PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee Meeting was held on June 10, 2013, at 12:01 p.m. with Chairman Dixon presiding. Members present were Mr. Perza and Mrs. Horsey. Mrs. Williams was absent and one (1) seat was vacant.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

Pocket Park Design - Corner of North Street and Governors Avenue

During their Regular Meeting of October 22, 2012, City Council approved the Legislative, Finance, and Administration Committee's recommendation that a pocket park be established on the property located at 301 South Governors Avenue (on the southeast corner of South Governors Avenue and North Street) once the City holds the title to the property. In developing the park design, it was noted that the City would work with the Downtown Dover Partnership (DDP) to ensure that the design minimizes the maintenance burden through a combination of pavers, mulched landscape areas, and the selection of plants, trees, and shrubs that are attractive yet less intensive to maintain.

During the Parks, Recreation, and Community Enhancement Committee meeting of April 8, 2013, members 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 Women Against Violence in Every Relationship (WEAVER).

During the City Council meeting of April 22, 2013, Council referred this item back to the Parks, Recreation, and Community Enhancement Committee to allow other interested organizations to submit proposals.

During the Committee meeting, Mr. Jonathan Street, Civil Designer, Becker Morgan Group, provided a brief history of the project and reviewed a rendering of design improvements made to the proposed pocket park based on comments made during the last Committee meeting concerning hard-scaping, sidewalks, and low-level lighting ***(Attachment #1)***. Mr. Street said that approval of the park itself was being requested and suggested that the naming of the park be addressed separately. He noted the importance of moving forward since the design and construction of the park would be financed with funds granted by the State and noted that there would be two (2) public hearings in the next several months; therefore, Council would have the opportunity to consider naming and dedicating the park.

Responding to Councilman Perza regarding designing a park as opposed to redeveloping the land, Mrs. Townshend stated that in October of 2012, when the City became aware they were going to acquire the land, the Legislative, Finance, and Administration Committee considered and recommended purchasing the land through a Sheriff's sale. She advised members that when the downtown neighborhood plan was prepared, one of the ideas included was to create parks when the opportunity was presented to add greenery and gathering spaces, which led to the proposed project.

Mrs. Townshend was concerned that the park design did not include any benches. Responding, Mr. Street advised that the low-level planters and raised beds would essentially double as benches. Mrs. Townshend said she understood the concerns regarding the possibility of people sleeping on the benches; however, benches would provide a place for citizens to sit and enjoy the park.

Mr. M. Milford Caldwell, Jr., 106 Bertrand Drive, Dover, asked what the City's responsibility would be for the project once it is complete. In response, Mrs. Townshend stated that the City would maintain the area as part of its park system.

Mrs. Horsey expressed her appreciation for addressing the concerns regarding the low-level lighting and privacy for nearby residents and added that she also would like to see a bench included in the design of the park.

Mr. Caldwell felt that the park would be a beautiful addition to the City.

Responding to Mr. Perza regarding the action to be taken by the Committee, Mrs. Townshend explained that members were being asked to approve the overall design of the park, with the understanding that it would be "tweaked" going forward, and if benches were a desired component of the park, this should be included in the motion.

Mr. Lou Colón, Executive Director, Downtown Dover Partnership (DDP), asked if the flower beds would serve as benches in the park. Responding, Mr. Street explained that when benches were considered for improvements to North Street, it caused discrepancies between agreeing parties and they were taken out. He indicated that the elevated landscaping was designed to provide elevation in the park itself but also to allow for benches without physically bolting a bench to the ground. The flower beds would be 18 inches high with a 12-14 inch top that could be used as a bench.

In response to Mrs. Horsey, Mr. Street stated that the planters could be used for seating but the flower bed, which would also be elevated, was not intended for this purpose.

Responding to Mr. Perza regarding plans for homes located on the west side of North Street, Mr. Colón stated that these homes were occupied; therefore, acquiring them would require location costs.

Mrs. Horsey moved to recommend approval of the basic design concept for the North Street Pocket Park, as amended, seconded by Mr. Perza and carried by a vote of two (2) yes (Dixon and Horsey) and one (1) no (Perza).

Mr. Perza asked to go on record stating his reasoning for seconding the motion and then voting in opposition. He indicated that since only three (3) Committee members were present, he did not want to see the motion fail for a lack of a second and wished to allow the opportunity for a vote.

Review of Revised Active Recreation Area Plan - Nottingham Meadows

Members were advised that Nottingham Meadows is a single-family residential development located on the south side of Hazlettville Road west of Wyoming Mill Road. The subdivision was originally developed with 211 residential lots with additional open space parcels.

The Subdivision was 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.

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 ($0.6818^{+/-}$ acres) 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.

The following comments and recommendations were submitted by staff of the Department of Planning and Inspections following review of the Revised Active Recreation Area Plan.

- 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.

- 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.

- 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.

- 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.

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

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

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

- 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.

Mrs. Ann Marie Townsend, Director of Planning, advised members that the Planning Commission originally approved the Active Recreation Area Plan in July 2004 and construction plans were approved in February 2006. Mrs. Townshend stated the development was relatively complete, with some vacant areas. Mrs. Townshend indicated that the Active Recreation Plan was originally submitted by Stover Homes. She advised members that Stover Homes had since gone bankrupt, leaving the property owned by the bank, and a new builder was in the process of acquiring the remainder of the development. Mrs. Townshend noted that lots in the southern portion of the development were currently being expunged through an administrative process and would revert back to agriculture.

Mrs. Townshend cited the economy as the driving force behind the changes, noting that the developer wished to amend the Active Recreation Area Plan to alter the size of the lots on Wellington Avenue that were not yet developed and to keep approximately 12,848 SF of passive open space, alter the size of the lots identified, and make a cash-in-lieu donation for the remainder because the development is essentially adjacent to Schutte Park.

Mrs. Townshend stated that following the Committee's review, the request would go to the Planning Commission, who would determine if it was impractical to provide the Active Recreation Area on site due to the proximity to the City Park. If the Commission were to make that determination, the matter would return to the Committee and ultimately proceed to Council for approval of acceptance of the cash-in-lieu option.

Mr. Mike Riemann, Becker Morgan Group, explained that the bank owns the development and the request was being made in an effort to complete the development and put a homeowners' association in place. Mr. Riemann advised members that the developer met with the property owner most immediately affected by the passive open space, who concurred with the proposal. Mr. Riemann stated that a clubhouse and a pool in a project with 108 lots would not work in this economy and the developer would not be able to finish the project if required to move forward if these facilities were required. Mr. Riemann added that the developer was agreeable to completing the sidewalk along the frontage of Hazlettville Road, which included crosswalks as part of the signal crossing, and to connect the sidewalk to Schutte Park, which would provide access to the park as part of the proposal.

Mr. Riemann provided copy of a petition signed by 28 of the approximately 50 residents of the subdivision in favor of the proposal presented (***Attachment #2***), which he stated would be provided to the Planning Commission for their meeting scheduled for June 17, 2013. He indicated that meetings had been held with representatives from five (5) of the residences in the development who said they were in favor of the proposal.

Mr. Riemann stated that the only road not yet constructed was Wellington, which was included in the proposal and would complete the front half of the project including utilities, storm drains, etc. He stated that it was important to move forward with the project because an illegal pond that did not meet requirements had been constructed by the original developer as a temporary stormwater area and Kent Conservation District requested that it be corrected. As part of the project, this sediment trap would be eliminated and the storm drain would be reconnected and directed to the pond.

Responding to Mr. Perza regarding the property on the south side of the development, Mr. Riemann stated that this portion of the land would be sold to a farmer and would not be a future phase of the development. Mr. Riemann stated that part of the proposal to the Planning Commission references these lots as being expunged and they will not be recorded lots.

In response to Mr. Perza, Mr. Riemann advised that the dead-end roads were discussed with Public Works staff and it was determined that because of the length, a cul-de-sac was not required based on the City's Code. He indicated that these would be "stub streets"or perhaps a "hammer head" allowing drivers to turn around at the end of that street. He stated that Public Works staff would advise how these streets should be finished off. He noted that there are minimum requirements on the radius of the road that must be met in order to round off the road and, because there is a home in the area of the dead-end, this requirement could not be met. Mrs. Townshend added that the stub streets are required in the event that the development grows.

Responding to Mr. Perza, Mr. Riemann stated the changes would not affect the value of the property

In response to Mr. Perza regarding the area surrounding the development, Mr. Dave Vasso, representing the developer, Tradition Homes of Delaware, LLC, stated that the land was under contract to be sold to a farmer.

Responding to Mr. Dixon's inquiry concerning the open area, Mr. Riemann advised there would be about 12,000 square feet of passive open space.

In response to Mrs. Horsey, Mr. Riemann stated that homeowners were aware that the surrounding area would be farmland and that there would be a 30-foot buffer of passive open space between the lots and the farms.

Mrs. Townshend also added that because property to the west of the subdivision is targeted for agricultural land preservation, it was her belief that the properties were required to have language in the deed about being next to an agricultural district.

Mr. Perza indicated his preference for rounding out the street ends, stating it was his feeling that roads that are just "chopped off" at the end of a development look unsightly. Responding, Mrs. Townshend indicated that the jersey barriers would be removed.

Mrs. Townshend provided members with correspondence that had been received from homeowners who were opposed to the proposed plan **(*Attachment #3)***.

Mr. Perza moved to recommend approval of the Revised Active Recreation Area Plan for Nottingham Meadows, as recommended by staff, and acceptance of the petition from 28 lot owners in the development in favor of the proposal, seconded by Mrs. Horsey and unanimously carried.

Mr. Perza suggested rounding out the dead-end roads involved but indicated that this was not a part of the motion to approve the Revised Active Recreation Area Plan, acknowledging that City Code would take precedence.

UPDATE - CDBG PROGRAM

Mrs. Tracey Harvey, Planner I, reviewed the Status of FY-12 CDBG Projects Report including monthly statistics for May 2013. She advised members that applications for the City of Dover Community Development Block Grant (CDBG) Housing Rehabilitation Program would be accepted from the first 20 applicants on June 12, 2013 in the City Hall Conference Room from 9:00 a.m. to 1:00 p.m. She noted that the program was being managed by Milford Housing Authority.

Mrs. Harvey also advised members that Central Delaware Habitat for Humanity had purchased the eleventh Neighborhood Stabilization Program (NSP) home in the City of Dover. She stated that the house was currently under renovation with completion expected by the end of the month and that a buyer had been obtained.

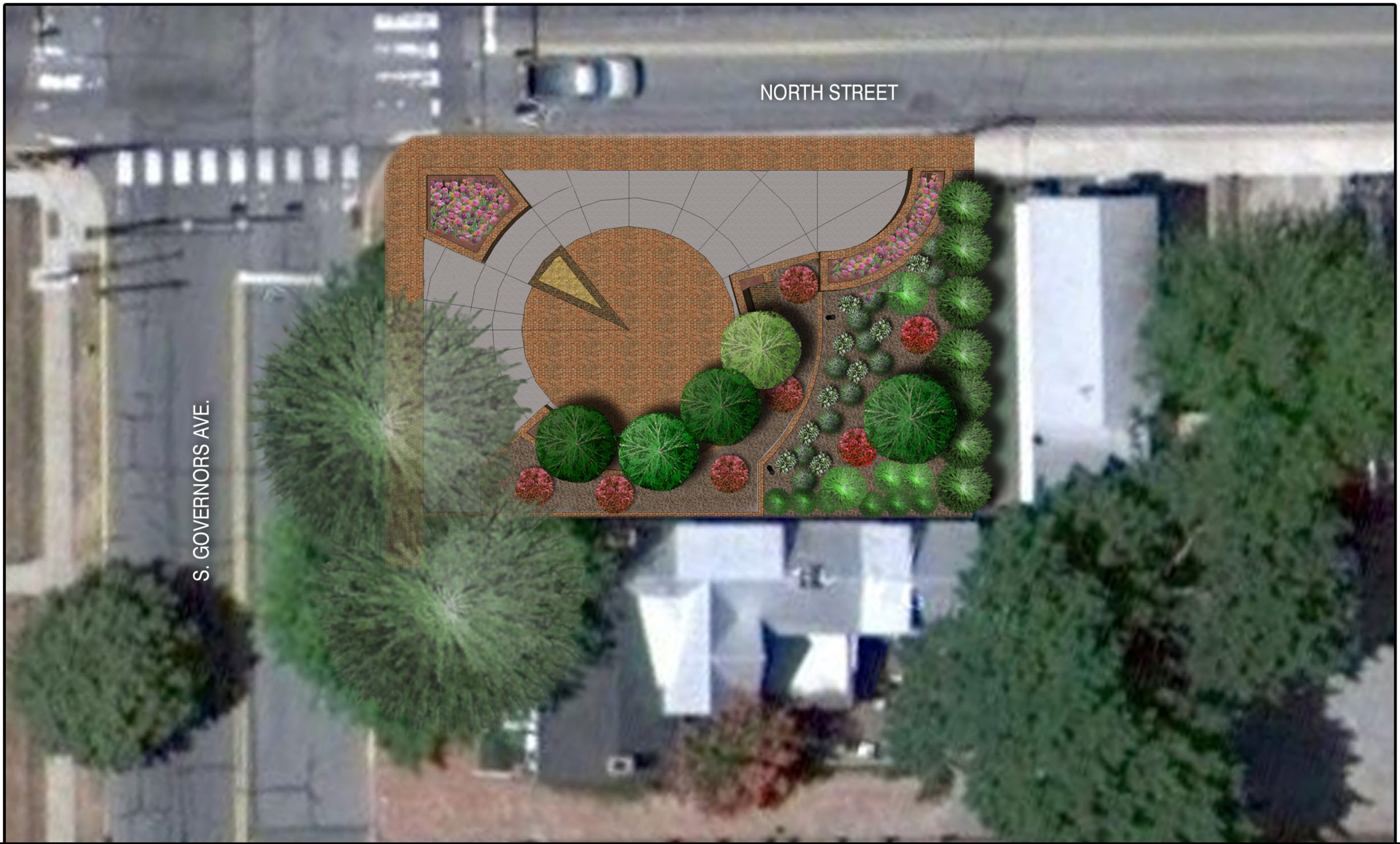
By unanimous consent, the meeting adjourned at 12:40 p.m.

Wallace R. Dixon
Chairman

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Attachments

Attachment #1 - Revised Rendering - Pocket Park Design - North Street and Governors Avenue
Attachment #2 - Petition from Residents of Nottingham Meadows in Favor of the Revised Active Recreation Area Plan
Attachment #3 - Correspondence from Homeowners of Nottingham Meadows Opposing the Revised Active Recreation Area Plan



DOWNTOWN DOVER PARTNERSHIP

PROPOSED POCKET PARK
S. GOVERNORS AVENUE AND NORTH STREET

06.10.2013 / 2011104.04

BECKER MORGAN GROUP
ARCHITECTURE
ENGINEERING

ATTACHMENT #1
PR&CE Committee Meeting of 06/10/2013

PETITION

TO: THE CITY OF DOVER PLANNING COMMISSION

The undersigned, residents of the Nottingham Meadows Subdivision in the City of Dover, hereby request, the Planning Commission approve the following:

1. Revise Active Recreation Area to eliminate the proposed pool and clubhouse and then provide cash in-lieu payment for the Active Recreation Area; and
2. Reconfigure Lots 198 - 205, making the lots larger to eliminate the small open space area; and
3. Add Lots 212 and 213 in the area where the Active Recreation Area was; and
4. Expunge 105 lots on the west side of the subdivision.

FULL NAME (Signed and Printed)	RESIDENCE ADDRESS
1) Peter L Thompson	22 Brittingham Dr. Dover DE 19904 Lot 211
2) Karlie Oliver Karlie Oliver	313 Gilbrook LN DOVER, DE 19904
3) David Okonowski	424 Bevvale Lane Dover DE 19904 Lot 124
4) Ramesh Vemulapalli	23 Brittingham Drive Dover, DE 19904. Lot 79

5) Kikuk A. Scott Richard O. Scott Annie L. Scott	216 Saxondale Lane Dover, DE 19904
6) Beverly Weatherley	7 Derbyshire Court Dover, DE 19904
7) Allen & Betty Jensen	27 Brittingham Dr. Dover, DE 19904 Lot 98
8) Eddie Bosano	444 BEUVALE LN, DOVER Lot 129
9) Jamie Towne	121 Derbyshire Ave
10) Milton Morozowich Kathleen Morozowich	304 Gillbrook Lane
11) CISSY LA MOND JAMES SPRUILL	212 SAXONDALE LANE
12) Mildred & Benny Rodriguez	429 Beuvale Ln

13) Carol Faire — 436 Beverly Dr. Dover, DE 19904 Lot 127

14) Larry & Lorette Lee — 308 Gillibrook Lane Dover Delaware 19904

15) Norman Bowman, Kathleen Bowman — 220 Saxondale Lane Dover, DE 19904

16) Sacrid Bhayda — 125 Derbyshire Ave Dover, DE 19904

17) Della & Jesse Hopkins — 113 Derbyshire Ave Dover DE 19904

18) Sometta Crawford — 105 Derbyshire Avenue Dover, DE 19904

19) Donald Crawford, Ruth A. Crawford — 236 SAXONDALE LN DOVER, DE 19904 Lot 86

20) Linda Gogola — 332 SAXONDALE LN DOVER, DE 19904

21) Brian Hoyt / Tim Pieper — 337 Gillibrook Ln Dover, DE 19904

22) JAMES M. MURRAY — 440 Bewdale Lane Dover De 19904 Lot 128

23) Gina F. EVANS — 441 Bewdale Lane Dover, De 19904

24) EDWARD J. FARRELL / Edward J. Farrell / Odella Farrell — 117 DERBYSHIRE ave DOVER, DE 19904

25) LARRY VALECZ — 233 SAXONDALE LANE DOVER DE 19904

26) ALFRED VANDERVEER — 109 DERBYSHIRE ALE DOVER, DE

27) STEPHEN KABIRU — 15 BRITTINGHAM DR DOVER DE 19904

28) David B. Smith Jr. David B. Smith	26 Br. Hingham Dr. Dover, De 19904
29)	
30)	
31)	
32)	
33)	
34)	

From: akila venkat [mailto:akilav@yahoo.co.uk]
Sent: Tuesday, June 04, 2013 2:34 PM
To: City Clerks Office
Subject: Nottingham Meadows Park and Rec and Planning Commision

I am a co-owner at Nottingham Meadows. I bought into the community in 2008, sold on to a plan of having a lot of common area,including the one in question of 59,000 sf. While I understand that a lot has changed, I strongly believe that this open space is for the use and enjoyment of the residents of the community and if at all, the residents have to determine it and make an application to the city on their behalf. I believe that the new builder or the bankruptcy owner cannot change plans after the city approved it when clearing the sub division..

World over, people are scrambling to preserve open areas and the city of Dover is working to destroy approved open area.

Please record my opposition to any change in the open space requirements in the sub division. Please place my views in front of both the parks and recreation commitee and the Planning Committee for their meetings on June 10th and June 17th respectively.

Thank you

Akila Venkataraman
228 Saxondale Lane

From: venkat subramaniyam [mailto:s_vram@yahoo.com]
Sent: Monday, June 03, 2013 9:57 AM
To: City Clerks Office
Subject: Nottingham Meadows sub division change in plans

Please include this email for both Parks and Recs and also for Planning Commission.

Nottingham Meadows - Revision of Active Recreation Area Plan

Dear Sir
I am a owner at Nottingham Meadows. I bought into the community in 2008, sold on to a plan of having a lot of common area,including the one in question of 59,000 sf. While I understand that a lot has changed, I strongly believe that this open space is for the use and enjoyment of the residents of the community and belongs to every resident of the community. While the use of the open space can be subject to debate, the allocation of the open space is not.

Hence I am strongly opposed to the conversion and reduction of the open space, as currently proposed. I also believe that once the city has approved a plan,
it should not change it, under any circumstances because a lot of thought has already gone into the creation of this plan.
Please record my opposition to any change in the open space requirements in the sub division. With growing cities, open spaces are a rarity. Please help preserve all open spaces.

Thank you
Venkat Subramaniyam
228 saxondale Lane