposed and regardless of the particular zoning district, to submit to the performance standards review procedure when there exists reasonable grounds to believe that a proposed use is in violation, or is likely to violate, the performance standards, in which event, the property owner shall comply with [the] performance standards review procedure.

8.3 *Enforcement provisions applicable to other uses.* Even though compliance with the performance standards procedure in obtaining a site plan approval is not required for some proposed uses, initial and continuing compliance with the performance standards themselves is required of every use, and provisions for enforcement to ensure continued compliance with the performance standards shall be invoked by the city planner against the property owner, tenant, or other responsible party if there are reasonable grounds to believe that performance standards are being violated by a particular activity or use.

8.4 *Nonconforming uses.* Certain uses established before the effective date of this ordinance and nonconforming as to performance standards shall be given a reasonable time in which to conform therewith, as provided in article 7, section 1.53.

8.5 *Performance standards regulations.* Where the following regulations overlap regulations of the Delaware Department of Natural Resources and Environmental Control or other state or local agencies, the more restrictive regulations shall apply in case of a conflict:

8.51 *Fire and explosion hazards.* All activities involving, and all storage of, inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point. The relevant provisions of the state and local laws and regulations shall also apply.

8.52 *Radioactivity or electromagnetic disturbance.* No activities shall be permitted which emit dangerous radioactivity at any point, or electromagnetic disturbance

adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

8.53 *Noise.* The maximum sound pressure level radiated by any use or facility (other than transportation facilities) at the property line shall not exceed the values in the designated octave bands given in [the following] table I, after applying the corrections shown in [the following] table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z243-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, N.Y., shall be used).

Table I

Octave Band Range In Cycles per Second	Sound Pressure Level in Decibels re 0.0002 dyne/cm^2
30— 300	60
301—2,400	40
Above 2,400	30

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in table II shall be applied to the decibel levels given in table I.

Table II

	Type of Location of Operation or Character of Noise		Correction in Decibels
1.	Daytime operation only		
2.	Noise source operates less than*		
	a.	20 percent of any one-hour period	5
	b.	05 percent [sic] of any one-hour period	10
3.	Noise of impulsive character (hammering, etc.)		-5
4.	Noise of periodic character (hum, screech, etc.)		-5
5.	Property is located in one of the following zones and is not within 500 feet of any residential district*:		
	a.	Central commercial C-2 zone	5
	b.	Service commercial C-3 zone Manufacturing M zone	10
6.	Property is located in industrial park manufacturing zone IPM		10

*Apply one of these corrections only.

8.54 [*Vibration.*] No vibration shall be permitted which is discernible without instruments at the property line.

8.55 *Smoke.* No emission shall be permitted at any point, from any chimney or otherwise, of visible grey smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc., and copyrighted 1954 (being a direct facsimile reduction of the standard Ringlemann chart as issued by the United States Bureau of Mines), except that visible grey smoke of a shade equal to No. 2 on said chart may be emitted for four minutes in any 30 minutes. These provisions applicable to visible grey smoke shall also apply to visible smoke of a different color, but with an apparently equivalent opacity. Any emission shall be in conformance with air pollution regulations of the Delaware Department of Natural Resources and Environmental Control.

8.56 *Odors.* No emission shall be permitted of odorous gases or other offensive odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air emitted to four volumes of clean air. Any process which may involve the creation or emission of any offensive odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, Odor Thresholds, in chapter 5, "Air Pollution Abatement Manual," copyright 1951 by Manufacturing Chemists' Association, Inc., Washington D.C., and said manual and/or table as subsequently amended.

8.57 *Fly ash, dust, fumes, vapors, gases, and other forms of air pollution.* No emission shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point, and/or which does not conform to air pollution regulations of the Delaware Department of Natural Resources and Environmental Control, and, in no event, any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grain per cu. ft. of the conveying gas resulting from combustion. Standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air.

8.58 [*Glare.*] No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, shall be permitted. This restriction shall not apply to signs otherwise permitted by the provisions of this ordinance.

8.59 *Liquid or solid wastes.* No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, except in accord with standards approved by the Delaware Department of Natural Resources and Environmental Control, of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements.

8.60 *Traffic congestion.* When, in the surrounding highway network, operating conditions are at or near the design capacity level beyond which would result in functional failure of the surrounding highway network. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor perturbations within the traffic stream will cause functional failures beyond acceptable levels. (The conditions described in this [sub]section are also used to describe "level of service E" as defined by the highway capacity manual developed by the transportation research board, dated 1985.)

8.6 *Performance standard procedure.*

8.61 *Application.* An application for a site plan approval shall be accompanied with a performance standard review application when a use or occupancy is required, and shall be referred by the building inspector to the planning commission. The applicant shall also submit, in an amount equal to the required number of site plan submissions, a plan of the proposed construction or development, including a description of the proposed machinery, operations, and products, and specifications for the mechanisms and techniques to be used in restricting the emission of dangerous and objectional elements referred to in article 5, section 8.1, in accordance with rules prescribed by the planning commission specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times.

No applicant will be required to reveal any secret processes, and any information

submitted will be treated as confidential if requested. The fee for such application shall include the cost of the special reports required to process it, described below.

8.62 *Report by expert consultants.* The planning commission, if there is any reasonable doubt as to the likelihood of conformance, shall refer the application for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards specified herein. Such consultant or consultants shall make such report within 30 days after his or their receipt of such application. A copy of such report shall be promptly furnished to the applicant.

8.63 *Decision of the planning commission.* At the next regular meeting of the planning commission, but in no event more than 30 days after the board has received the aforesaid report, or within such further period as agreed to by the applicant, the board shall decide whether the proposed use will conform to the applicable performance standards and, on such basis, shall authorize or refuse to authorize the issuance of a building permit or certificate of occupancy, or require a modification of the proposed plan of construction. Such decision of the commission shall be in the form of a written report. Any building permit or certificate of occupancy so authorized and issued shall be conditioned on, among other things:

(i) The applicant's completed buildings and installations in operation conforming to the applicable performance standards, and

(ii) The applicant's paying the fees for services of the expert consultant or consultants deemed reasonable and necessary by the planning commission for advice as to whether or not the applicant's completed buildings and installations will, in operation, conform to the applicable performance standards.

(Ord. of 4-25-1994; Ord. of 4-28-2008(2))

City of Dover

DATA SHEET FOR UNIFIED COMPREHENSIVE SIGN PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF November 6, 2013

PLANNING COMMISSION MEETING OF November 18, 2013

Plan Title:	Loockerman East US-13-03
Plan Type:	Unified Comprehensive Signage Plan
Property Location:	Southwest corner of U.S. Route 13 (South DuPont Highway) and East Loockerman Street
Property Addresses:	554 East Loockerman Street 222 South DuPont Highway
Tax Parcels:	ED05-077.06-01-62.00-000 ED05-077.06-01-63.00-000 ED05-077.06-01-64.00-000 ED05-077.06-01-87.00-000
Owners:	Hub Associates LLC A&G Kramedas Assoc.
Project Professional:	First State Signs
Site Area:	4.35 acres +/-
Existing Signs:	Two (2) pylon signs, One (1) post and panel sign, and four (4) wall signs.
Proposed Signs:	Number: Two (2) pylon signs, one (1) monument sign, multiple wall signs (variable depending on number of tenants)
Zoning Classification:	C-4 (Highway Commercial)/C-PO (Commercial and Professional Office District)
Roadway Classification:	U.S. Route 13 – Urban Principal Arterial East Loockerman Street – Urban Minor Arterial

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 6, 2013

CITY OF DOVER PLANNING

APPLICATION: Loockerman East Unified Comprehensive Signage Plan

FILE #: US-13-03 REVIEWING AGENCY: City of Dover Planning

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

PLAN SUMMARY:

Review of a Unified Comprehensive Signage Plan application to permit the construction and implementation of signage for the multiple building complex undergoing redevelopment at Loockerman East consisting of two pylon signs, one monument sign, and wall signs for the hotel building and building tenants. The subject property is a total of 4.29 acres ± and is zoned C-4 (Highway Commercial Zone) and C-PO (Commercial/Professional Office Development District). The property is located at the southwest corner of South DuPont Highway and Loockerman Street. The owners of record are Hub Associates, LLC and A&G Kramedas Associates. Property Addresses: 514 East Loockerman Street, 516 East Loockerman Street, 554 East Loockerman Street, and 222 South DuPont Highway. Tax Parcels: ED05-077.06-01-62.00-000, ED05-077.06-01-63.00-000, ED05-077.06-01-64.00-000, and ED05-077.06-01-87.00-000.

The site includes a hotel that is currently under construction, an existing building with commercial tenants, and a proposed building for commercial tenants. The site is eligible for a Unified Comprehensive Signage Plan because it includes three buildings under common management or ownership. The proposed plan includes a request for two pylon signs on U.S. Route 13, one monument sign on East Loockerman Street, and building tenant signage that will comply with the requirements of the Sign Regulations (Zoning, Article 5, Section 4.7) with regard to number and size.

SIGNAGE REGULATIONS

The *Zoning Ordinance* permits a site on an Urban Principal Arterial road one (1) pylon sign, one (1) monument sign per entrance, and two wall signs per frontage. As the site has frontage on an Urban Principal Arterial and an Urban Minor Arterial, and the frontage along the Urban Minor Arterial is adjacent to residential uses, the following table illustrates the size and types of signs permitted under the *Zoning Ordinance* for each frontage of the property:

	Use	Road Type	Sign Type	# Permitted	Max Size	Max Height	% of Total Wall Area	Setback (R.O.W.)	Exclusion Zone
East Loocker man Street	Nonresidential Uses Adjacent to Residential Districts or Uses	Urban Minor Arterial	Wall	2/frontage	32 S.F.	N/A	< = 15%	N/A	N/A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet
U.S. Route 13 (N. Dupont Highway)	Nonresidential Uses in Nonresidential Districts	Urban Principal Arterial	Wall	2/frontage	No max	N/A	< = 15%	N/A	N/A
			Monument or Post and Panel	1/entrance	100 S.F.	10 feet	N/A	10 feet	20 feet
			Pylon OR *	1/frontage	100 S.F.	30 feet	N/A	15 feet	50 feet
			Pylon*	1/frontage	150 S.F.	30 feet	N/A	31 feet	50 feet

** Post sign would be in lieu of a monument sign or post and panel sign.

The table above presents the traditional sign regulations for the property based on its road frontage. However, the applicant has requested consideration of a Unified Comprehensive Signage Plan for the property. Under the provisions for Comprehensive Signage Plans for unified campuses and complexes found in Article 5 §4.8 of the Sign Regulations, an applicant may request the Planning Commission to grant additional signage and sign area than would be permitted under the traditional sign regulations.

However, in considering a Unified Comprehensive Signage Plan, "the number type and size of sign proposed may not be excessive and must be in proportion to the scale of the building and the uses on the site." For the Unified Comprehensive Signage Plans, there shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area. All Comprehensive Signage Plans must comply with the design guidelines found in Article 5 §4.4. The design requirements focus on freestanding signs, the material and craftsmanship of signs, wall sign placement, illumination, and changeable signs.

DESIGN GUIDELINES AND OBJECTIVES FOR COMPREHENSIVE SIGNAGE PLANS

In reviewing the overall sign package, each of the sign locations must be reviewed individually and as a whole. The Planning Commission must take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, business and property owners of the immediate neighborhood in particular and shall ensure that the Site has adequate, but not excessive signage.

The Sign Ordinance specifically spells out the guidelines for the Planning Commission to use to

approve or disapprove a Unified Comprehensive Signage Plan (*Zoning Ordinance* Article 5 § 4.8 B and C). The pertinent design guidelines and objectives are as follows:

B. *Design guidelines for unified comprehensive signage plans.*

1. Unified campuses and complexes applying for a unified comprehensive signage plan may not be held to the height, size, number and area regulations for signs found in other subsections of this section. However, the number, type and size of signs proposed may not be excessive, and must be in proportion to the scale of the buildings and the uses on the site.

2. All unified comprehensive signage plans must comply with all design guidelines found in subsection 4.4-Design requirements of this section, as well as all specific design guidelines found in this section.

3. Building signs shall be in harmony with the overall architectural concept for the site, and be compatible with each other and the building facades.

4. The freestanding signs identifying shopping centers and other unified campuses and complexes shall identify the name of the campus or complex and no more than three separate tenants within the campus or complex unless otherwise approved by the planning commission.

5. There shall be architectural harmony and unity of signs within a unified campus or complex. Sign type, color scheme, size, and illumination within the site shall be coordinated and shall be compatible with the architecture of the center and the surrounding area.

C. *Planning commission duties.* In reviewing and approving comprehensive signage plans, the planning commission shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents, businesses, and property owners of the immediate neighborhood in particular, and shall ensure that unified campuses and complexes have adequate, but not excessive, signage. Specifically, the following objectives shall guide the commission when reviewing such plans:

1. That the size and complexity of the campus or complex warrants the need for extra signage under the provisions of this section;

2. That, in respect to the number and type of entrances, the placement of signage at or near those entrances provides superior visibility in order to ensure the safety of the driving public;

3. That the proposed signs are adequate in number to safely direct the public to the use or uses on the site;

4. The proposed signs must not have an adverse impact on the visibility of adjacent signs, and shall be consistent with, or an improvement over, the prevailing type and style of signage in the general area;

5. That the proposed signs will be of a style and color which will complement the architecture of the site, and the area in general.

SUMMARY OF EXISTING AND PROPOSED SIGNS

The following tables represent a listing of all signs existing and proposed for Loockerman East.

Exterior Freestanding Signage

Type	Location	Text	Existing Height	Proposed Height	Quantity	Existing S.F.	Proposed S.F.
Pylon Sign	Along U.S. Route 13 immediately north of site access	TGI Fridays with changeable copy	20 ft.	20 ft.	1	92	92
Pylon Sign	Along U.S. Route 13 in entrance median	Home2 Suites by Hilton, electronic message center, tenant signage for 8 tenants	Not stated with submission	44 ft.	1	240	291
Monument Sign	East Loockerman Street at site acess	Home2 Suites by Hilton	Not stated with submission	5 ft. 6 in.	1	24	32
Total					**3**	**356**	**694**

Existing Exterior Wall Signage (Placed on the building elevations)

Sign	Type	Location	Text	Quantity	S.F.
TGI Fridays	Wall	Awning over entrance door	TGI Fridays	2	64
Jet Set	Wall	North side of existing building	Jet Set	1	32
Mariner Finance	Wall	North side of existing building	Mariner Finance	1	22
Total				**4**	**118 SF**

Existing wall signs would remain under the Unified Comprehensive Signage Plan.

Proposed Exterior Wall Signage (Placed on the building elevations of each tenant space)

Sign	Type	Location	Text	Quantity	S.F.
H1	Wall Sign Illuminated channel letters	North side of building at the northeast corner	Home2 Suites by Hilton	1	43
H2	Wall Sign Illuminated channel letters	East side of building on the tower element	Home2 Suites by Hilton	1	96
Complex Sign	Wall Sign	North side of building at the northwest corner	Loockerman Plaza	1	Not Specified
Total				**3**	

Remaining tenant wall signage would be individual illuminated letters on raceways to match the building color. Sizes would meet sign area requirements of the Sign Regulations.

SUMMARY OF SIGNAGE AND RECOMMENDATIONS

FREESTANDING SIGNAGE

The applicant is requesting three (3) freestanding signs, including two (2) pylon signs and one (1) monument sign. There are currently two pylon signs and one post and panel sign on the site. One pylon sign is specific to TGI Fridays, and is located near the southeast corner of their restaurant. There is no change proposed to this sign. The other pylon sign is for Rodeway Inn, the hotel that previously stood in this location. This sign exceeds the maximum sign height for pylon signs and is considered a legal nonconforming sign, however the information submitted does not indicate the height of the existing sign. The proposed plan would also increase the

square footage of the sign area from 240 square feet to 291 square feet. The existing post and panel sign is 24 square feet and would be replaced with a 32-square-foot sign.

Staff Recommendation for Pylon Signs

- Staff recommends approval of the existing pylon sign for TGI Fridays (F2).
    - The existing sign is non-conforming as to the setback from the right-of-way. It is located approximately seven (7) feet from the right-of-way.
    - There are no changes proposed to this existing sign.
- Staff recommends that the multi-tenant pylon sign (F1) be approved as shown in the **revised** rendering.
    - The maximum height for a pylon sign per the Sign Regulations is 30 feet, and the maximum allowable sign area is either 100 square feet or 150 square feet, depending on the setback from the right-of-way.
    - The current sign is non-conforming. The revised proposed sign would reduce the height of the structure to 44 feet, but it would continue to exceed the maximum height of 30 feet. The proposed sign would include additional sign area (increase from 240 SF to 291 SF), but it would serve additional tenants.
    - Compliance with the minimum setback and exclusion zone are required unless granted a variance by the Board of Adjustment. The Planning Commission does not have the authority to waive the setback and exclusion zone.

Staff Recommendation for Monument Sign

- Staff recommends approval of the proposed monument sign in its current location and current sign area, with the following conditions and changes:
    - The monument sign should be constructed on a brick base.
    - The sign shall comply with required setbacks from the right-of-way and shall not interfere with any required landscaping or other infrastructure on the site. On the site plan submitted, the proposed monument sign appears to conflict with a sidewalk into the site from East Loockerman Street.

WALL SIGNAGE

The applicant is requesting two (2) wall signs for the hotel building, two (2) wall signs for the restaurant tenant on the corner of the existing building, one (1) "branding" sign identifying the name of the campus, and one (1) sign for each additional tenant, with the potential for two (2) signs for corner tenants.

Staff Recommendation for Wall Signs

Staff recommends approval of the wall signs with the following conditions and changes:

- The sign that reads "Loockerman Plaza" should be changed to a different name. The site has previously been identified as "Loockerman East" or "The Hub." Loockerman Plaza is the street name for the area of Loockerman Street between State Street and Legislative Avenue. This duplication could cause confusion for the general public and emergency responders.

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) **Freestanding signs are required to meet the exclusion zone. If the exclusion zone is not met, Sign F1 will need to be moved to comply with the exclusion zone, or a variance must be obtained from the Board of Adjustment.**

2) **New freestanding signs are required to comply with required setbacks from the right-of-way. It is unclear from the site plan submitted whether the freestanding signs comply with the required setbacks from the right-of-way.**

3) The site plan shown with the submission does not indicate the proposed setback of the proposed freestanding signs or the distance between F1 and F2, so that the compliance with the required 50-foot exclusion zone can be evaluated.

4) Ensure that proposed freestanding signs do not conflict with landscaping, utilities, or infrastructure on the site.

5) This request does not include directional signs and any other types of signage proposed for the site.

6) Indicate the depth of the pylon signs.

7) Indicate the overall height of the existing pylon signs.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Refer to Staff recommendations for the freestanding (pylon and monument) signs and the wall signs found within the text of this Report.

2) Staff recommends retaining the landscaping around the base of the freestanding (pylon) signs. Plantings such as small ornamental trees, low-growing shrubs, ground covers, and flowering plants should be maintained and enhanced in the area surrounding the pylon signs. This will help incorporate the sign into the site landscape and improve the aesthetics of the signage and a welcoming feature to the facility. Plantings will also help to minimize the impact of the sign height in this very open area without conflicting with the visibility of the sign.

3) Staff recommends approval of the pylon signs identifying more than three tenants.

ADVISORY COMMENTS TO THE APPLICANT:

1) In the event, that major changes and revisions to the Signage Plan occur in the

finalization of the signage plan, contact the Department of Planning and Inspections. Examples include reorientation of signage, relocation of signs, changes in sign area, etc. These changes may require resubmittal for review by the Development Advisory Committee, Planning Commission, or other agencies and commissions making recommendations in regards to the plan.

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

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

4) 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.

5) Staff requires a final submittal of the Unified Comprehensive Signage Plan, including any revisions and conditions of Planning Commission approval, to be reviewed administratively before applications for Sign Permits will be accepted.

6) The applicant shall be aware that Unified Comprehensive Signage Plan approval does not represent a Sign Permit. Any proposed site or building identification sign shall require a Sign Permit from the City of Dover prior to placement of any such sign.

7) Signs should be placed in a manner that meets NESC requirements.

8) Be advised that the City of Dover, Public Works Department does not permit signs to be installed within ten (10) feet of existing or proposed water lines.

9) Be advised that the City of Dover, Public Works Department does not permit signs to be installed within ten (10) feet of existing or proposed sanitary sewer lines.

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

FIRST STATE Signs

CLIENT:

CONTACT:

JOB LOCATION:

JOB SPECS:

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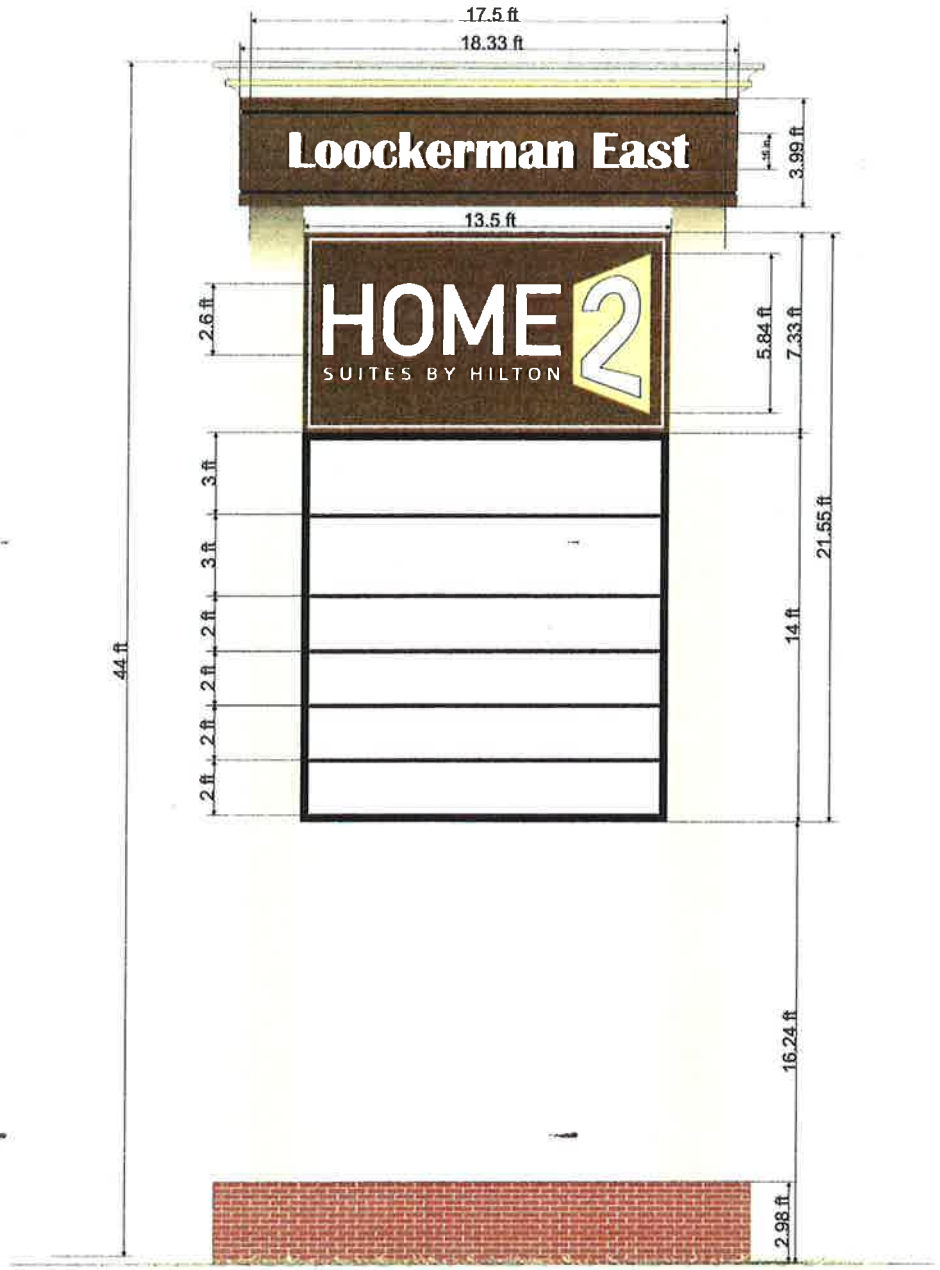
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