PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE
A G E N D A

JUNE 10, 2013 - 12:00 NOON

CITY HALL CONFERENCE ROOM
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

AGENDA ADDITIONS/DELETIONS

1. **Pocket Park Design - Corner of North Street and Governors Avenue**
   (On April 8, 2013, the Committee Recommended Approval of the Pocket Park Design with the Addition of Appropriate Screening for the Adjacent Neighbors and an Appropriate Tribute to Victims of Domestic Violence, as Requested by WEAVER. On April 22, 2013, City Council Referred this Item Back to the Committee to Allow Other Interested Organizations to Submit Proposals.)

2. **Review of Revised Active Recreation Area Plan - Nottingham Meadows**
   (Staff Recommends that a Recommendation of Approval of the Revised Active Recreation Area Plan with the Comments and Conditions Provided be Forwarded to the Planning Commission for Its Consideration)

3. **Update - CDBG Program**
   (Committee Action Not Required)

4. **Adjournment**

/tm
S:\AGENDAS-MINUTES-PACKETS\Committee-Agendas\2013\06-10-2013 PR&CE.wpd

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

City of Dover

DATA SHEET FOR RECREATION PLAN REVIEW
Recreation Plan Revision of May 16, 2013

PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF June 10, 2013
Planning Commission Meeting of June 17, 2013

Plan Title: Nottingham Meadows Subdivision

File Number: MI-13-10

Plan Type: **Revised Active Recreation Area Plan**

Location: South of Hazletteville Road west of Wyoming Mill Road

Owner: Siobain-VI, LLC

Site Area: 108 Residential lots with 8 open space parcels

Property Use: Residential Subdivision of Single Family detached dwellings

Number of Dwelling Units: Total - 108 residential lots

Zoning Classification: R-8 (One Family Residence Zone)
SWPOZ (Source Water Protection Overlay Zone)
Tier 3 – Excellent Recharge Area

PROJECT SUMMARY

Nottingham Meadows is a single-family residential development. The subject property is located on the south side of Hazletteville Road and west of Wyoming Mill Road. The subdivision was originally developed with 211 residential lots with additional open space parcels.

The Concept Plan for Nottingham Meadows (SB-04-01) received Planning Commission approval on January 20, 2004 and the Preliminary Subdivision Plan received conditional approval form the Planning Commission on July 19, 2004. The Record Plan for the Subdivision was approved on February 21, 2006 with a Revised Record Plan approved on March 8, 2006, and Final Construction Plans were approved on February 21, 2006.

The Subdivision is going through an Administrative process for a Minor Lot Line Adjustment and Parcel Consolidation Plan to combine parcels and move property lines. This Administrative process will reduce the number of residential lots from 211 to 108 with eight (8) additional open space parcels. There have been sixty-eight (68) houses constructed within the subdivision.

The requirement for Active Recreation Area under the current *Zoning Ordinance* is 275 SF per dwelling unit. With the proposed revision to the subdivision lot layout the number of dwelling units will be reduce to 108. Based on the proposed number of 108 dwelling units, 29,700 SF (0.6818 ac. +/-) of Active Recreation Area is required for the development. Currently, the Active Recreation Area within the subdivision has not been developed. In the 2006 Final Plans approved for the Nottingham Meadows Subdivision, the Active Recreation Area consisted of 59,024 SF to meet required area of 58,025 SF.

CURRENT PROPOSAL for Active Recreation Plan (dated May 8, 2013)

Based on the number of lots proposed (108 lots) 29,700 SF of Active Recreation Area is required. The Revised Plan requests that cash in lieu of recreation area construction be accepted for the required 29,700 SF (0.6818 ac. +/-) of Active Recreation Area. The Revision proposes the elimination of the swimming pool and club house that were proposed within the original Active Recreation Area on Brittingham Drive and Wellington Avenue. The swimming pool and clubhouse were not constructed.

This Revised Active Recreation Area proposal must be reviewed by the Parks, Recreation, and Community Enhancement Committee for a recommendation prior to consideration of the Revised Plan by Planning Commission.

The following table provides information from the submitted Plan (last updated May 16, 2013) for the Revised Active Recreation Area:

	Required	**Provided on Revised Plan**
Active Recreation Area (Article 5 §10.16) and (Article 5 §10.15)	275 S.F. per dwelling unit or 0.5 acre, greater thereof 108 DU = 29,700 S.F. (0.6818 ac) Requires 0.6818 acres • Age Oriented to development • Parking • Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street • Landscaping	Cash in lieu payment instead of Recreation Area construction

The Revised Plan includes a 12,848 SF parcel of open space fronting on Brittingham Drive to be located in the area of the approved swimming pool and clubhouse. However, no amenities have been identified for this open space parcel.

The use of cash in lieu of recreation area construction has specific requirements for its calculation and timing of the payment. The following Code Citation is provided from the *Zoning Ordinance,* Article 5 Section 10 Open Space, Recreation and Other Public Facilities.

10.17 *Cash in lieu of recreation area construction.*

10.171 *Determination of suitability for cash donation.* If the commission determines that the construction of recreation is not practical due to close proximity to existing available recreation facilities or infeasible due to natural characteristics of the land or will not benefit the residents of the development, the commission shall require a full or partial cash in lieu of areas of donation to be made by the developer in lieu of a full or partial dedication of land.

10.172 *Separate recreation account.* The cash donation shall be deposited in a separate account to be used for parks, playgrounds or recreational purposes.

10.173 *Amount of cash donation.* The cash donation shall be equivalent to the appraised value of land area required in section 10.16. The land area value shall be based on the appraisal prepared for the developer to secure construction financing. This submitted appraisal shall be a copy of the original supplied to the lending institution, with that institution identified, and shall conform in all ways to the Uniform Standards of Professional Appraisal practice and be performed by an appropriately qualified certified appraiser. If an appraisal prepared for construction financing is not available, then the developer shall have an appraisal done in accordance with the procedures set forth in [sub] section 10.174.

10.174 *Appeal of appraised value.* If the city does not accept the land value established by the appraisal detailed in [sub] section 10.173, the city may, at the developer's expense, require another appraisal be performed. This appraisal will be let on a bid basis between at least three appropriately qualified, certified appraisers selected by the city. The appraiser(s) who prepared the original appraisal in [sub] section 10.173 cannot be a party to this appeal appraisal.

10.175 *Payment of cash donation.* One hundred percent cash donation provided under this section shall be collected prior to issuing the first building permit for the development.

STAFF RECOMMENDATIONS

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

1) The proposed plan for cash in lieu payment meets the area requirements for the Active Recreation Area. The plan is required to provide 0.6818 acres of Active Recreation Area and it is proposing 0.6818 acres of Active Recreation Area via cash in lieu.

2) Staff recommends approval of the cash in lieu as the site is located within walking distance to existing recreational facilities at Schutte Park as stated in the applicants request for cash in lieu.

3) Staff recommends that the sidewalk be completed by the developer along Hazlettville Road to allow for pedestrian access to Schutte Park. There is a segment of sidewalk along the subdivision frontage that has not been constructed.

4) Provide a copy of the appraisal for the cost of the value of the land for construction financing to allow for staff to calculate the amount for the cash in lieu.

5) Cash in lieu shall be paid in full prior to the issuance of a Building Permit for any new residential construction within the subdivision.

6) Staff notes that the proposed changes if approved will require revision to the tree planting plan.

7) There shall be provisions which ensure that the common open space land shall continue as such and be properly managed and maintained.

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

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

Attachments:

- Proposed Open Space* dated 5/16/2013
  **Plan Set Sheets are available as paper copies should Committee members desire this format. Contact the Planning Office at 736-7196.*
- Letter requesting Cash in lieu. Dated May 10, 2013

FARM LANDS L.P.
ED-00-085.00-01-01.00
DEED BOOK: C31 PAGE 225
ZONED: AC

BEGIN
70' R.O.W. 60' R.O.W.

EXISTING
50' WIDE AGRICULTURAL
PRESERVATION EASEMENT
(PLAT BOOK: 34 PAGE: 38)

P.B. 84 PG. 38

FCM

58
NDS N/F
IN-VI, LLC
:-076.03-05-79.00
:: 5760 PAGE: 306
VED: R8

59
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-05-80.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

60
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-05-81.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

61
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-05-82.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

62
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-05-83.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

63
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-01.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

64
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-02.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

65
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-03.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

66
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-04.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

67
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-05.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

68
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-06.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

69
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-07.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

70
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-06-08.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

SCM

WELLINGTON AVENUE
60' R.O.W. DEDICATED TO PUBLIC USE

SIDE PROPERTY LINES TO
FOR LOTS 198 THRU 205 TO BE
ADJUSTED AS PER THIS PLAT.
(SEE SITE DATA NOTE 20)

118
LANDS N/F
SIOBAIN-VI, LLC
M.# ED-05-076.03-04-71.00
ED BOOK: 5760 PAGE: 306
ZONED: R8

119
LANDS N/F
SIOBAIN-VI, LLC
M.# ED-05-076.03-04-70.00
ED BOOK: 5760 PAGE: 306
ZONED: R8

EXISTING 20' WIDE
UTILITY EASEMENT
(P.B. 84 PG. 38)

120
LANDS N/F
SIOBAIN-VI, LLC
M.# ED-05-076.03-04-69.00
ED BOOK: 5760 PAGE: 306
ZONED: R8

121
LANDS N/F
CHARLES DAVIS JR.
M.# ED-05-076.03-04-68.00
ED BOOK: 4791 PAGE: 272
ZONED: R8

122
LANDS N/F
HRISTIAN P. MELSON
M.# ED-05-076.03-04-67.00
:ED BOOK: 4694 PAGE: 88
ZONED: R8

123
LANDS N/F
SIOBAIN-VI, LLC
M.# ED-05-076.03-04-66.00
ED BOOK: 5760 PAGE: 306
ZONED: R8

124
LANDS N/F
R. & KARA E. OKONEWSKI
M.# ED-05-076.03-04-65.00
ED BOOK: 5099 PAGE: 154
ZONED: R8

BEUVALE LANE
60' RIGHT OF WAY

205 | 204 | 203 | 202 | 201 | 200 | 199 | 198

206
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076.03-05-92.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

207
LANDS N/F
CHARLES D. ROBINSON
T.M.# ED-05-076,03-05-93.00
DEED BOOK: 4177 PAGE: 178
ZONED: R8

208
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076,03-05-94.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

209
LANDS N/F
MARK S. III & DONNA J. RICHTER
T.M.# ED-05-076,03-05-95.00
DEED BOOK: 5152 PAGE: 85
ZONED: R8

210
LANDS N/F
DAVID B. & KARIN B. SMITH
T.M.# ED-05-076.03-05-96.00
DEED BOOK: 8014 PAGE: 77
ZONED: R8

211
LANDS N/F
PETER L. & VICKIE J. THOMPSON
T.M.# ED-05-076.03-05-97.00
DEED BOOK: 4658 PAGE: 268
ZONED: R8

EXISTING 20' WIDE
UTILITY EASEMENT
(P.B. 84 PG, 38)

213

LIMITS OF OLD RECREATION AREA

PROPOSED OPEN SPACE 12,848 S.F.±

212

EXISTING UTILITY
EASEMENT TO BE
EXPUNGED PER
THIS PLAN

EXISTING 15' WIDE
UTILITY EASEMENT
(P.B. 84 PG. 38)

WELLINGTON AVENUE
60' WIDE R.O.W. DEDICATED TO PUBLIC USE

71
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076.03-06-09.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

72
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076.03-06-10.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

73
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076.03-06-11.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

74
LANDS N/F
SIOBAIN-VI, LLC
T.M.# ED-05-076.03-06-12.00
DEED BOOK: 5760 PAGE: 306
ZONED: R8

OPEN SPACE

HAZLETTEVILLE ROAD
(COUNTY ROAD 73 - 70' R.O.W. WIDTH)

BRITTINGHAM DRIVE
60' RIGHT OF WAY

117
LANDS N/F
TERRY L. DEPUTY
T.M.# ED-05-076.03-04-51.00
DEED BOOK: 4849 PAGE: 337
ZONED: R8

99
LANDS N/F
EUGENE B. & MA RONA CATIPAY
T.M.# ED-05-076.03-04-50.00
DEED BOOK: 4272 PAGE: 173
ZONED: R8

116 | 100

115 | 101

114 | 102

NOTTINGHAM MEADOWS SUBDIVISION
PLAT BOOK: 84 PAGE: 38

BROOK LANE
RIGHT OF WAY

98
LANDS N/F
ALLAN C. & BETTY L. JENSEN
T.M.# ED-05-076,03-04-31.00
DEED BOOK: 4015 PAGE: 276
ZONED: R8

79
LANDS N/F
RAMESH VEMULAPALLI
T.M.# ED-05-076,03-04-30.00
DEED BOOK: 6477 PAGE: 39
ZONED: R8

97 | 80 | 96 | 81 | 95

FCM

ONDALE LANE
RIGHT OF WAY

BRITTINGHAM DRIVE
60' RIGHT OF WAY

78
LANDS N/F
LUCY & MARYANNE MAINA
T.M.# ED-05-076,03-06-16.00
DEED BOOK: 3866 PAGE: 111
ZONED: R8

77
LANDS N/F
DONALD & ERNESTINE WHITE
T.M.# ED-05-076,03-06-15.00
DEED BOOK: 4130 PAGE: 209
ZONED: R8

76
LANDS N/F
LINDA L. DE ROCHE
T.M.# ED-05-076.03-06-14.00
DEED BOOK: 5772 PAGE: 298
ZONED: R8

75
LANDS N/F
MAGGIE ZHENG
T.M.# ED-05-076.03-06-13.00
DEED BOOK: 5837 PAGE: 308
ZONED: R8

OPEN SPACE

SIRC

EX. DIRT DRIVEWAY

F:\AutoCAD\Projects\2003\2003015.03\dwg\2003015.03-RECORD-PLAT.dwg 5/8/2013 5:22:12 PM EDT

BECKER MORGAN GROUP

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Wilmington, North Carolina 28403
Ph. 910.341.7600
Fax 910.341.7506

www.beckermorgan.com

PROJECT TITLE

NOTTINGHAM MEADOWS SUBDIVISION

LANDS OF

SIOBAIN-VI LLC

HAZLETTEVILLE ROAD &
WYOMING MILL ROAD
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

PROPOSED OPEN SPACE

0 20 40 80

SCALE : 1" = 40'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAND ESTATE - EXHIBIT		

PROJECT NO.:	2003015.00
DATE:	05/16/13
SCALE:	1" = 40'
DRAWN BY: D.S.G.	PROJ. MGR.: J.C.D.

SHEET

EXHIBIT

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BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENT'S SUCCESS

May 10, 2013

Ann Marie Townsend
Director of Planning
City of Dover
P.O. Box 475
Dover, DE 19903-0475

RE: **Lot Line Adjustment and Lot Consolidation Plan**
NOTTINGHAM MEADOWS
Dover, Delaware
2003015.03

Dear Ms. Townsend:

As discussed in our meeting on April 26, 2013, please find attached a lot line adjustment and consolidation plan for the above referenced project. The plan includes expunging of lots, minor lot line adjustments, and modification to the active open space area. The original subdivision was approved and recorded for 211 single family lots. The plan proposes a total reduction in lots of 105. The total number of remaining lots is now 108. As a result, the required active open space required is 29,700 s.f. Given the proximity of this project to Schutte Park, our client proposes to eliminate the previously proposed pool and clubhouse and utilize the fee in lieu provision for the required active open space. It is our understanding that this plan will be reviewed before the Parks and Recreation Committee, Development Advisory Committee, and City of Dover Planning Commission.

If you have any questions or require additional information, please contact me.

Sincerely,

BECKER MORGAN GROUP, INC.

J. Michael Riemann, P.E.
Senior Associate

JMR/rlh

Enclosures: Lot Line Adjustment and Consolidation Plan

cc: Mr. John Canuso, Jr.
Mr. David Vasso

200301503ab-ltr.doc

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Status of FY-12 CDBG Projects

Monthly statistics for the month of May 2013

CDBG FY12 Projects

Homeownership Assistance Program
Six (6) families were provided settlement assistance to purchase properties in the City of Dover. All funds have been expended.

MHDC Homeowner Rehabilitation Program
CDBG funds will be used to rehabilitate owner occupied homes in the City of Dover found in violation of the City's housing code. The waiting list for this project will be open on June 12th for eligible applicants to apply.

Dover Interfaith Mission to the Homeless
CDBG funds will be used for operations cost for the shelter.

MHDC Emergency Home Repair Project
Emergency repairs have been completed on 4 homes.

NCALL Research
CDBG funds were used for foreclosure prevention and pre-purchase homeownership counseling services for ten (10) Dover residents.

Serenity Place
CDBG funds will be used for the reconstruction of a treatment facility for persons who suffer from substance abuse that was destroyed in a fire. Funds for this project have been expended.

Elizabeth W. Murphey School
CDBG funds will be used to install a geothermal heating system in one of the facilities that services children that are at risk for homelessness. This project has been completed.

Neighborhood Stabilization Program (NSP)

The city was awarded $1,426,740 for the acquisition and rehab of foreclosed properties to be sold to qualifying families. A total of $1,951,810 including program income has been expended on the acquisition and renovations for 11 properties. The remaining balance of $129,812 will be utilized for renovations and down payment assistance for eligible NSP properties. Eight properties have been sold, one is a lease purchase and one is a rental that serves persons with disabilities. Habitat has purchased the 11th NSP property in the City of Dover and they already have a buyer. Six (6) first-time homebuyers have purchased homes through the NSP Settlement Assistance Program.

218 Ann Avenue (sold)

337 N. Governors Avenue (sold)

343 Mimosa Avenue (sold)

254 Green Blade Drive (sold)

907 Woodcrest Avenue (sold)

302 Stone Brook Place (lease purchase)

1430 S. Hancock (group home rental)

1415 S. Hancock (sold)

4 Bennington Street (under renovation)

11 Westover Drive (sold)

110 Thames Drive (sold)

Status of FY-12 Program Funds Spent - Fiscal Year 7/1/12- 6/30/13

2012 Grant Projects	Project Details	Total Grant	Funds Expended	Unencumbered Balance
Homeownership Assistance Program	Six families have purchased homes	$60,000	$60,000	$0
NCALL Reaearch	Housing Counseling and Foreclosure Prevention	$7,803	$5,000	$2,803
Dover Interfaith Mission to Homeless	Funding for utility and lease cost	$27,500	$12,435	$15,065
Serenity Place	project completed	$30,000	$30,000	$0
MHDC Emergency Home Repairs	Home repairs have been completed on 2 homes	$35,000	$20,972	$14,028
Elizabeth W. Murphey School	project completed	$32,782	$32,782	$0
MHDC Housing Rehabilitation Program	Rehabilitation of owner occupied homes underway	$52,782	$0	$52,782
Total		$245,867	$161,189	$84,678