PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee Meeting was held on September 9, 2013, at 12:02 p.m. with Chairman Dixon presiding. Members present were Mr. Perza, Mr. Caldwell, and Mrs. Horsey. Mrs. Williams was absent.

AGENDA ADDITIONS/DELETIONS

Chairman Dixon suggested that Agenda Item #3, Presentation - Restoration and Remediation of Mirror Lake - Rick Greene, Department of Natural Resources and Environmental Control (DNREC), be moved to Agenda Item #1.

Mrs. Horsey moved to approve moving Agenda Item #3 to Item #1, seconded by Mr. Perza and unanimously carried.

Mrs. Horsey moved for approval of the agenda as amended, seconded by Mr. Perza and unanimously carried.

Presentation - Restoration and Remediation of Mirror Lake - Rick Greene, Department of Natural Resources and Environmental Control (DNREC)

Mr. Scott Koenig, City Manager, reminded members that, last summer, Mr. Rick Greene, Department of Natural Resources and Environmental Control (DNREC), provided a detailed description of the Restoration and Remediation of Mirror Lake Project. He stated that since Mr. Greene was not able to attend this meeting, he would provide an update on the project.

Mr. Koenig stated that Mr. Greene had secured all project funding and that the Restoration and Remediation of Mirror Lake Project could now begin. He advised members that engineering plans and specifications were complete, and federal permits and the State's erosion and sediment control plans had been approved. The State's Subaqueous Lands Permits were being finalized and awaited final signature. Mr. Koenig stated that Mr. Greene had secured an access agreement from the City of Dover for the area off Park Drive and was working on the access agreements from Colonial Investments for the west side and from the State Office of Management and Budget for the area downstream from Court Street. He indicated that State and/or other grants would be funding the entire project.

With regard to public relations, Mr. Koenig indicated that a press release was being developed and a press event was tentatively planned for November 1, 2013. He stated that a sign was being developed and that content and placement was being coordinated with the City.

In relation to water quality monitoring, Mr. Koenig stated that baseline monitoring was scheduled to begin on September 6, 2013 during preconstruction and would include the lake itself, as well as areas upstream and downstream. He indicated that Mr. Greene had a mandatory erosion and sediment pre-construction meeting scheduled for October 1, 2013 regarding the lake portion of the project. The pre-construction site preparation, including stake-out, survey, stabilization of the access road off Park Drive, and the placement of the turbidity curtain, was scheduled to begin in mid-October. The Mirror Lake portion of the project would take approximately three (3) weeks and

would include carbon application. Mr. Koenig indicated that all major work on the project would be completed by Thanksgiving, weather permitting, and demobilization and cleanup should be complete by early December. He stated that some planting for the project would occur in the Spring of 2014. After the planting, post-construction monitoring would occur in both 2014 and 2016.

Mr. Koenig reminded members that the Restoration and Remediation of Mirror Lake Project was related to improving the water quality of Mirror Lake and the downstream area due to the sediment conditions associated with polychlorinated biphenyls (PCBs) and other materials that had gotten into the sediment. He explained that this was a demonstration project that Mr. Greene had been working on for quite some time and was the first application of its kind in this part of the country.

Responding to Mrs. Horsey, Mr. Koenig stated that, to his knowledge, there had been no changes since the project was first presented to members. He noted that the project would include a re-fabrication of the east side of the bank where a small planting island would be located, and that carbon would be placed across the bottom of the lake. He projected that next year there would be fewer plants growing up out of the water due to disturbance at the bottom.

In response to Mr. Caldwell regarding whether research had proved this approach to be effective, Mr. Koenig stated that enough research had been done on this type of project to obtain Environmental Protection Agency (EPA) approval. Although similar projects had been completed in other areas, he stated that none had been of this magnitude.

Mrs. Horsey moved to accept the report provided on the Restoration and Remediation of Mirror Lake Project, seconded by Mr. Caldwell and unanimously carried.

Review of Active Recreation Area Plan - Walker Woods and Walker Woods II (Village of Sherwood) (*North Side of Walker Road and East of Kenton Road*)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, provided members with a revised Active Recreation Area Plan for Walker Woods/Walker Woods II (Village of Sherwood) ***(Attachment #1)***, located on the north side of Walker Road and east of Kenton Road. She noted that changes from the plan previously submitted were highlighted in yellow. Mrs. Townshend advised members that the proposed project would re-develop Walker Woods and Walker Woods II into an apartment complex. This would include consolidation of the parcels that currently make up the townhouse community. She explained that the proposed project included 77 dwelling units on $9.0722^{+/-}$ acres, which is a density of approximately 8.5 dwelling units per acre; therefore, the development qualified for the open space exemption in Article 5 - Supplementary Regulations, §10.5 of the Zoning Ordinance.

Mrs. Townshend advised members that, based on the proposed 77 dwelling units and 150 square feet of recreation area required per unit, the site was required to have 11,550 square feet of recreation area. She noted that the applicant had proposed to meet this requirement through a variety of amenities throughout the development. On the southwest portion of the site, there would be a community center building with meeting and activity rooms and a playground area adjacent to the community center. On the east side of the site, a small tot lot was proposed, as well as an Americans

with Disabilities Act (ADA) accessible picnic area with a series of picnic tables and grills. There was also a proposed five (5)-foot-wide mulch path leading from the picnic area to the end of the cul-de-sac and an ADA accessible path extending from this to the west side of the site where the playground would be located. There were three (3) 15'x12' exercise stations proposed throughout the development. Mrs. Townshend stated that, in addition to these amenities, the applicant had proposed a series of benches and relaxation stations scattered through the development. The relaxation stations included a bench, trash receptacle, recycling receptacle, and smoking receptacle on a concrete pad. There would be four (4) relaxation stations and nine (9) stand-alone benches distributed throughout the proposed development. She stated that the plan also showed tree plantings throughout the development, including areas adjacent to the recreation amenities.

Staff submitted a number of comments and recommendations regarding the Active Recreation Area to be constructed, which were included in the Revised Active Recreation Area Plan.

Mrs. Townshend introduced Mr. Tom Ayd of Green Street Housing, LLC, who was present representing the developer, should members have any further questions.

In response to Mr. Perza, Mrs. Townshend stated that the items depicted on the map did not currently exist. Mr. Ayd indicated that the original building footprint resembled the new footprint. He further explained that there were currently two (2) townhouses located where the community center was proposed and confirmed that the townhouses would require demolition.

Mrs. Townshend advised members that staff had not had the opportunity to review the site plan, which was submitted on September 6, 2013.

Responding to Mr. Perza, Mrs. Townshend confirmed that the City would not be responsible for maintaining the property. Mr. Ayd clarified that the amenities were intended for the tenants and not the public; however, he explained that it would be difficult to ensure that neighbors would not use them.

In response to Mrs. Horsey, Mr. Ayd stated that although the plan reflected a mulch path, it would likely be a "stone and dust" path, which would be stable and allow for the penetration of water with less maintenance. He explained that when the Plan was originally submitted, the developers did not put much thought into the design of the area; however, the developers revisited the Plan prior to the submission of the site plan and felt that it could be revised to bring more functionality to the area.

Mr. Caldwell questioned if other options were considered in terms of what was being used in the active recreation area and the cost versus how often amenities would be used, as well as the purpose of the community center. Responding, Mr. Ayd stated that the developers planned to provide a package of amenities for the community center including office space, a consultation room, a central laundry facility, a business center to include computers, etc.

Mrs. Townshend explained that the Active Recreation Area Plan was being presented as a part of the Redevelopment Plan and that the developers were in the process of purchasing all of the land and planned to redevelop the units into apartment units. As a result, some of the tenants may continue to reside there and others may not.

Mr. Caldwell indicated his concern regarding the use of the proposed amenities, such as the nine (9) benches and four (4) relaxation stations. Responding, Mr. Ayd assured members that consideration would be given to the placement and practicality of the benches.

Responding to Mr. Caldwell regarding the rezoning request for the property, Mrs. Townshend advised members that the rezoning application was scheduled to be reviewed by City Council during their Regular Meeting later in the evening. Since the developer had submitted a site plan to be reviewed by the Planning Commission in October, she explained that the Committee's recommendation regarding the Active Recreation Area Plan would be considered by the Planning Commission at that time. If the property were not rezoned, she stated that it would be necessary to determine which variances might be required in order to construct the project as presented. She reminded members that the role of the Committee was to make a recommendation to the Planning Commission regarding the Active Recreation Area Plan, rather than the rezoning.

Mr. Perza moved to recommend acceptance of the revised Active Recreation Area Plan for Walker Woods/Walker Woods II (Village of Sherwood) with the inclusion of staff's comments and recommendations. The motion was seconded by Mr. Caldwell and unanimously carried.

Consideration of Contribution Amount - Cash-In-Lieu of Recreation Area Construction for Nottingham Meadows

During their Regular Meeting of June 24, 2013, City Council approved the Parks, Recreation, and Community Enhancement Committee's recommendation to approve the Revised Active Recreation Area Plan for Nottingham Meadows, as recommended by staff, and accept the petition from 28 lot owners in the development in favor of the proposal. At that time, members were advised that the proposed plan for cash-in-lieu payment met the area requirements for the Active Recreation Area. The plan was required to provide $0.6818^{+/-}$ acres of Active Recreation Area and was proposing $0.6818^{+/-}$ acres of Active Recreation Area via cash-in-lieu.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that Article 5, Section 10, of the Zoning Ordinance addresses Open Space, Recreation and Other Public Facilities, and that Subsection 10.17 provides the process and calculation of the amount for cash-in-lieu of recreation area construction. In addition, she noted that Subsection 10.7 specifies that City Council, through the Parks, Recreation, and Community Enhancement Committee, must approve the cash donation amount prior to final acceptance by the Planning Commission.

Mrs. Townshend advised members that the Zoning Ordinance specified the calculation of the amount of the cash donation, as follows: "cash donation shall be equivalent to the appraised value of land required…" and that this value shall be "based on the appraisal prepared for the developer to secure construction financing." She indicated that an appraisal performed by Dover Consulting

Services, Inc., dated July 5, 2013, was submitted to the Planning Office and that the appraisal valued the subdivision at $21,292 per acre. Based on this amount, she stated that the value of the 29,700 square feet of land required for Active Recreation Area was $14,517 and that funds received would go into the Parkland Reserve Fund.

Staff recommended acceptance of the $14,517 cash-in-lieu of recreation area construction donation, as the amount complied with the requirements of the Zoning Ordinance.

Mr. Perza moved to accept the $14,517 cash-in-lieu of recreation area construction donation for Nottingham Meadows, as recommended by staff. The motion was seconded by Mrs. Horsey and unanimously carried.

Mr. Perza moved for adjournment, seconded by Mrs. Horsey and unanimously carried.

Meeting adjourned at 12:30 p.m.

Wallace R. Dixon
Chairman

WRD/MK/jg/js/dd/tm
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Attachment
Attachment #1 - Revised Active Recreation Area Plan - Walker Woods/Walker Woods II (Village of Sherwood)

City of Dover

REVISED

DATA SHEET FOR RECREATION PLAN REVIEW

PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF September 9, 2013

Plan Title:	Walker Woods/Walker Woods II (Village of Sherwood)
File Number:	MI-13-17
Plan Type:	**Active Recreation Area Plan**
Location:	North Side of Walker Road East of Kenton Road
Owner:	Walker Woods Properties, LLC Milford Housing Development Corporation
Site Area:	77 Residential Units on 9.0722 ± acres
Property Use:	Proposed Apartments
Number of Dwelling Units:	Total - 77 dwelling units proposed
Zoning Classification:	**Current Zoning** – RG-3 (Group Housing Zone) and ROS (Recreation and Open Space Zone) **Proposed Zoning** – RG-2 (General Residence Zone) – City Council will act on rezoning request on September 9, 2013. (Application #Z-13-02/ Ordinance #2013-13)

PROJECT SUMMARY

The proposed project is to redevelop Walker Woods and Walker Woods II into an apartment complex. This will include consolidation of the parcels that currently make up the townhouse community. The proposed project includes 77 dwelling units on 9.0722 acres, which is a density of approximately 8.5 dwelling units per acre. Therefore, the development qualifies for the open space exemption in the *Zoning Ordinance*, Article 5 – Supplementary Regulations, § 10.5:

> 10.514 *Residential developments of ten (10) or fewer acres with a density over six units per acre.* These developments shall be exempt from the area requirements set forth in section 10.16, but shall be required to provide 150 square feet of active recreation area per dwelling unit or 10,000 square feet of active recreation area, whichever is greater. If the commission determines that the construction of some or all of the required active recreation area is not practical or desirable, the commission shall require a cash in lieu donation for the active recreation area determined as not practical or desirable. Cash-in-lieu amount shall be in accordance with subsection 10.173 of this article.

Proposal for Active Recreation Plan

Based on the proposed 77 dwelling units and 150 square feet of recreation area required per unit, the site is required to have 11,550 square feet of recreation area. The applicant has proposed to meet this requirement through a variety of amenities throughout the development. On the southwest portion of the site, there is a community center building with meeting rooms and activity rooms. A playground area is adjacent to this community center. A small tot lot is proposed on the east side of the site. On the east side of the site there is also an ADA accessible picnic area. There is also a proposed five-foot-wide mulch path leading from the picnic area to the end of the cul de sac and an ADA accessible path extended from this to the west side of the site where the playground is. There are three (3) 15'x12' exercise stations proposed throughout the development.

In addition to these amenities, the applicant has proposed 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. There are four (4) relaxation stations and nine (9) stand-alone benches distributed throughout the proposed development.

The plan shows tree plantings throughout the development, including areas adjacent to the recreation amenities.

The following table provides information from the submitted Plan for the Active Recreation Area:

	Required	**Provided on Plan**	**On Revised Plan**
Active Recreation Area (Article 5 §10.514)	150 S.F. per dwelling unit or a minimum of 10,000 SF 77 DU = 11,550 SF required • Age Oriented to development • Parking • Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street • Landscaping	12,050 SF provided as follows: • Community Center Meeting and Activity Rooms • Playground • 5' wide mulch path – 277' long • Picnic area with 8 tables and 8 grills • ADA picnic area with table and grill • 9 benches • 4 relaxation stations • Exercise stations	11,567 SF provided as follows: • Community Center Meeting and Activity Rooms • Playground • Tot Lot • 5' wide mulch path • ADA accessible path • ADA picnic area with table and grill • 9 benches • Covered public area • 4 relaxation stations • 3 Exercise stations

STAFF RECOMMENDATIONS

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

1. Staff recommends approval of the Active Recreation Area Plan as submitted with the following recommended changes:

    a. Please provide additional detail on what amenities will be provided as a part of the exercise stations.

    b. The mulch path should include a defined edging that will prevent encroachment of grass and/or weeds into the mulch path area.

    c. Includes a grill at the picnic area.

2. The ability of the Site Development Plan for this project to move forward is subject to City Council approval of the rezoning application (Z-13-02), which is scheduled for City Council Action on Monday, September 9, 2013.

3. The project, including the Active Recreation Plan, is subject to review and approval of the Site Development Plan by the Planning Commission, which includes:

    a. Review of the building architecture for the community center;

    b. Compliance of Site Development Plan with tree planning and landscape requirements in the *Zoning Ordinance*, Article 5 – Supplementary Regulations, §15 Landscape Guidelines and §16 Tree Planting and Preservation.

4. The applicant is reminded of the requirements for construction phasing of the recreation area as associated with the development of the residential units.

    > 10.6 *Construction phasing.* The recreation and open space areas shall be completed in a proportion equal to or greater than the proportion of residential dwelling units completed, except that 100 percent of the recreation and open space areas shall be completed prior to issuing building permits for the final 20 percent of the dwelling units proposed. Building permits shall not be issued for dwelling units unless the requirements of this section are met.

5. There shall be provisions which ensure that the common open space land and community room (including active recreation area) shall continue as such and be properly managed and maintained. The developer shall either retain ownership and responsibility for maintenance of such open land; or provide for and establish one (1) or more organizations for the maintenance of all common open space.
    a. Add a note on the Site Plan regarding who is responsible for maintenance, and insurance on the common open space.

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

Attachments: Recreation Plan Sheet dated September 6, 2013.