CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, May 20, 2013 – 7:00 P.M.

City Hall Council Chambers
15 Loockerman Plaza, Dover, Delaware

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

ADOPTION OF MINUTES OF REGULAR MEETING of April 15, 2013

COMMUNICATIONS & REPORTS

1) Reminder: The Planning Commission Quarterly Workshop scheduled for Tuesday, May 21, 2013 has been cancelled.

2) Reminder: The next Planning Commission regular meeting is scheduled for Monday, June 17, 2013 at 7:00pm in the City Council Chambers.

3) Pedestrian and Bicycle Planning Webcast + Local Value Added Session: June 5 at 4:00pm-7:00pm hosted at Milford Public Library. Sponsored by APA Delaware, Dover/Kent County MPO, and City of Dover Planning Office.

4) 2013 Planning Law Review Webcast: June 26, 2013 at 4:00-5:30pm hosted at the Kent County Administration Building, Room 220. Sponsored by the APA Delaware and the Kent County Planning Office.

5) Report on City Council actions

6) Update on Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval:
   a) S-11-07 Weston Drive Property: Mini-Storage Facility – Request for a second one year extension of the Planning Commission approval granted May 16, 2011 for a Site Plan for the construction of three mini-storage buildings for a total of 16,800 S.F. of new buildings and other associated site improvements at 200 Weston Drive. The property is 5.36 acres ± and is zoned IPM (Industrial Park/Manufacturing Zone). The property is located at the north end of Weston Drive. The owner of record is Stoltzfus Mast, LLC. Property Address: 200 Weston Drive. Tax Parcel: ED05-076.08-01-11.01-000. Council District 4. *Previously, a one year extension was granted on May 21, 2012 by the Planning Commission.*

b) S-11-08 Loockerman East: Lands of Hub Associates, LLC – Request for a second one year extension of the Planning Commission approval granted May 16, 2011 for a Site Plan for the redevelopment of four parcels of land (to be consolidated) in order to construct a 92 room hotel, an 11,230 S.F. retail building, and other associated site improvements (with the existing 17,200 S.F. TGI Friday's building to remain). 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. Council District 2. *Previously, a one year extension was granted on May 21, 2012 by the Planning Commission.*

2) Review of Development Application:
   a) S-13-05 Lands of KGH Development Corporation at 625 South State Street – Continuation of the Review of an Site Plan for the expansion of the existing parking lot for an additional 130 parking spaces located at 625 South State Street and 100 Scull Terrace. The property is zoned IO (Institutional and Office Zone) and a portion of the property is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 1 – Wellhead Protection Area and Tier 3 – Excellent Recharge Area. The property is located east side of South State Street in the block between South Street and Hope Street. The owners of record are KGH Development Corporation and Central DE Surgery Center. Addresses: 625 South State Street, 100 Scull Terrace, and 150 Scull Terrace. Tax Parcel: ED-05-077.13-01-51.00-000. Council District 2. *Waiver Requested: Partial Elimination of Curbing and Consideration of Joint Parking Facilities. At the April 15, 2013 meeting, the Planning Commission tabled this application seeking additional information at their April 15, 2013 meeting.*

NEW BUSINESS

1) Resolution honoring Diane Metsch for her service as Secretary to the Planning Commission

NEW DEVELOPMENT APPLICATIONS

1) C-13-03 Luther Village III: Planned Neighborhood Design – Senior Citizen Housing Option on Babb Drive – Public Hearing and Review of a Conditional Use Site Plan for the development of Luther Village Planned Neighborhood Design – Senior Citizen Housing Option consisting of 524 apartment units in a total of nine phases; it was previously established by application C-02-02. Luther Village Phases 1 and 2 have been constructed (Applications S-03-07 and S-7-10). The plan for Phase 3 consists of the construction of a four story apartment building with 48 units, the construction of a one story 3,566 SF resident activity room, and associated site improvements. The plan also includes a Minor Subdivision to create two (2) parcels of land from the existing 29.8 acre +/- parcel. The parcel will be subdivided into a 2.85 acre +/- parcel and a 26.95 acre +/- parcel. The property is zoned RG-2 (General Residence Zone). The property is located east side of John Hunn Brown Road and on the west side of Babb Drive. The owner of record is Martin Luther Foundation of Dover. Address: 101 Babb Drive. Tax Parcel: ED-05-077.06-02-90.00-000. Council District 2. *Consideration of Alternative Design Standards for PND: Building Setback from Property Line, Building Spacing, Building Height,*

Number of Stories, Average Number of Dwelling Units Per Building, and Off-Street Parking Reduction. Waivers Requested: Reduction in Bicycle Parking Requirement, Elimination of Rear Emergency Access, Partial Elimination of Curbing and Subdivision Waiver of Requirement for Lot Frontage on a Public Street.

2) S-13-11 Woodmill Apartment Storage Buildings and Revised Active Recreation Area at Woodmill Apartments – Public Hearing and Review of a Site Plan for the construction two (2) storage buildings at 4,000 SF and 4,800 SF for a total of 8,800 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 zoned RG-2 (General Residence Zone). The property is located on the south side of Farmview 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.

3) S-13-12 Family Dollar at 300 West Loockerman Street – Public Hearing and Review of Site Plan and Architectural Review Certificate for the construction of an 8,316 SF building and associated site improvements. The property is zoned C-2 (Central Commercial Zone) and is subject to H (Historic District Zone). The property is located on the southwest corner of West Loockerman Street and South New Street. The owner of record is Fisher/Grimes Partnership. The equitable owner is Chesapeake Group, LLC. Address: 300 West Loockerman Street. Tax Parcel: ED-05-077.09-01-69.00-000. Council District 4. *Waivers Requested: Partial Elimination of Curbing. Associated with Application HI-13-02 reviewed by the Historic District Commission on March 21, 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: May 10, 2013 at 10:30am.

CITY OF DOVER PLANNING COMMISSION
April 15, 2013

The Regular Meeting of the City of Dover Planning Commission was held on Monday, April 15, 2013 at 7:00 PM with Vice Chairman Tolbert presiding. Members present were Mr. Holden, Mr. Shomo, Mr. Holt, Mr. Baldwin, Dr. Jones and Ms. Still. Mr. Ambruso and Colonel Welsh were absent. (Mr. Ambruso arrived at 7:20pm)

Staff members present were Mrs. Townshend, Mrs. Melson-Williams, Ms. Cornwell, and Mrs. Mullaney. Also present were Mr. Gregory Moore, Mr. Jerry Peters and Mr. Tim Glass. Also speaking from the public were Mr. John Grady, Mr. Mukhtiar Singh, Mrs. Cindy Small and Mrs. Nonnie Cross.

APPROVAL OF AGENDA

Mr. Holt moved to approve the agenda as submitted, seconded by Ms. Still and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF MARCH 18, 2013

Mr. Holden moved to approve the Planning Commission minutes of March 18, 2013, seconded by Mr. Holt 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 Quarterly Workshop will be held on Tuesday, May 21, 2013 at 4:00pm in the City Hall Conference Room.

Mrs. Townshend stated that the next Planning Commission meeting will be held on Monday, May 20, 2013 at 7:00PM in the City Hall Council Chambers.

Mrs. Townshend provided an update on the regular City Council and Utility Committee meetings held on March 25, 2013 and April 8, 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:
   a) C-11-02 4-H After School Program at Capitol Green Community Center – Request for a second one year extension of the Planning Commission approval granted April 18, 2011 for a Conditional Use Plan to permit use of an after school program (Day Care Center) for grades K-6 within the existing community center at 416 Sussex Avenue. The property is zoned RG-1 (General Residence Zone). The property is located on the south side of Sussex Avenue east of River Road. The owner of record is Capitol Green Apartments, LLC. Property Address: 416 Sussex Avenue. Tax Parcel: ED05-077.10-02-08.00-000. Council District 4. *Previously, a one year extension was granted on April 16, 2012 by the Planning Commission.*

Representatives: None

Ms. Cornwell stated that the application is for a second one year extension. The Planning Commission originally granted approval for the use as an after school program which is classified as a day care center by the *Zoning Ordinance* in April 2011. The program would be located at the existing community center at 416 Sussex Avenue. The applicant is just requesting an additional one year extension.

Mr. Holt moved to approve a second one year extension of the Planning Commission approval granted on April 18, 2011 for C-11-02 4-H After School Program at Capitol Green Community Center, seconded by Ms. Still and the motion was unanimously carried 7-0 with Mr. Ambruso and Colonel Welsh absent.

NEW BUSINESS

NEW DEVELOPMENT APPLICATION

1) S-13-05 Lands of KGH Development Corporation at 625 South State Street – Public Hearing and Review of a Site Plan for the expansion of the existing parking lot for an additional 130 parking spaces located at 625 South State Street and 100 Scull Terrace. The property is zoned IO (Institutional and Office Zone) and a portion of the property is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 1 – Wellhead Protection Area and Tier 3 – Excellent Recharge Area. The property is located on the east side of South State Street in the block between South Street and Hope Street. The owners of record are KGH Development Corporation and Central DE Surgery Center. Addresses: 625 South State Street, 100 Scull Terrace and 150 Scull Terrace. Tax Parcel: ED-05-077.13-01-51.00-000. Council District 2. *Waiver Requested: Partial Elimination of Curbing and Consideration of Joint Parking Facilities*

Representatives: Mr. Gregory Moore, Becker Morgan Group; Mr. Jerry Peters, Bayhealth Medical Center

Mr. Holden recused himself from this application. His employer was the engineer of record on this project.

Mrs. Melson-Williams stated that this was a Site Plan for the Lands of KGH Development Corporation on the property addressed as 625 South State Street. Most people will recognize the property by the name of the Scull Mansion which was one of its owners in the 20th century. Scull Mansion property is located on the east side of South State Street across from the main hospital block. The zoning of the property is IO (Institutional and Office Zone) and a portion of the property is subject to the Tier 1 provisions of the SWPOZ (Source Water Protection Overlay Zone) for the City of Dover. However, the project activities are not located in that portion of the property. The existing property includes a number of buildings on the site. The one closest to South State Street, originally constructed as a house in the late 1800's, now serves as offices. Further back on the site is the Outpatient Surgery Center and then all the way to the rear is a day care center building. There are two other buildings on the northern area of the site also used for hospital related activities. The project proposal this evening is an expansion of parking located on this property. It includes the expansion of the existing parking

lot between the mansion building and the Surgery Center and also the addition of a small parking lot south of the mansion building continuing around its west side and then creating a larger parking lot area to the north of that building. Overall, they are expanding the parking on the site by one hundred thirty (130) parking spaces. Typically, parking for a property in the IO (Institutional and Office Zone) is based on either a floor area calculation or a per employee calculation. In the case of a day care center,there is a special calculation based on both the number of attendants and the number of children they are serving. The property would require at least seventy seven (77) parking spaces and allowed up to ninety six (96) as part of the maximum limitations of parking prescribed in the City of Dover Code. Those numbers may be slightly on the low side as definitive amounts of square footage for these buildings are slightly unclear in the plans. With this project there is much more than the ninety six (96) parking spaces on the site when you take in to account the expansion that is proposed. The applicant is asking for consideration of what is called the joint parking facilities provisions of the *Zoning Ordinance.* Those joint parking facility provisions allow for parking spaces to be provided to serve two or more establishments whether they are located on the same lot or not and they can both use the facilities. In this case, the hospital is asking that the Planning Commission look at the entire Bayhealth Medical Center Campus and including this property when looking at that parking number for the site. Within the Development Advisory Committee Report, there is a summary table that outlines the existing parking facilities throughout the Bayhealth Medical Center Campus. This includes parking spaces that are found on the main hospital block, including the parking garage that has recently been constructed, the parking lots along South Street and the small parking lot off of Hope Street, as well as the parking facilities and hospital facilities that are located on the west side of South Governors Avenue. Collectively, they are looking at that for a parking approach for serving the hospital. For the total number of required parking spaces, we end up looking at a total employee count. The hospital has indicated that the total number of employees is just over two thousand (2000) employees. All of these parking areas including the expansion are less than the total number of employees so there is no issue of being over parked by the City of Dover Code.

Mrs. Melson-Williams further stated that some other elements of the project that need to be addressed by the applicant will include bicycle parking for the site. The applicant is asking for a waiver in the form of partial elimination of curbing. Typically all parking areas are required to have up-right curb. There are areas in their proposal where they are seeking relief from that requirement to allow for storm water management practices to function on the site. This project is unique due to the fact that it is served by an entrance drive that comes in off of South State Street. This is a shared entrance drive both to the Scull Mansion property and to the Holy Cross Church and School property. This shared entrance drive was done in the late 1980's and there is an existing easement between the two properties that allow for the shared entrance to occur. Both the hospital and the church utilize it and also share parking opportunities on the site. With this project, there is some concern about that entrance and its intersection with South State Street. The Department of Transportation has noted in their comments that a new entrance permit will be required and they are also recommending that a traffic study related to pedestrians be looked at for that entrance to see if improvements are necessary. The Planning Staff has provided their comments related to the plan elements, along with a series of recommendations. The Planning Staff are recommending approval of the elimination of the curbing for the parking. They are noting that there are some drainage issues on the site so the strategy for stormwater management will need to be carefully evaluated which is also reflected in the comments received by the Kent Conservation District who does the stormwater management review for the City of Dover. Planning Staff is recommending the implementation of a screening along this front parking lot area where it results in vehicles facing out towards South State Street. It is located well over one

hundred (100) feet back from South State Street but Staff is still recommending a low shrub hedge planting to help screen what would be parking in that area so that it is a better fit in a very residential approach to Downtown. In addition, Planning Staff is also concerned about the pedestrian access from the new parking lot area for those that will be utilizing this parking and then crossing South State Street to get to the main hospital facility. Therefore, Staff is recommending a very clear pedestrian sidewalk network from the parking area to South State Street. Currently, there are two (2) paths that lead in that direction. One is a very narrow concrete path and the other is a stone surface path. Planning Staff is recommending a better implementation and one that is more accessible. The other things that have been noted are light fixtures in the vicinity of mansion house should be more related to the character of that historic structure. The structure itself is listed on the National Register of Historical Places. This project will actually eliminate an out-building that is associated with the Mansion property and Staff is recommending that some documentation happen before demolition of that building.

Mr. Moore stated that this is a plan being presented to handle facility wide parking. Bayhealth is expanding quickly and adding employees at a very fast rate, which is demanding new parking. It is also based on a lot more in-patient parking throughout the day which is why this project is being presented. They do not object to any comments from DAC. One thing under the DelDOT recommendations asks for a study to be done for the crosswalk, which they agree to but there is already a crosswalk there and a parking facility and there is also communication between the main hospital and this property and has been for a number of years. The applicant would just like to precede to final construction drawings and make sure that they can do so as that study is being done.

(Mr. Ambruso arrived at the meeting.)

Mr. Tolbert opened a public hearing.

Mr. John Grady – 6 N Bradford St Dover DE 19904

Mr. Grady stated that he was an attorney representing Holy Cross Church, which is the party next door to Scull Mansion. Holy Cross Church has an easement on all of these parking places. They have not been involved in this process at all. However, they have some concerns with the proposed project. The first concern is the entrance way from South State Street. As you come in off of South State Street, there is parking along the entrance way. This is a very busy place at 8:00am with school buses coming in and now there will be even more cars coming in from Kent General Hospital. It is a very narrow entrance, approximately forty (40) feet across and there are cars parked on both sides of this entrance. As he reads the zoning requirements, it states that parking lots should be at least one hundred (100) feet from the street and there are people parking within fifty (50) feet of the street. Holy Cross is requesting that there should not be any parking there at all at the entrance way. There are also approximately ten (10) parking spaces which are part of the driveway as you enter from the street which creates a couple of hazards. First, there is a hazard for buses coming in during the morning hours. There is not enough space for buses to go by with a car parked within this entrance way. Secondly, members of Holy Cross Church park there during the weekends and create a dangerous set-up as they try crossing that entrance way. You will not find parking along a driveway anywhere in Dover that has this much traffic coming and going.

Mr. Grady further stated that Holy Cross Church was not on this petition for the zoning request and he wonders if they should have been on it since they have an equal right to all of these parking spaces.

Holy Cross Church was not consulted about this project. The second issue is that there has been an acknowledgement tonight that Holy Cross Church does have rights to this parking and it has been a major battle with Kent General acknowledging these rights. At the present time, there are signs up stating that parking is for the Surgery Center only. There are also signs up saying for Kent General only. He has personally written to Bayhealth Medical Center over the last three (3) years about this problem and it has not been addressed. There has been some acknowledgement but the signs are still up. If this project is going to be approved, then one of the conditions should be that there is a written acknowledgement that Holy Cross Church has a right to park in these parking spaces. The major concerns are the weekends; however, they have no intentions on giving up their easement rights. The joint parking request would be legitimate because Holy Cross Church uses this parking area as well. His concerns are that Holy Cross Church is not even an applicant on this petition and they are parking users and owners of those lots. There is also a serious safety issue on the entrance way off of South State Street. He feels that the most logical thing to do is to eliminate that parking on the driveway, it is not safe and the area is not wide enough. If Bayhealth Medical Center plans to put signs up for parking it should acknowledge that Holy Cross Church also has a right to the parking as well.

Mr. Tolbert closed the public hearing after seeing no one else wishing to speak.

Mr. Ambruso questioned if there was anything that Kent General and Mr. Grady could work out at this time? Responding to Mr. Ambruso, Mr. Tolbert stated that as he understood it there has been no communication between the applicant and Holy Cross Church and perhaps this should occur.

Mr. Peters stated that there has been communication on it and he reserves comment on that communication.

Mr. Moore stated that they have the agreement between the two parties and they are going to comply with that. They think that the added parking will help both parties and they fully intend to comply with the agreement between Holy Cross Church and Bayhealth Medical Center. They have agreed to add sidewalks that will help better connect the two properties.

Mr. Tolbert questioned if the agreement addresses the concerns that were just expressed by Mr. Grady? Responding to Mr. Tolbert, Mr. Moore stated that Mr. Grady referenced that Holy Cross owns and therefore should be a party to the application. As a signator and as the landowner, that is really Bayhealth Medical Center's responsibility so that's the reason why Holy Cross is not a signator. But they will fully comply with the agreement that's recorded and provide Holy Cross access through the property and to the parking; that's part of the agreement and they have no dispute with that.

Mr. Ambruso moved to deny the request S-13-05 Lands of KGH Development Corporation at 625 South State Street until something in writing between both entities is provided, seconded by Dr. Jones.

Mr. Baldwin questioned what additional information the Planning Commission was asking for? Responding to Mr. Baldwin, Mr. Tolbert stated that he personally thought that it was addressed very well by Mr. Moore.

Mr. Ambruso further stated that Mr. Grady's clients feel as though it is not in their best interest and that they have had very little input in this process. He thinks that both parties are very large entities in

the community who are basically married to each other. He really thinks that there should be a meeting of the minds.
Mr. Tolbert stated that there should be an understanding between all of the parties and it seems like that was non-existent by what Mr. Grady said. Mr. Grady had stated that he had not been in contact with the applicant but Mr. Moore said that they have been in contact. It seems like there is miscommunication somewhere.

Mrs. Townshend questioned for a matter of clarity, if the Commissioner were looking to deny the application or to postpone action on the application until such time that the applicant and the representative of Holy Cross can resolve some issues? Responding to Mrs. Townshend, Mr. Ambruso stated that he would be willing to postpone the application.

Mrs. Townshend stated that the motion made by Mr. Ambruso would need to be amended.

Mr. Ambruso withdrew his original motion.

Mr. Ambruso motioned to postpone the hearing on S-13-05 Lands of KGH Development Corporation at 625 South State Street for thirty (30) days until both parties feel as though they have full knowledge as to the destiny of that property, seconded by Mr. Holt and the motion was unanimously carried 7-0 with Mr. Holden recused and with Colonel Welsh absent.

2) S-13-06 US Gas at 461 North DuPont Highway – Public Hearing and Review of a Site Plan to allow for the addition of a fenced paved area consisting of 6,861 SF of impervious surface located at 461 North DuPont Highway. The property is the location of an existing automobile service station with fuel sales. The property is zoned C-4 (Highway Commercial Zone). The property is located on the southeast corner of North DuPont Highway and Townsend Boulevard. The owner of record is US Gas, LLC. Address: 461 North DuPont Highway. Tax Parcel: ED-05-068.13-01-55.00-000. Council District 3. *Waivers Requested: Reduction of Arterial Street Buffer and Partial Elimination of Curbing.*

Representatives: Mr. Tim Glass, Lane Engineering; Mr. Mukhtiar (Mike) Singh, owner of US Gas

Ms. Cornwell stated that this is a Site Plan application for the placement of 6,861 SF of additional impervious surface. Over 9,000 SF of imperious surface was installed without review and approval. A portion of that, approximately a little over 3,000 SF of the impervious surface will be removed as part of this application. The applicant is looking to leave 6,861 SF of impervious surface on the site. The property is zoned C-4 (Highway Commercial Zone). The use of the property is a motor vehicle service station with gas pumps. The use of the motor vehicle service station shall conform to the requirements of the *Zoning Ordinance* pertaining to the use and storage of the property.

Ms. Cornwell further stated that there are two waiver requests as part of this Site Plan. The first is for the elimination of curbing for the parking areas to allow for stormwater management and this includes those existing areas on the site that do not have curbing and the new impervious areas is also proposed to not have curbing. The second waiver request is for a reduction in the Arterial Street Buffer. As Route 13 is considered our principal arterial, a thirty (30) foot landscape buffer is required along that area. What the applicant is proposing is an area that ranges from fourteen (14) to twenty four (24) feet at the intersection and then there are other areas along the road frontage on North DuPont Highway that do not have Arterial Street Buffer. The buffer may increase based on comments from DelDOT.

Also in the C-4 (Highway Commercial Zone) zoning district there is requirement of a ten (10) foot landscape buffer. This is being provided within portion of that Arterial Street Buffer and it is being provided along Townsend Boulevard as well. The other agencies reviewing this application have provided their comments. This includes improvements to the stormwater management per the Kent Conservation District, entrance improvements by DelDOT and utility identification location by the City of Dover Public Works Department.

Mr. Glass stated that in addition to what Ms. Cornwell has reviewed, this site really presents an opportunity for the property to increase its image and also to provide some amenities on site that will help functionality and help aesthetics as well. The landscaping that is proposed, that does not exist now, will be an enhancement to the site. For the operation of the property as it exists today, there is a customer base that comes and goes with repairs and of course fuel sales, all of which will remain. The intent is to utilize some of the impervious area that has been placed behind the building, remove what is not necessary any longer and essentially provide a wooden fence around the enclosed area behind the building so that customer's cars can be placed in that secure area. This will be more out of sight from the street and on the front parking lot. It will allow better access and circulation through the property and also provide for security after hours until the customer comes to claim their vehicle back. As Ms. Cornwell had pointed out, there is a fairly large grass island that exists now on the corner of the property and we have proposed landscaping for that area, extending around to the back. The applicant is looking to put some evergreen type trees and shrubs there to mask the back side of the fenced area as it abuts the property to the rear. They are proposing to explore storm-water management opportunities on that piece of property and with the waiver request; they would ask the Planning Commission to waive the curbing requirement of that due to natural draining. The site has a natural fall to the back of the property already and much of the surrounding properties all drain to this corner on Mr. Singh's property. If they were to have curbing on that, they would not be able to get the water out of that parking lot area and into the grass area. As for the Arterial Street Buffer, he feels that they have planted what they can to the extent of what they have available on-site. Some additional dialogue will need to take place with DelDOT with regards to the existing widths of entrances, which could be cleaned up after we are through some of the review process. If this allowed more opportunity within that Arterial Street Buffer along the frontage, then they would be able to additionally landscape that area as well. They respectfully ask that the Planning Commission consider granting the waiver requests and approve the Site Plan as presented. He thinks it's going to be an enhancement to the community and they are looking forward to the completion.

Dr. Jones questioned the timeframe of completion? Responding to Dr. Jones, Mrs. Townshend stated that because this was a code enforcement action, they would need to continue moving forward to comply. There will be some time to deal with some of the DNREC and Kent Conservation District, so Staff will continue to stay on top of those and monitor them but it is not an application that we can allow to expire if approved.

Mr. Holt questioned if the applicant was planning to have an underground storage type container for the stormwater or some kind of run-off? Responding to Mr. Holt, Mrs. Townshend stated that it is likely to be a small pond but she would defer to Mr. Glass for further comments. Mr. Glass stated that right now there is an existing stormdrain line that parallels with Townsend Boulevard. They would propose to tap into that. There would be a small excavation. Whether that excavation were utilized for a more green type of treatment meaning micro-bio retention or landscape infiltration with some degree of storage in there. Right now all of the drainage runs into that exact spot and lays there and does not

have a good way to get out. They would propose an outlet structure that would be tied into that existing stormdrain so that they could treat the water before it was discharged into the pipe.

Mr. Holt further stated that underground storage water retention options are also available. Responding to Mr. Holt, Mr. Glass stated that given the existing utility placement and the small nature of the site, he is not sure that would be a good opportunity for this particular site.

Mr. Holt questioned that if they had a stormwater retention pond, would there be some type of fencing around it? Responding to Mr. Holt, Mr. Glass stated that he thinks the details would still need to be worked out on that. He would prefer to do more of a green technology where the water is dissipated and absorbed by the plant stock that is in there so that there is no standing water.

Mr. Tolbert opened a public hearing.

Mrs. Cindy Small – Central Delaware Building, LLC 435 North DuPont Highway Dover DE 19901

Mrs. Small stated that she was the Vice President of the Board for the Central Delaware Building, LLC, located adjacent to this property facing it on the right hand side with a small roadway between Mr. Singh's property and their property. She is also the Executive Director of Kent County Tourism and they are a tenant in that building with the Chamber of Commerce. With her tonight is Heather Krueger, she is an Officer of the Kent County Tourism Board of Directors. One thing that she wanted to ask was have the Planning Commissioners been to the US Gas site? They are next door as the Visitors Center. This is the place where the City of Dover's new residents are coming often, along with new businesses to town, new Chamber of Commerce members or members of the community as well as people possibly looking to come to Dover as a place to live and visit. One of the things that they are concerned about is the aesthetics of our neighborhood. To the south of them is the church; they do a great job of keeping their property very nice, neat and clean. One thing that concerns her is that she had not heard about the fence plans until this evening and if you have ever driven down that alleyway between the two properties you would notice that there is a lot of traffic both going in and coming out. Cars use this alleyway as a shortcut to Townsend Boulevard or to get to the stores in the shopping center behind the gas station. If you come down that road at a fast speed and you are turning left toward the shopping center, a fence is definitely going to inhibit your view of any oncoming traffic. She does see this as a safety issue, if a fence is built and you cannot see around it. It is a very sharp, forty five (45) degree angle turn.

Mrs. Small further stated that as far as drainage, the parking lot of the shopping center is full of puddles any time after rain. They actually have a hard time keeping it paved because the rain constantly bubbles up and causes pot holes. The other thing that concerns her is just the safety. Someone was mugged in broad daylight right behind their building and the store located behind them was arm robbed. They have people leaving their building for meetings at all hours of the night and it is not very well lit in that area. They have had to remove all of their landscaping in the back of the building just to eliminate hiding places and a fence and cars behind US Gas may be an attraction for people looking to rob and steal and it's also a good place for people to hide. She thinks that any improvements to the property will be very welcome but she is just concerned about the safety. Also she noticed that Ms. Cornwell mentioned that the property is zoned as a gas station and a motor vehicle repair and use and storage. She is assuming that the reason that the fence is being put in is to store cars but how long are these cars going to be there? Until just recently, you could find cars that

had been parked on the site for months maybe even years. She does not think that the property should become a junk yard. She does not mean any disrespect to Mr. Singh, she knows that he is trying to make a living but you do have to keep in mind that it is the City of Dover and a lot of the first time visitors are coming to see them which means they have to pass by this property. She just wants to make sure that the Commissioners go and take a good look at it. She is sure that Mr. Singh would even give a tour and maybe show you what they are planning to do. If it truly is an improvement, we would be in favor of it. If it's just another place to park cars that are in bad disrepair, they would not be in favor.

Mr. Tolbert questioned if she was located in the building at 435 North DuPont Highway? Responding to Mr. Tolbert, Mrs. Small stated yes.

Mr. Tolbert further questioned if it was the building where the Chamber of Commerce is located? Responding to Mr. Tolbert, Mrs. Small stated yes, the Chamber of Commerce is on the second floor with some other tenants and she is located on the first floor.

Mr. Tolbert questioned how long US Gas has been at this location? Responding to Mr. Tolbert, Mr. Singh stated that he has been at this location for ten (10) years.

Mr. Tolbert questioned Mrs. Small if US Gas was at this location when her operation came to that location? Responding to Mr. Tolbert, Mrs. Small stated that it was before her time. The Chamber of Commerce has been there for about nine (9) or ten (10) years but she is not positive on the timeframe.

Mr. Tolbert further questioned if lighting would help the situation that she had described? Responding to Mr. Tolbert, Mrs. Small stated that it probably would help and maybe if the fence did not go all the way to the property line in the back so that there was more of a clear visual way to see around that.

Mrs. Nonnie Cross – 216 Mannering Dr Dover DE 19901 (Property Owner of 720 Townsend Boulevard Dover DE 19901)

Mrs. Cross stated that she was the owner of 720 Townsend Boulevard. She is in total agreement with Mrs. Small. She would like to support her speech.

Mr. Tolbert closed the public hearing after seeing no one else wishing to speak.

Mr. Ambruso stated that he visits the tobacco shop behind US Gas every other day and he has often wondered why the City of Dover Inspections Department has not done something with the property in the first place. He agreed with Mrs. Small that the way that property is maintained is not kept in the spirit as most of the neighbors in that area try when it comes to their properties. He is afraid that tucked away behind the fence would be nothing more than a junk yard. He does not believe that they are zoned to be a holding facility. Responding to Mr. Ambruso, Mrs. Townshend stated that they are zoned C-4 (Highway Commercial Zone) which allows for automobile repair. The *Zoning Ordinance* states that motor vehicle service stations are subject to the following regulations: 1) Vehicle lifts or pits dismantled and disabled automobiles and all parts or supplies shall be located within a building enclosed on all sides. Planning Staff has talked to Mr. Singh about the code enforcement history on the property and he has indicated that he fully understands that he cannot even within the fenced area have vehicles in various states of disassembly. 2) All service or repair of motor vehicles other than minor servicing such as changing of tires or sale of gasoline or oil shall be conducted in a building

fully enclosed on all sides. Again, these are things that we have had issues with on this property in the past and we have had extensive discussion with Mr. Singh and he has ensured us that prohibited activities would not be taking place. We could set up regular inspections. For a period of time we could have our Inspectors do monthly inspections. If they are operating in the City, we are entitled to conduct an inspection so we could do regular inspections to ensure that it does not become a junk yard. But that was one of the concerns that the Planning Staff had and Mr. Singh has assured us that this will not be the case.

Mr. Tolbert questioned Mr. Singh's previous code violations, have they not been resolved at this point? Responding to Mr. Tolbert, Mrs. Townshend stated that the most recent violation that we are here to resolve is the issue of the addition of imperious cover without any approval. There have been code enforcement cases in the past for a variety of property code violations. There has been anything from weeds and overgrowth to the issues of abandoned or disabled vehicles on the property. Those have all been resolved. Unfortunately, when she looks back ten (10) years they would be resolved and then it would happen again; they would be resolved and it would happen again. Her understanding is that they have not had disabled vehicles on the site routinely and they have not had unregistered vehicles in recent history on the site. That is a practice that they are not doing anymore. Again this is what Planning Staff has been told by the applicant and she is sure that he could share the same with the Commissioners. She thinks that we have a responsibility knowing that there is a history, knowing that there is a discussion to be made by the Planning Commission to do routine inspections to make sure that that is not the case.

Mr. Tolbert further questioned if there were no open violations at this time? Responding to Mr. Tolbert, Mrs. Townshend stated that there are open violations. The principal one now is the impervious cover addition. There are no current cases for dissembled vehicles on the site. There are no current cases for tall grass or overgrowth. The only current open case is the addition of impervious cover. There are fines associated with that and he understands he will need to pay before he gets final plan approval.

Mr. Tolbert questioned if the open violations that he has now have no impact on this application before them now? Responding to Mr. Tolbert, Mrs. Townshend stated that it's the reason the applicant is here. The vehicles that were there in the past have been removed from the site. So currently, on the last inspection, there were no disabled vehicles on the site other than cars that were actively being repaired.

Mr. Tolbert further questioned if the applicant has a history of violating? Responding to Mr. Tolbert, Mrs. Townshend stated yes.

Mr. Holden questioned for his clarification, if this matter is in front of them for them to act upon the two waivers? Mrs. Townshend stated that it is for the waivers and for the Site Plan to allow the paving.

Mr. Holden further questioned the process of how the proposed fence will be reviewed by the City? Is there another level that will review where it is placed and whether it causes site issues for travel that was mentioned around the back alley? Responding to Mr. Holden, Mrs. Townshend stated that during the final stages of the Site Plan, Planning Staff would look at that and then a Building Permit would be submitted. She would say that since it is because it's part of the Site Plan, if there are specific issues

that you want addressed in that, she would suggest making that part of a motion.

Mr. Holden further questioned if in the City's eyes, there was issue with travel around the back of the parcel through what may or may not be a true alley? Responding to Mr. Holden, Mrs. Townshend stated that she has not been aware of issues. Again, it is really more of a cross access easement to get from the property where Kent Count Tourism and the Chamber of Commerce are located out to Townsend Boulevard. We have not looked at it the same way that we would look at a road.

Mr. Holden questioned the applicant on the past issues with vehicles that should not have been stored on the site and concerns over the appearance of the site and traffic. Are there considerations from the applicant's side to address these moving forward? We have heard that the City of Dover has had some correspondence with ensuring vehicles were not stored on-site improperly. There have been a number of issues raised. Is there a manner to address those? Has there been some thought to address that through this process for this project? Responding to Mr. Holden, Mr. Glass stated that there has and Mr. Singh can certainly acknowledge tonight that he has been in the office, they have had those conservations. Mr. Singh and he have been over the application and the reason they are here tonight is because of a prior violation that they are here to seek remedy for in a way. A good chunk of what has been placed in the past is going to have to be removed in order to turn a reasonable amount of that impervious space into a more usable, hidden, out-of-sight from the street, landscaped, enclosed space from a security standpoint. Just to address a few of the other comments that were mentioned a moment ago with regards to the security and lighting Mr. Singh has already installed cameras on the back of that building. His intention is to put their customer's vehicles in that enclosed secured spot. That entire gated, fenced area will be closed and locked. They have had some issues before with some vehicles being broken into and this is a sure fire way to be able to minimize that activity. There are three (3) lights that exist on the back portion of the parking lot behind Mr. Singh's property. He believes that they belong to Mrs. Cross and he does not know if they work or not but they are cobra head style lights and there are three (3) of them along that side. There are lighting fixtures there; whether or not they are operational he does not know. For the points about the drainage, there is a lot of drainage there. There are always puddles of water in that area and it probably is tearing up some of the asphalt parking lot of Mrs. Cross' property. The fact of the matter is, the water does not have anywhere to go right now and part of their solution would be to direct that water to a closed storm drain system so that it is not just sitting back there after it rains. With regards to any invisibility, he would suggest that they could look at that a little more as far as any vehicle visibility issues. That is a very narrow private easement area; it is not a public street and there is no easement benefit to Mr. Singh. That easement was created for access from North DuPont Highway to the buildings that are located in the back so it is a private property matter. If there are vehicles that are speeding through there, there might be other remedies that the private property owner may be able to consider such as a stop sign at the back of the fence line. If they can pull the fence back somewhat and still have a usable enclosed space, then he thinks that the applicant would be more than willing to discuss those details with Staff as they go through the process.

Mr. Holt stated that if they could get those lights on at night, it would eliminate a lot of the crime that is happening in that area.

Mr. Tolbert questioned if the lights work now? Responding to Mr. Tolbert, Mrs. Small stated that she thinks they do work.

Mr. Tolbert further questioned if the lights were adequate for the area? Responding to Mr. Tolbert, Mrs. Cross stated that the light located in the parking lot of 720 Townsend Boulevard is not facing the area behind US Gas Station.

Mr. Holden stated that he has some conflict here. He sees that Mr. Singh is coming forward to remedy the situation and also to improve the site so he applauds those efforts. He recognizes that there has been an ongoing history of issues at the site that was not a one-time occurrence so there is a bit of tug and pull here. But he sees Mr. Singh's effort to improve and that he is truly here to make some improvement. If the Planning Commission chooses to recommend the approval of the Site Plan and waivers, if they wanted to also include in the motion a contingency to address potential site issues with the fence and to improve lighting, who would then confirm that that was done? Responding to Mr. Holden, Mrs. Townshend stated that it would be done through the Site Plan process. Staff would look for that as they get to final Site Plan and then the site inspections would confirm it.

Dr. Jones stated that she has a concern about the cars that might be inside the fence. She questioned Mr. Singh if he had any idea the maximum number of cars being serviced that he might hold at a time? She stated that she was concerned about cars moving and not staying for a long period of time. Responding to Dr. Jones, Mr. Singh stated that the maximum time frame that cars would stay would be maybe fifteen (15) days.

Dr. Jones further stated that they were not talking about cars staying forever.

Mr. Tolbert questioned how many cars the area can hold at any given time? What is the maximum number that it can hold? Responding to Mr. Tolbert, Mr. Glass stated that he thinks it is seventeen (17) to twenty (20) maximum. They have designed it in such a way that there is enough room between, like a normal parking lot where you can pull the cars in against the fence or against the back part of the building and then still be able to drive in between in an access aisle. Without being able to quickly do the math in his head, going by memory the parking lot can hold seventeen (17) to twenty (20) at the most.

Mr. Tolbert further questioned if these were vehicles that are there to be repaired? Responding to Mr. Tolbert, Mr. Glass stated that a customer would bring their vehicle and be able to put that vehicle behind the building in the fence and at night time the gate would be locked.

Mr. Tolbert questioned that the vehicles are not just stored there for indefinite periods of time? Responding to Mr. Tolbert, Mr. Glass stated no, once the vehicles are brought into the shop to be worked on they could then be taken to behind the building for customer pick-up or to be stored in that lot behind the building.

Dr. Jones stated that like Mr. Holden, she can certainly appreciate the opportunity to improve that site. Not only has she passed the property but she has been in to the service station and she received some of the most courteous service that she has ever received. But at the same time, she thinks that the proposed plan to improve the site will certainly be an asset to that neighborhood because of the current appearance. She also feels that if the approval is granted that an oversight plan should be made certainly known to Mr. Singh without deviation.

Mr. Tolbert stated that the motion should contain the issues that we are discussing now.

Mr. Baldwin stated that he can appreciate the improvement that he has seen there. He asked the applicant if he was just repairing automobiles. Responding to Mr. Baldwin, Mr. Singh stated yes.

Mr. Baldwin further stated that in the past he has seen dismantled lawn tractors and things of that nature parked near the curbing. He wants to ensure that that's not going to happen anymore. He questioned the dump truck sitting on Townsend Boulevard; does it belong to Mr. Singh? He further stated that it has been there for at least two (2) years. Responding to Mr. Baldwin, Mr Singh stated that it belonged to a family member and he has tried to contact him about moving the dump truck and he has not received a response.

Mr. Baldwin further questioned if the dump truck was going to remain there? Responding to Mr. Baldwin, Mr. Singh stated that he was thinking about towing the dump truck.

Mr. Baldwin stated that the dump truck was an eye sore.

Mr. Tolbert stated that periodically there is commercial activity going on other than the automobile activity; sales person selling rugs on the corner. Responding to Mr. Tolbert, Mr. Singh stated yes there were sales people on his property.

Mrs. Townshend further stated that this activity was permitted.

Mr. Baldwin stated that he would like whoever decides to make the motion to include routine inspections to ensure that Code Enforcement is making sure that they do what say they are doing tonight.

Mr. Tolbert stated that the motion should also include the waivers and the other concerns that have been expressed along with the DAC comments. The lighting issue and the water problem need to also be ensured in the motion.

Mrs. Townshend stated that the DAC comments address the drainage because they have to comply with the Kent Conservation District requirements.

Mr. Baldwin moved to approve S-13-06 US Gas at 461 North DuPont Highway Site P1an for the impervious surface including the comments made tonight which are routine inspections to ensure that the property is being used correctly, the lighting improvements for the site and also the DAC comments, as well as the waiver request for the partial elimination of curbing and the waiver request for the reduction of Arterial Street Buffer, seconded by Mr. Holt.

Mr. Holden moved to amend the motion to include adjustments to the proposed fence and lighting to the satisfaction of the Planning Department and require monthly inspections for a period of twelve (12) months to ensure that the business is operating as Code requires, seconded by Mr. Holt and the motion to amend was unanimously carried 8-0 with Colonel Welsh absent.

Vote on original motion as amended carried 7-1 with Mr. Holden, Mr. Shomo, Mr. Holt, Mr. Baldwin, Dr. Jones, Ms. Still and Mr. Tolbert voting yes and with Mr. Ambruso voting against and Colonel Welsh absent.

Meeting adjourned at 8:15 PM

Sincerely,

Kristen Mullaney
Secretary

You're Invited!







Presented by:

APA DE

The City of Dover Delaware

Dover/Kent County MPO
Metropolitan Planning Organization

Pedestrian and Bicycle Planning Webcast and Local Value Added Session (2.5 CM pending)

WHEN:
June 5, 4 PM – 7 PM

WHERE:
Milford Public Library
(11 SE Front Street)

COST:
$5 for APA members
(including chapter only members)
$10 for nonmembers
Payment must be made by cash or check at the door.

SPEAKERS:
Rich Vetter, PE, AICP, D/KC MPO
Gary Norris, AICP, City of Milford
Mary Betts, City of Milford

WHAT:
Bicycling has evolved from a recreational activity to an important mode of commuting. Communities are developing increasingly sophisticated plans that incorporate pedestrians and cyclists into transportation planning and comprehensive planning. The challenge remains how to accommodate transportation choice and modes, as well as allow a mix of modes for users. This American Planning Association (APA) webcast reviews successful plans and programs that make streets work for all users. Join the APA Delaware Chapter afterwards in exploring local successes in Milford.

Registration is required and seating is limited.
To register, please visit **www.delawareapa.org**.

Dinner will be provided and weather permitting
there will be a walking tour of Milford's Riverwalk.

City of Dover

DATA SHEET FOR CONDITIONAL USE SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF May 8, 2013

PLANNING COMMISSION MEETING OF May 20, 2013

Plan Title:	Luther Village Planned Neighborhood Design – Senior Citizen Housing Option Luther Village III C-13-03
Plan Type:	Site Plan Minor Subdivision Plan for Phase 3
Associated Plans:	C-02-02 Conditional Use Master Plan for PND-SCHO S-03-07 Luther Village PND-SCHO: Phase 1 S-07-10 Luther Village PND-SCHO: Phase 2
Owner:	Martin Luther Foundation of Dover
Equitable Owner: (Phase 3 Building Area)	Luther Village III of Dover Inc.
Site Area:	Luther Village Total Area – 33.63 +/- acres Phase 3 – 2.85 acres
Present Use:	Planned Neighborhood Design Senior Citizen Housing Option Residential (Phases 1 and 2- Apartment Buildings) Agricultural
Proposed Use:	Planned Neighborhood Design Senior Citizen Housing Option Apartment Buildings with Town Center building Nine Phases: 8 Apartment Buildings (524 units) Resident Activity Room Building (3,566 S.F.) Town Center Building (14,000 +/- S.F.)
Number of Dwelling Units:	Phase 1 (complete) - 68 dwelling units (1 apartment building) Phase 2 (complete) - 32 dwelling units (1 apartment building) Phase 3 – 48 dwelling units (1 apartment building) proposed Total of all phases - 524 dwelling units
Off Street Parking:	Phase 1 – 68 parking spaces including 3 handicapped, 1 loading space Phase 2 – 36 parking spaces including 3 handicapped, 1 loading space Phase 3 – 68 parking spaces including 3 handicapped, 1 loading space

	Total Complex - 557 parking spaces including 26 handicapped and 9 loading spaces
Sewer & Water:	City of Dover
Zoning Classification:	RG-2 General Residence Zone Planned Neighborhood Design: Senior Housing Option
Comprehensive Plan:	Residential High Density
PND Considerations:	Alternative Design Standards for PND: Building Setback from Property Line Building Spacing Building Height Number of Stories Average Number of Dwelling Units Per Building Off-Street Parking Reduction
Waivers Requested:	Elimination of Rear Emergency Access Reduction in Bicycle Parking Requirement Partial Elimination of Curbing Subdivision Waiver of Requirement for Lot Frontage on a Public Street

City of Dover Planning Office

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 8, 2013

APPLICATION: Luther Village III Planned Neighborhood Design: Senior Citizen Housing Option (Luther Village Phase 3)

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

CONTACT PERSON: Dawn E. Melson-Williams, AICP PHONE #: (302) 736-7196

PLAN SUMMARY:

This application is for the Review of a Conditional Use Site Plan for the development of Luther Village Planned Neighborhood Design – Senior Citizen Housing Option consisting of 524 age restricted apartment units in a total of nine phases. It was previously established by application C-02-02 and Luther Village Phases 1 and 2 have been constructed (Applications S-03-07 and S-07-10). Include in this Review is the Site Plan for Phase 3 which consists of the construction of a four story apartment building with 48 units (age-restricted), the construction of a one story 3,566 SF resident activity room, and associated site improvements. The plan also includes a Minor Subdivision to create two (2) parcels of land from the existing 29.8 acre +/- parcel. The parcel will be subdivided into a 2.85 acre +/- parcel and a 26.95 acre +/- parcel. The property is zoned RG-2 (General Residence Zone). The property is located east side of John Hunn Brown Road and on the west side of Babb Drive. The owner of record is Martin Luther Foundation of Dover. Address: 101 Babb Drive. Tax Parcel: ED-05-077.06-02-90.00-000.

Previous Applications:

The subject site for Luther Village is located east of John Hunn Brown Road and west of the continuation of Babb Drive in Dover, Delaware. This area is northeast of and adjoining the Dover Crossing Shopping Center (Target and Safeway). The subject site was originally part of a 122.3+/- acre property previously proposed as the Amberfield Subdivision. A Minor Lot Line Adjustment plan recorded on May 30, 2002 created a thirty-four (34) acre parcel for the Luther Village PND: Senior Citizen Housing Option project. The remaining area was later approved for a separate residential development with the application for Clearview Meadow: Planned Neighborhood Design (C-04-01 and SB-04-04).

The Master Plan (C-02-02) approved by the Planning Commission in June 2002 for the Luther Village Planned Neighborhood Design-Senior Citizen Housing Option Plan encompassed a total of nine (9) development phases with eight (8) apartment buildings and a town center building for the senior citizen community. The Planning Commission subsequently has reviewed each phase

of construction. As completed to date, Luther Village Phase 1 (Application S-03-07) involved the southwest portion of the Luther Village site for a 68 unit three story apartment building, an active recreation walking trail area and with the stormwater management located in the northwest corner of the site. Also completed, Luther Village Phase 2 (Application S-7-10) consists of a 32 unit two story apartment building. Therefore, there are one hundred (100) existing apartment units on the property.

Current Application:
Due to lack of recent construction activity at the site, the Plan approval for the overall Master Plan for the Luther Village Planned Neighborhood Design-Senior Citizen Housing Option has lapsed. This submission restarts the process for approval of the overall plan for the Luther Village Planned Neighborhood Design-Senior Citizen Housing Option Project. The project continues to encompass a total of nine (9) development phases with eight (8) apartment buildings and a town center building for the senior citizen community. The project consists of a proposal for 524 apartment units (473 apartment units shown). Each phase typically consists of an apartment building, associated parking lots, stormwater management elements, active recreation areas such as walking trails, and open space landscaping. The Master Phasing Plan (dated 4/5/2013) also depicts the layout for continuation of the internal loop drive, apartment buildings, town center building, parking, stormwater management, etc. for the entire site.

This application also provides the details for Phase 3. For Luther Village Phase 3, a 48 unit (age restricted) four story apartment building with a one story resident activity room building is proposed.

Review Process for Planned Neighborhood Design: Senior Citizen Housing Option:
The applicant is seeking approval under the Planned Neighborhood Design Ordinance for the Senior Citizen Housing Option (see *Zoning Ordinance*, Article 3, Section 24.1 (b)). The Ordinance sets forth a two or three-step review and approval process. In the first step, the developer meets with the City Council and presents a general sketch plan to determine whether or not the proposed project is of such a design and type that warrants further review by the Planning Commission.

On April 8, 2013, the City Council reviewed project and determined that further review is warranted. The second step is a more detailed Conditional Use Site Plan review and public hearing process before the Planning Commission. (Note: A third review step with the Planning Commission may be required depending on the type, physical size, and complexity of the project application. This is not required for this project.) The submittals of site development plans to the Planning Commission for each phase of the project are reviewed for consistency with the approved Master Plan (Conceptual Plan).

The current application to the Planning Commission represents the second step in the review process for the Luther Village PND-SCHO to re-establish the Conditional Use/Master Plan and for the review of the specific Site Plan Review for Phase 3.

The PND: Senior Citizen Housing Option is permitted all zoning classifications (with the

exception of the M, IPM and C-4 zoning classifications) as a conditional use. Article 3 §24.1b notes that "preference shall be given to those projects which are within close proximity to public transit services and which are situated within one-quarter (1/4) mile of a grocery store, pharmacy, restaurant, physician offices, senior center or similar convenience service establishment." The PND: Senior Citizen Housing Option is intended to "…encourage the development of high quality housing opportunities design to accommodate the particular needs of senior citizens" by allowing the Planned Neighborhood Design Option through the Conditional Use process. The PND must present a community design that is in accordance with the goals and policies of the Comprehensive Plan.

It is important to keep in mind that a PND proposal does not involve a rezoning of the land. The Planned Neighborhood Design – Senior Citizen Housing Option is plan specific. The land would remain zoned RG-2 (General Residence Zone). The PND option allows for a greater variety of housing types and allows for commercial uses while requiring open space. Also by the *Zoning Ordinance* provisions, in the PND: SCHO the units shall be deed restricted to require that the head of household for each housing unit be at least 55 years of age or older.

Comprehensive Plan Recommendations
The City of Dover *2008 Comprehensive Plan as amended* recommends that this property be utilized for Residential High Density development. As described in the *Comprehensive Plan*, High Density involves a development pattern of eight or more dwelling units (page 147-148). The proposed Luther Village PND: SCHO project involves a site density of 15.6 dwelling units per acre.

The *Comprehensive Plan* also establishes stated goals for various types of land uses within the City limits. The stated goal for Residential Land Uses is "to develop and maintain an adequate supply of housing of varying type, size, and densities that are aesthetically pleasing and located within neighborhoods designed or redesigned to promote convenience, conservation, and access to the greater community, but which are properly buffered through distance and landscaping from incompatible land uses."

The *Comprehensive Plan* also acknowledges the fact that the residents aged 65+ is a rapidly growing segment of the population that will require more specialized services (page 23). This trend was also identified in previous Comprehensive Plans and in response, a previous Comprehensive Plan implementation strategy recommended the development of a Zoning Code amendment permitting Senior Citizen housing developments near the community services and transit routes that senior citizens depend upon. As a result, the Planned Neighborhood Design: Senior Citizen Housing Option Ordinance was developed and adopted by City Council on July 14, 1997. Multiple projects have utilized these provisions including the Luther Village project's Phases 1 and 2.

Master Plan of Luther Village PND: SCHO Site
This project proposes to develop 33.63 acres +/- with a series of eight (8) apartment buildings and a two story town center building for the senior citizen community. This continuation of the

Luther Village PND-SCHO project proposes the construction of apartment buildings as the housing unit style. Overall, this complex would provide 524 dwelling units. The phasing plan provides the following details for the complex:

Phase	**1 Complete**	**2 Complete**	***3***	***4***	***5***	***6***	***7***	***8***	***9***	***Other***	***Total***
Number of units (Apartment units)	**68**	**32**	*48*	*68*	*Town center*	*68*	*63*	*63*	*63*	*51 Pending*	*524*
Parking Spaces (Handicapped Spaces)	**68 (3)**	**36 (3)**	*68 (3)*	*68 (3)*	*33 (2)*	*68 (3)*	*63 (3)*	*63 (3)*	*63 (3)*	*Pending*	*530 (26)*
Loading Space	**1**	**1**	*1*	*1*	*0*	*1*	*1*	*1*	*1*	-----	*8*

Site Layout:
The apartment buildings are arranged in two main areas: four scattered buildings (Phases 1-4) and a quad of buildings and the two story town center building facing a central open courtyard space (Phases 5-9). A series of sidewalks and walking paths link the buildings of the site. Several of the future buildings are connected by elevated, enclosed walkways. Currently, the Phase 1 and 2 Building are connected with a first floor passageway and the proposed will also connect the Phase 3 Apartment Building with a one story resident Activity Building to the Phase 2 Building. A perimeter loop road provides circulation around the complex. A secondary connector road divides the two main areas of buildings providing direct access to the town center building. Each building phase includes a parking lot area and open space areas for landscaping. One stormwater management area has been constructed at the northwest corner of the property. A second management area is to be located in the eastern quad of buildings.

Project Density:
With the Senior Housing Option the "project density shall be generally compatible with the development pattern and existing or potential zone densities of the surrounding area." The Master Plan for this project shows a site density of 15.6 dwelling units/acre. Article 3 §24.47 states that "the applicant shall demonstrate to the satisfaction of the planning commission that the project density proposed is compatible with the development pattern and density potential of the surrounding area." The project adjoins commercial development to the west which includes a grocery store, general merchandise store, and several restaurants. Surrounding residential areas include single family dwellings in the Edgehill neighborhood (2.5 dwelling units/acre) and County Village Apartments (15.3 dwelling units/acre). The adjacent Clearview Meadow subdivision which includes single family, duplex, and townhouse units proposed a project density of 3.43 dwelling units/acre. The existing Luther Towers complex on Kings Highway has a site density of 34.2 dwelling units/acre.

Request for PND: Alternative Design Standards
The applicant is requesting adjustments to the required design standards of a Planned Neighborhood Design: Senior Citizen Housing Option. Article 3 §24.5 of the *Zoning Ordinance* permits the Planning Commission to grant such adjustments and reads as follows:

> Article 3 §24.5. The design standards and dimensional requirements (bulk and parking regulations) shall be in accordance with article 4, sections 4.10 and 4.11, except that the planning

> commission may relax any of these requirements where the developer can demonstrate that such action is desirable and consistent with the objectives of this ordinance and the comprehensive plan.

The following table presents the Design Standards of the *Zoning Ordinance* for a Planned Neighborhood Design in comparison to the applicant's request for Alternative Design Standards for Luther Village. Luther Village is being developed with the conventional housing type of garden apartments thus Article 3 §24.52i refers to the bulk standards given in Article 4 § 4.11. (*Note*: Previously, it appears the project was considered as an assisted living facility under the provisions of Article 3 §24.52ii. which includes different bulk standards.) The Designs Standards where adjustments are requested are highlighted.

Housing Type	**Garden Style Apartments**	
	Required	***Requested***
Average Lot Area	1,800 S.F. per dwelling unit	*1,800 S.F. per dwelling unit*
Minimum Lot Area	1,800 S.F. per dwelling unit 1 acre per building	*1,800 S.F. per dwelling unit* *1 acre per building*
Lot Width	100' per building	*100' per building*
Lot Depth	125' per building	*125' per building*
Off-Street Parking	2	*1 per dwelling unit with parking for office and meeting rooms based on square footage. See discussion of parking waiver request.*
Building Setback from Street	50 feet	*50 feet* *Not applicable (Applicant seeking wavier to allow lot without street frontage.)*
Building Setback from Property Line Front Yard Setback Side Yard Setback Rear Yard Setback	50 feet	*<50 feet* *Apartment Building: 22 feet and* *Activity Building: 5 feet*
Building Spacing	50 feet	*<50 feet*
Building Height Number of Stories	35 feet 2 stories	*Approx. 48 feet* *4 stories*
Lot Coverage	60%	*60%*
Average Number of Dwelling Units Per Building	24	*Average = 52.5* *Proposed Complex consists buildings of 32, 48, 63, and 68 units*

BUILDING ARCHITECTURE

The plan submittal shows the architecture of the Phase 3 Apartment Building. (See color renderings of elevations.) For Phase 3, the Apartment Building is a four-story apartment building consisting of 48 units. The existing buildings on the site are a three story building (Phase 1) and a two story building (Phase 2). The overall massing of the brick building is L-shaped with a shingle hipped roof. The building elevations include projecting elements such as entrance canopies and dormers. Elevation details include soldier rows of bricks (between the first and second floors and at the cornice) and gables with aluminum siding and louver vents. The sets of windows are a combination of fixed and operational windows with the wall box unit for

heating/air conditioning is found just below each window group. The main entrance to the building is found adjacent to the parking areas. The choice of exterior finish materials for the Phase 3 building will follow those utilized in the construction of the Phase 1 and Phase 2 apartment buildings. The Activity Building is proposed as a brick clad one story building with a pyramidal hipped roof and its entrance faces the parking lot with connecting passageways to the Phase 3 and Phase 2 apartment buildings.

The buildings adjacent to the project site include single family residential dwellings typically one to two stories in height and large-scale commercial buildings. The overall style of the apartment building provides a transition between these building types. The apartment building's basic form and detailing suggests residential use with the hipped roof and dormers. The window patterns and brick detailing to divide the larger wall expanses.

Waiver Request: Elimination of Emergency Rear Access Requirement for Apartment Building

The *Zoning Ordinance* requires a 24 foot primary fire lane to provide emergency access to the rear of the four story apartment buildings (Article 5 §17.5(a)). The applicant is requesting a waiver for the elimination of this requirement. The building has fire protection requirements under the Fire Codes including the following: required the building to be sprinklered, a requirement for a primary fire lane for the primary entrance and exit side of the building, and fire lane coverage required for 35 % of the building. A written waiver request has been submitted to the Planning Office for consideration by the Planning Commission. Planning Commission will make a recommendation to the Safety Advisory and Transportation Committee and City Council who has the final authority to grant the request for the elimination of the emergency rear access for the apartments.

SITE CONSIDERATIONS

Access/Streets

Access to the Luther Village site is provided via Babb Drive from John Hunn Brown Road or from the street network of the adjacent Clearview Meadow subdivision that also leads to Babb Drive. The main entrance to the complex is off Babb Drive with internal site circulation provided by a loop road. Babb Drive has been constructed through the efforts of both Luther Village and Clearview Meadow with each providing land for the street right-of-way and the actual road construction. With the creation of one hundred fifty (150) dwelling units, a second connection to existing streets must be shown (*Land Subdivision Regulations*, Article VI §A.8). Phase 4A shows this second connection where in the future at the end of Babb Drive at the intersection with Nob Hill Road, a second access drive into the Luther Village complex will be constructed; Phases 1 and 2 total to one hundred (100) existing dwelling units and with the construction of Phase 3 the total will be 148 dwelling units.

Request for PND Alternative Design Standards: Parking Reduction

For the housing types of apartments, the requirement is based on a rate of two parking spaces per dwelling unit with 1 parking space per 200 SF of office space and 0.25 parking spaces per dwelling unit to serve as visitor spaces. For certain types of senior citizen housing facilities the *Zoning Ordinance,* Article 3 §24.52ii notes that parking shall be provided for residents, visitors,

and employees of the facility and that the applicant must demonstrate that the parking provided is sufficient.

The Luther Village PND Master Plan shows 530 parking spaces for the entire complex at build out with including 26 handicapped parking spaces and eight loading spaces. Phase 1 provided 68 parking spaces including 3 handicapped parking spaces and one loading space. Phase 2 provides 36 parking spaces including 3 handicapped parking spaces and one loading space area. Phase 3 proposes 68 parking spaces including 3 handicapped parking spaces and one loading space.

The applicant is seeking a reduction in the number of parking spaces and has proposed a rate of one parking space per dwelling unit. Parking for office areas is proposed at one space per 200 SF of floor area and parking for the meeting room is proposed at one space per 300 SF. The submission explains a rational for the proposed parking of one space per dwelling unit based on current experience at the site. In utilizing this rate, Phase 3 would require sixty-two (62) parking spaces.

Waiver Requested: Reduction of Bicycle Parking

The project is required to provide bicycle parking. The bicycle parking calculation is one for every twenty parking spaces. Based on the total of 530 parking spaces on this parcel, a total of twenty-seven (27) bicycle parking spaces are required. The Phase 3 project area would require four (4) bicycle parking spaces based on its number of parking spaces. As per *Zoning Ordinance*, Article 6 §3.10 the Planning Commission may consider a waiver request to reduce the bicycle parking requirement. The written waiver request submitted for consideration by the Planning Commission notes an existing ten (10) space bicycle parking rack near Buildings 1 and 2.

Sidewalks

The locations of sidewalks within the complex are shown. Barrier free access ramps shall be installed at all points where sidewalks intersect with roadways and parking areas.

Dumpster

A Dumpster pad site area is located at the north end of the building. Based on the unit count of apartments in Phase 3, two Dumpsters are required. The applicant may construction one and reserve a location for the second unit which the City Planner may require the construction of in the future. With the configuration shown on the plan, the applicant is utilizing service by a private hauler for trash removal services.

Waiver Requested: Partial Elimination of Curbing

Article 6 §3.6(b) requires upright curbing for all parking areas. The proposed parking lot does not incorporate curbing along the southwest side. 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 management of water runoff.

OPEN SPACE and RECREATION PLAN

The total Common Open Space for the overall Luther Village PND: SCHO project is required at

a rate of 275 square feet per dwelling unit or 0.5 acre of land, whichever is greater. Based on 473 dwelling units shown, at total of 130,075 S.F. of common open space is required for the entire Luther Village PND: SCHO complex. (Note: For a total 524 dwelling units, 144,100 S.F. of common open space is required.) A variety of active recreational options are existing or are proposed for the complex such as a croquet court, walking path, resident gardens, and pavilions. The Town Center building found in the center of the complex may also provide space for activities. These recreational component of the Master Plan were previously reviewed and a recommendation provided by the Parks, Recreation & Community Enhancement Committee to the Planning Commission. Since no changes were proposed with this resubmission of the Master Plan, it was determined that review would not be necessary. If future phases of the Master Plan for the project are redesigned then review for recommendations will be necessary.

Phase 1 construction included the recreational amenities of a walking path, the croquet court, and garden. Phase 2 construction included a garden area immediately adjacent to the building for use by the residents. For Phases 1 and 2, the total of 100 dwelling units requires 27,500 S.F. of recreation area which was met by the amenities already constructed and the garden area for Building 2.

The Active Recreation for Phase 3 is required to be an area of 13,200 SF. The phase includes an extension of the walking path network further north along the loop road near the stormwater management pond and a terrace (patio) area near landscaping adjacent to the building. The plan also lists a garden area; however, its location is not identified. The Active Recreation Area for Phase 3 is satisfied by the excess area created in previous phases and with the items to be constructed in this phase. Specific review of the Active Recreation Area plans for Phase 3 by the Parks, Recreation & Community Enhancement Committee is not required at this time as its Active Recreation Area is already constructed, expands the existing path network, and includes the same amenities as previous phases.

TREE PLANTING AND LANDSCAPE PLAN

The Master Recreation and Landscape Plan (Sheet L2) shows the concept for the landscaping. Canopy trees line the complex loop road. At the property boundary lines additional plantings include a mix of canopy trees and evergreen trees with ornamental trees. Trees are planned for the islands within each parking area and along the front facades of the buildings. Additional planting are composed around specific elements such as the resident gardens, crochet court, and pavilions. The specific tree count to meet the tree density requirements will be reviewed for each phase. Evergreen plantings are required to outline the subgrade emergency access (fire lanes) locations found in Phases 1 and 2 in accordance with Article 5 §17.4d.

The Landscape Plan (Sheet L1) shows the proposal for the landscaping within the Phase 3 area. Canopy trees line the complex loop road. Trees are planned for certain islands within each parking area and along the front facade of the building. Additional plantings are proposed east of the building. Phase 1 and Phase 2 areas are planted as a mix of evergreen and deciduous trees.

MINOR SUBDIVISION PLAN FOR PHASE 3

Request for Waivers: Street Frontage Requirement and Building Setbacks and Spacing

The applicant has submitted for review a Minor Subdivision Plan with this Site Plan. It proposes to subdivide a 2.85 acre parcel from the 29.8 acres of the overall Luther Village remaining parcel. This subdivision includes the Phase 3 apartment building and the immediately surrounding area. The proposed parcel must be reviewed for compliance with the bulk standards for items such as setbacks, lot size, etc. This application is seeking waivers of several bulk standards. As per *Zoning Ordinance,* Article 3 §24.5, the Planning Commission may relax the design standards and dimensional requirements for Planned Neighborhood Design Option project where the developer can demonstrate that the action is desirable and consistent with the objectives of the ordinance and the Comprehensive Plan. (See discussion presented earlier in this report.)

The proposed parcel for Phase 3 in within the larger tract of land and therefore will not have frontage on a public street. The requirement that a parcel have frontage on a public street is found in the *Land Subdivision Regulations,* Article VI §E.5. The provisions for waivers are also found in the Land Subdivision Regulations in Article VIIA.

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

The Planning Commission should forward a formal recommendation to the associated City Council Committee and City Council with regard to the requested subdivision waiver regarding the street frontage. The City Council has the final approval in regard to this subdivision waiver. Similar waiver requests were granted for the Luther Village PND: SCHO Phase 1 and Phase 2 to allow each building to exist on a smaller parcel area in order to meet grant funding requirements and/or ownership requirements.

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 Planning Commission must determine the appropriateness of the proposed density for the project site as part of their review process.

2) The project must comply with the bulk standards for apartments in the PND unless waivers Alternative Design Standards for the PND: SCHO are granted by the Planning Commission for the following:

a) Building Setbacks from the Property Line;
b) Building Spacing;
c) Building Height;
d) Number of stories; and
e) Average Number of Dwelling Units Per Building.

3) The project must comply with the requirements for the emergency rear access provisions for the apartment units unless a waiver is granted. Significant redesign of the development project will be required if this waiver is not granted. A written waiver request was submitted for the elimination of the emergency rear access for consideration by the Planning Commission

4) The project must comply with the requirements for the parking requirements unless a waiver is granted. A written waiver request was submitted for the reduction in parking for consideration by the Planning Commission

5) Upright curbing shall be provided in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. A written waiver request was submitted for the elimination of a portion of the curbing for consideration by the Planning Commission.

6) The bicycle parking requirement must be provided for the site. A written waiver request was submitted for consideration by the Planning Commission.

7) The outcome of the waiver requests must be noted on the final Site Plan and the Minor Subdivision Plan. If the waiver requests associated with the Minor Subdivision are approved, a plan for recordation must be approved and recorded prior to final Site Plan approval.

8) Provide a copy of the Deed Restrictions as required in the *Zoning Ordinance,* Article 3 §24.8vii.

9) The data column on all sheets (including Record Plan sheet) needs to be updated prior to Final Approval with any changes recommended by the Planning Commission.

a) Add zoning of RG-2 (General Residence Zone).
b) It is a Conditional Use for the Planned Neighborhood Design Senior Citizen Housing Option.
c) Update the bulk standards by listing standards for garden apartment as found in Article 4 §4.11.
d) Add density calculation for project and note action taken by the Planning Commission.
e) Update outcome of action on waivers.
f) Add data specific to Phase 3 such as lot size, building footprint, total building floor area, setbacks, etc.
g) A data column focused on the overall Luther Village PND: SCHO should be added to the Master Phasing Plan sheet.

10) Sheet CC-02:

a) Add setback dimensions.

b) Recheck number of parking spaces provided in row with parking bumpers.
c) Clarify if loop road has curbing.
d) A second Dumpster enclosure is required. The area for it may be reserved on the plan for future construction if deemed necessary by the City Planner. Add note to this effect.
e) Add dimensions of parking spaces.
f) Clarify materials for walking paths and sidewalks.
g) Add traffic control signage noting pedestrian crossings of the loop road.
h) Add sidewalks from any required building egress locations.

11) Based on the grading on Sheet CC-03 the project appears to require a regrading and/or lot fill to achieve finished floor heights.

12) The location of the site lighting must be shown on the plan.

13) Provide construction details sheet for Phase 3 items including the following items but not limited to: barrier free sidewalk, dumpster enclosures, dumpster pad, curbing, parking bumpers, traffic control signage, crosswalks, paving section, lighting fixtures, handicap signage, walking path, etc.

14) Ensure barrier free access is provided at all intersections of drive lanes and sidewalks. Add ramps at crossing of loop road.

15) Landscape Plan:
a) Tree north of entrance to Phase 3 near path and tree west of loop road near pond are not labeled.
b) Clarify line work as to Phase line and Phase 3 property line.
c) Add location of garden area listed as Active Recreation for this building.
d) Clarify is there is a way to exit the terrace area to the nearby pavement area (loading space).
e) Add information on the linear length of walking path being added with this phase.
f) Clarify what is meant by Total Project Disturbed Area. The tree planting calculation is based on the total land area of Phase 3.
g) Correct zoning to be RG-2 (General Residence Zone).

16) Master Active Recreation & Landscape Plan:
a) The Active Recreation Tally list as presented is confusing. When project phases utilize the "excess recreation area" from an earlier phase this should be listed one a single line within each Phase listing and a listing of the excess recreation area remaining should be given. See example:

Phase B
x units by 275 SF = x SF
Provided items listed individually = x SF
Using Excess Recreation Area = x SF
Total Provided Phase B = x SF
Excess Provided/Remaining for future phases = x SF

b) Check area calculation for the recreation area required for 473 units.
c) The area of the wet stormwater management pond cannot be counted towards active

recreation area.

d) Update zoning to be RG-2 (General Residence Zone).

17) On the Record Subdivision Plan sheet:
   a) Update data column as noted in Comment #10 above.
   b) Add information (owner, size, etc.) for the Phase 1 and Phase 2 parcels.
   c) Clarify label was Phase 3 parcel as it will not be dedicated but conveyed.
   d) Additional easements to allow for cross-access, use of recreation areas, stormwater management, utilities, etc. must be provided.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Staff Recommendations on Waiver Requests:
   a) Alternative Design Standards for PND: SCHO: Staff recommends approval of the series of Alternative Design Standards for the PND: SCHO.
      i) The reduction in the building setbacks from property lines under the provisions of the Planned Neighborhood Design Option is necessitated due to the creation of a parcel specifically for Phase 3. Overall when compared to the greater boundary of the Luther Village complex, the building placement complies with the setbacks and buffer requirements.
      ii) The Building spacing is reduced to accommodate enclosed connections between buildings; however, the Buildings will still be required to meet the requirements of the Building Codes and Fire Codes.
      iii) The increase in building height, number of stories, and average number of units per building continues to fit the character of the area as the location is interior to the Luther Village complex and the units can be accommodated in a smaller building footprint by adding floors. The density proposed is appropriate as this development is infill within an area with existing infrastructure and amenities.

   b) Reduction in Parking: Staff recommends approval of the reduction in number of parking spaces to a minimum rate of one parking space per dwelling unit with additional parking spaces provided to accommodate any office space or meeting rooms in the building.

   c) Reduction in Bicycle Parking: Staff recommends approval of a reduction in the overall number of bicycle parking spaces based on the demographics of the apartment tenants. However, it is recommended that at least four (4) bicycle parking spaces be provided at each building to serve staff, visitors, and residents. The applicant may also want to consider covered storage or interior storage opportunities for bicycles owned by residents.

   d) Partial Elimination of Curbing: Staff recommends approval of the request to eliminate the curbing for the parking lot for areas necessary for stormwater management. Parking bumpers are recommended at the head of all parking spaces where the upright curbing has been eliminated.

e) Elimination of Emergency Rear Access for Apartments – Staff recommends approval of this waiver request to eliminate the emergency rear access for apartment units finding that the building will be sprinklered and will include other required fire lane coverage.

f) Street Frontage for Parcel: Staff recommends approval of the waiver to allow for creation of a parcel without street frontage noting that the main parcel of the complex including the entrance maintains frontage along a public street. The creation of this parcel focused on Phase 3 is necessary to comply with funding and/or ownership requirements for the project. Similar waivers were approved for Phase 1 and Phase 2.

2) Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent buildings, adequately screened from public view and the overall visible impact on the streetscape.

ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission should act upon the waiver requests as part of any motion to approve this Site Plan, or as a separate motion if necessary. Note: The recommendation for this waiver is at the discretion of the Planning Commission. The Commission may approve or deny waiver requests.

2) The Planning Commission should provide recommendations to City Council in regards to the elimination of the rear emergency rear access and the subdivision waiver of the *Land Subdivision Regulations*. The City Council and associated Committee meeting will be scheduled to review this request.

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) A Minor Subdivision Record Plat shall be prepared for recordation to subdivide the parcel into the Phase 2 parcel identified. All easements shall be fully described on the Plat. The Minor Subdivision Plat shall be approved and signed by the City Planner prior recordation in the Kent County Recorder of Deeds Office.

5) This apartment complex may need to provide recycling based statewide universal recycling provisions.

6) In the event, that major changes and revisions to the Site Plan occur in the finalization of the Site 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.

7) Construction will have an effect on the adjacent buildings on the site and site access. Any work requiring the closing or rerouting of residents or visitors to the adjacent buildings, and site access shall be coordinated as to offer the least amount of inconvenience.

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

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

10) 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. Certain types of signage require a Sign Permit from the City of Dover prior to placement of any such sign; please consult with Planning Staff in regards to signage.

If you have any questions or need to discuss any of the above comments, please call the Planning Office.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MAY 1, 2013

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: **LUTHER VILLAGE III: PLANNED NEIGHBORHOOD DESIGN**

FILE #: **C-13-02**

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. 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, including cleanouts..
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. The proposed plan depicts the proposed sewer lateral connecting to an existing eight-inch (8") sewer lateral; provide calculations that the existing infrastructure can properly accept additional flow.
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 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.

SANITATION/ STREETS/GROUNDS

1. None

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices.
2. 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 / SANITATION / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

WATER

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

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.

SANITATION

1. Trash service must be provided by a private contractor.

STORMWATER / STREETS / GROUNDS / GENERAL

1. None

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. 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: May 1, 2013

CITY OF DOVER FIRE MARSHAL

APPLICATION: Luther Village III Babb Drive

FILE #: C-13-03 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: David Truax, Fire Marshal PHONE #: (302) 736-7011

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 4 stories. 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 35% of the proposed building. Drawing is to show fire lane markings per Delaware State Fire Regulations.

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 an fire plan review.

Consultation required with Fire Marshal and Chief Building Inspector to go over connecting buildings and fire protection.

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.

Relocate hydrant on the island in front of the building.

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.

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

Buildings over 25,000 Sq. Ft. are required to have radio performance testing by Delaware State Communications.

Project to be completed per approved Site Plan.

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: May 1, 2013

D E L D O T

==========

APPLICATION: Luther Village III: Planned Neighborhood Design – Senior Housing Option on Babb Drive

FILE#: C-13-03 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:

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.

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
MAY 2013

APPLICATION: *Luther Village III*

FILE #: C-13-03

REVIEWING AGENCY: *Kent Conservation District*

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

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

CITY AND STATE CODE REQUIREMENTS:

1. *Kent Conservation District has no objection to conditional use or minor sub division of the above referenced site.*

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

2. As the disturbance for the proposed apartment 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.
3. A review fee and a completed application for a detailed plan are due at the time of plan submittal to our office.
4. It appears that the apartment will be draining to the existing stormwater facility. This must be verified along with verification that the facility is sized adequately to accommodate the addition inflows.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 1, 2013

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Luther Village III: Planned Neighborhood Design

FILE #: C-13-03 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: James J. Galvin, Jr. AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 5/20/2013

Project Review

C-13-03 Luther Village three: Planned Neighborhood Design-Senior Citizen Housing Option on Babb Drive

Luther village was a nine phase master plan with each phase come back to the planning commission for site-specific review. The original master plan included the elements the MPO considers important. The greater site includes sidewalks and pedestrian connections near and between buildings. There are no sidewalks on the private road leading to the buildings, existing and proposed. The sidewalk plan includes sidewalks between buildings on the interior of the site. There is no consideration for pedestrians from the adjacent Clearview Meadows attempting to walk to the nearby supermarket or department store, though there are sidewalks along the same street frontage on the Clearview Meadows side of the street.

There is a walking trail for recreation on the self and the west side of the site that currently ends at a retention pond on the site's northwest corner. The MPO assumes the recreational trail will be interconnected when the site is fully developed.

There is a transit stop within 100 feet of the entrance drive and within 300 feet of the nearest building entrance. A few hundred feet beyond that is a small center with a supermarket and a discount store.

The private roads and the walking trail are sufficient for bicycle riding and access to the site. It doesn't appear there are any bicycle parking facilities on-site. The property is limited to residents over 55 years old by federal guidance. Even in senior facilities, there may be residents willing and able to ride to the nearby grocery store. The MPO suggests the property owner include bicycle parking facilities or even shelters somewhere in the master plan.

None of the items the MPO sites are sufficient to request the proposal be delayed or denied.

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.

Landmark
Science & Engineering

May 8, 2013 C-1243-3

Ms. Dawn Melson-Williams
City of Dover Planning
P O Box 475
Dover, DE 19903

Dear Ms. Melson-Williams:

SUBJECT: WAIVER AND PND CONSIDERATION REQUESTS FOR LUTHER VILLAGE III
TAX PARCEL # ED-05-77.06-02-90.00
DOVER, DELAWARE

Enclosed for the Planning Commission on behalf of the owner, Martin Luther Foundation of Dover, Inc. are the following waiver and planned neighborhood development consideration requests concerning the subject project:

PND CONSIDERATIONS

Outlined in the table on page 5 of the DAC report and in accordance with Article 3, Section 24.5 of the zoning ordinance, the following alternatives to the PND standards are requested:

1. Building height;
2. Building setbacks from property line;
3. Building spacing;
4. Off street parking;
5. Number of dwelling units per building.

WAIVER REQUESTS

This application also request waivers for the following items:

1. Elimination of the lot access from a public street requirement because the internal road is privately owned.

2. Elimination of the rear emergency access requirement for the proposed phase 3 apartment building and activity room because the buildings are proposed to be sprinklerd.

3. Elimination of the upright curbing requirement where sheet runoff is designed to allow for the possibility of infiltration and overland flow.

4. Reduction of the bicycle parking requirement because there is already an existing 10 space rack between buildings 1and 2.

Please contact me with any questions concerning these requests.

Sincerely yours,

Keith R. Kooker, P.E.
Branch Manager

Enclosures:

cc: Mr. Gary Coy, Director of Martin Luther Foundation of Dover, Inc. (by email)
Mr. Kenneth Richter, Deputy Dir. of Martin Luther Foundation of Dover, Inc. (by email)

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF May 8, 2013

PLANNING COMMISSION MEETING OF May 20, 2013

Plan Title:	Woodmill Apartments Storage Buildings and Revised Active Recreation Area S-13-11
Plan Type:	Site Plan Revised Recreation Area Plan
Property Location:	South side of Farmview Drive and east of Mifflin Road
Property Address:	1300 South Farmview Drive
Tax Parcels:	ED-05-076.10-02-07.01-000 ED-05-076.10-02-56.00-000
Owners:	Multiresidential Multiresidential-M, LLC
Present Zoning:	RG-2 (General Residence Zone)
Existing Use:	Apartment Complex
Proposed Use:	Apartment Complex with storage buildings
Site Area:	8.553 ac. +/- (north parcel) 5.5756 ac. +/- (south parcel) 14.12862 ac. +/- (total of both parcels)
Building Area:	Proposed – 2 building for a total of 8,800 S.F.
Waivers Requested:	None

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 8, 2013

City of Dover Planning Office

APPLICATION: Woodmill Apartments Storage Buildings and Revised Active Recreation Area

FILE #: S-13-11 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Janelle M. Cornwell, AICP PHONE #: (302) 736-7196

PLAN SUMMARY:

This Plan is for review of the Site Plan for the construction of two (2) storage buildings for a total of 8,800 SF and revisions to the Active Recreation Area for the apartment complex. The revisions to the Active Recreation Area are to remove the two (2) existing tennis courts and replace with the two (2) storage buildings. New Active Recreation Area in the form of open space, a picnic table and horseshoe pit will be established on the west side of the property. The project area consists of two parcels of land zoned RG-2 (General Residence Zone). The property site is located at the south side of Farmview Drive and east of Mifflin Road. The owners of record are Multiresidential and Multiresidential-M, LLC. The property address is 1300 South Farmview Drive. Tax Parcels: ED-05-076.10-02-07.01-000 and ED-05-076.10-02-56.00-000.

The apartment complex consists of two (2) parcels of land with eight (8) apartment buildings between the two parcels. The parcel to the north has five (5) buildings and the Active Recreation Area. All of the Active Recreation Area is on this parcel. On the east side of the parcel is the swimming pool, clubhouse, volleyball court, and tennis courts. The swimming pool was constructed as part of a Site Plan (S-00-7). There is a playground located on the west side of the parcel. The parcel to the south has three (3) buildings. The apartment complex was constructed in several phases between 1987 through 1990 (S-90-5). The complex was constructed prior to the *Zoning Ordinance* requiring Active Recreation Area. The site is considered legal non-conforming with regards to Active Recreation Area.

ACTIVE RECREATION AREA

Parks, Recreation and Community Enhancement Committee

The revisions to the Active Recreation Area were reviewed by the Parks, Recreation, and Community Enhancement Committee at their meeting on April 8, 2013. The revisions include the removal of the two (2) tennis courts, the placement of a picnic table, open space, and horseshoe pit on the west side of the property with the existing playground. Based on 258 units the complex requires 1.6288 acres of Active Recreation Area. The revisions will provide 1.75

acre of Active Recreation Area. The Committee recommended approval of the plan with staff comments. The Active Recreation Review Report is attached.

	Required	**Provided on Revised Plan**
Active Recreation Area (Article 5 §10.16)	275 S.F. per dwelling unit or 0.5 acre, greater thereof 258 DU = 70,950 S.F. (1.6288 ac) Requires 1.6288 acres	East: Clubhouse, swimming pool, volleyball court, West: lawn area, horseshoe pit, picnic table, and playground area Total of 1.75 acres
Active Recreation Amenities (Article 5 §10.15)	Accessibility	Distributed throughout the development. Accessible access to the community building, volleyball court, and swimming pool. The complex lacks sidewalks throughout the development.
Active Recreation Amenities (Article 5 §10.15)	Age Oriented to development	Clubhouse Playground Area Equipment Swimming pool Volleyball court Horseshoe pit Picnic Table
	Parking	Off-street parking provided for each dwelling unit on the parcels. There are 34 parking spaces located near the Clubhouse and swimming pool.
	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	Clubhouse and volleyball court are legal non-conforming as they are located within 30 feet of the property line. The playground and swimming pool are in compliance with the setbacks as required. The other areas shall comply with the 30 foot setback.
	Landscaping	The Revised Active Recreation Plan shows woodland around the proposed area.

STORAGE BUILDINGS

The plan is for the construction of two (2) storage buildings for the use of the current residents for the apartment complex. The storage buildings will replace the existing tennis courts. The building to the south is a 4,800 SF. The building to the north is 4,000 SF. The storage buildings

are proposed to be constructed in two phases. The south building is proposed to be constructed in the first phase. The north building is proposed to be built within the second phase. The construction of the second building shall be completed within one year of the issuance of a Certificate of Occupancy for the first building or prior to the expiration of the Site Plan.

Parking Summary

In the RG-2 (General Residence Zone) there are 2.25 off street parking spaces required for each dwelling unit (2 parking spaces per dwelling unit and 0.25 parking spaces for visitors per dwelling unit). Based on the number of 258 dwelling units a total of 581 parking spaces are required. The plan indicates 295 parking spaces on the north parcel. The parking spaces for the south parcel need to be identified on the plan. The storage buildings are considered accessory structures and do not require additional parking as they are for use by current tenants of the apartment complex only.

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 thirty (30) bicycle parking spaces are required.

SITE CONSIDERATIONS

Dumpsters

There are existing dumpster pads and enclosures throughout the apartment complex.

Sidewalks

The site has existing sidewalks around the swimming pool and clubhouse. There are also sidewalks leading into the buildings.

Lighting

There is existing lighting is provided on the site.

Curbing

There is limited curbing within the parking areas on the site. There are parking bumpers placed at each parking space. This is an existing condition and is not impacted by the construction of the storage buildings.

BUILDING ARCHITECTURE (Drawings dated 3/4/13):

The submission Plan includes the proposed Architectural Elevation drawings for the storage buildings. The storage buildings will have a pitched roof with asphalt shingles, siding, and large doors on the west side for access. The storage buildings will reflect the architecture of the existing garages located on the site.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan includes the Landscaping details. Based on the 361,217 S.F. of non-woodland area (8.2924 ac. +/- for Site Plan property), a total of 121 trees are required. The plan proposes the planting of twenty-seven (27) new trees to meet the requirement. There are 62 existing trees on the property. The plan proposes 89 trees on the site. **The property does not**

meet the tree planting requirement. The new trees will be located on the east side of the site. The proposed trees are a mixture of evergreen trees. The mixture includes American Holly, Norway Spruce, and Eastern White Pine. For the tree planting calculation only the parcel of land on which the buildings are being constructed are being used.

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 project data column needs to be updated prior to Final Approval. Some of the items which need revising are as follows:
   a) Provide setbacks for the site.
   b) Indicate the calculation of required bicycle parking spaces. 1 bicycle parking space for every 20 parking spaces.
   c) Indicate the number of required bicycle parking spaces.
   d) Revise the number of parking spaces required. Based on 258 units 581 parking spaces are required.
   e) Clarify the number of existing parking spaces. The plan indicates 295; however, there are only 294 shown on the plan sheet.
   f) Indicate the number of parking spaces on the adjacent parcel.
   g) Indicate the amount of woodland on the site.
   h) Revise the number of trees provided on site. There are 62 existing trees on the site; however, the plan indicates 94 existing trees.
   i) Indicate the number of trees to be planted under proposed tress.
   j) Indicate the number of existing trees on the site.
   k) Revise the number of trees required to 121 trees.
   l) Clarify the number of buildings subject to the application. The application includes both properties for a total of 8 buildings.
   m) Revise the size of the parcel to include both parcels.
   n) Provide the size of each parcel separately and together.
   o) Clarify the number of units within each of the 8 buildings. Our records indicate 29 units within each building.
   p) Indicate both parcels numbers.
   q) Indicate both property owners.
   r) Any changes recommended by the Planning Commission.
   s) Indicate the amount of Active Recreation Area required for the two parcels of land.
   t) Indicate the amount of Active Recreation Area provided for the two parcels of land.

2) Provide the following information on the Landscape Active Recreation Plan:
   a) **Provide an additional 31 trees on site to meet the tree planting requirement.**
   b) Provide a note stating that all trees shall be located a minimum of ten (10) feet from all underground utilities.
   c) Provide the tree calculation (1 per 3000 SF of non-woodland area)
   d) Indicate the amount of woodland on site.
   e) Indicate the number of trees required. (121)

f) Indicate the number of existing trees. (62)
g) Indicate the number of proposed trees.
h) Indicate the size of the parcel of land.
i) Provide a tree preservation detail.
j) Clarify the number of Norway Spruce trees on the plan. The plant list indicates nine (9); however, there are fourteen (14) shown on the plan.
k) Clarify the number of Easter White Pine trees on the plan. The plant list indicates fifteen (15) trees; however, there are only ten (10) shown on the plan.
l) Provide a Certified Nursery Professional or Landscape Architect Certification.
m) Lawn areas shall be appropriate maintained for active recreation activities.
n) Indicate the square footage of the Clubhouse, swimming pool, volleyball court, playground, etc.
o) Provide bike racks near the Clubhouse.
p) Indicate the square footage of the required Active Recreation Area.
q) Indicate the square footage of the existing Active Recreation Area.
r) Indicate the square footage of the proposed Active Recreation Area.
s) Revise the location of the horseshoe pit to meet the 30 foot setback from the property lines.
t) Indicate the area in square feet and acreage of the two parcels.

3) Relocate the horseshoe pit and picnic table to ensure compliance with the 30 ft. setback from the property lines.

4) Ensure barrier free access is provided at all sidewalks including the entrance to the clubhouse.

5) Indicate the number of units within each apartment building on the Site Plan Sheet.

6) Indicate the number of units within each storage building on the Site Plan Sheet.

7) Provide a note on the plan stating that the storage buildings shall be for use by the current residents of the apartment complex only. The storage buildings shall not be used by other people or organizations outside of the apartment complex.

8) Provide revised architecture to accurately reflect the storage buildings.

9) Provide a note indicating if the storage buildings will be climate controlled.

10) Provide a sidewalk around all sides of the storage buildings if needed for access.

11) Show the parking spaces for the south property.

12) Provide access to the Active Recreation Area on the west side of the development.

13) Ensure barrier free access to the Active Recreation Area on the west side of the development.

14) Provide construction details including but not limited to: picnic table, horseshoe pit, etc.

15) A City of Dover Business License is required for each individual landscape architect professional engineer, or professional land surveyor doing business within the City. The City of Dover Business License application can be found on the city's website, www.cityofdover.com. A City of Dover Business License for each individual engineer, architect, or landscape architect shall be obtained prior to Final Site Plan Approval. Please contact the Planning and Inspections Department at 302-736-7010 with any questions.

16) The construction of the second building shall be completed within one year of the issuance of a Certificate of Occupancy for the first building or prior to the expiration of the Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Staff recommends the addition of additional picnic tables and/or benches within the proposed Active Recreation Area on the west side of the property.

2) Staff recommends the addition of at least one grill within the proposed Active Recreation Area on the west side of the property.

3) Staff recommends the addition of evergreen trees on the north end of the Active Recreation Area as additional screening from adjacent residences.

4) Staff recommends the architecture of the storage buildings have a pitched roof, horizontal siding, a similar color to the apartment buildings and other details found in the apartment buildings.

ADVISORY COMMENTS TO THE APPLICANT:

1) The storage buildings shall be for use by the residents of the apartment complex only. The storage buildings shall not be used by other people or organizations outside of the apartment complex.

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

4) In the event, that major changes and revisions to the Site Plan occur in the finalization of the Site 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.

5) There shall be provisions which ensure that the common open space land (including Active Recreation Area) shall continue as such and be properly managed and maintained.

6) Construction may have an effect on the existing Active Recreation Area. Any work requiring the closing or rerouting the existing amenities should be coordinated as to offer the least amount of inconvenience.

7) For building construction, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector for these requirements. The resolution of these items may impact the site design including such items as building setbacks from property line, building dimensions and height, building openings, and fire protection needs, etc.

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

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

10) 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.

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: MAY 1, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Woodmill Apartment Storage Buildings and Revised Recreation Area**

FILE #: **S-13-11**

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. Per the Water / Wastewater Handbook, "No structures, including permanent signage, may be located within ten feet (10') of water infrastructure, please locate any water infrastructure on the plan to verify the proposed improvements do not conflict with any underground water infrastructure.

WASTEWATER

1. Per the Water / Wastewater Handbook, "No structures, including permanent signage, may be located within ten feet (10') of water infrastructure, please locate any wastewater infrastructure on the plan to verify the proposed improvements do not conflict with any underground wastewater infrastructure.

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.

STREETS / SANITATION / GROUNDS

1. None

GENERAL

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

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

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

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None.

WATER

1. Be advised that if the fire suppression is required, further review will be provided by the Department of Public Works.

WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

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: May 1, 2013

CITY OF DOVER FIRE MARSHAL

APPLICATION: Woodmill Apartment Storage Buildings

FILE #: S-13-11 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: David Truax, Fire Marshal PHONE #: (302) 736-7011

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:

Buildings are under 5000 Sq. Ft. and do not have to have fire lane markings.

Show closest hydrant to proposed buildings on site plan.

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.

Sprinkler system required as buildings are over 2500 Sq. Ft. or one hour separation between units is required.

Project to be completed per approved Site Plan.

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 Mini Storage 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: May 1, 2013

D E L D O T

==========

APPLICATION: Woodmill Apartment Storage Building and Revised Active Recreation Area at Woodmill Apartments

FILE#: S-13-11 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:

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.

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
MAY 2013

APPLICATION: *Woodmill Apartment Storage Buildings*

FILE #: S-13-11

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.

ADVISORY COMMENTS TO THE APPLICANT:

1. The site may be eligible for a quantity stormwter management waiver. The plans show the removal of the existing tennis courts; this may reduce the amount of impervious that would be counted toward construction. The site must be designed for quality requirements.
2. Green Technologies (filter strips, 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 areas 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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 1, 2013

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Woodmill Apartments Storage Buildings and Revised Active Recreation Area

FILE #: S-13-11 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: James J. Galvin, Jr. AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 5/20/2013

Project Review

S-13-11 Wood Mill Apartments Storage Buildings and Revised Recreation Area -

The original plan included elements the MPO considers important. The MPO does question whether 248 or more Apartments in a complex should be served by expensive stop. Because it's an existing complex, the MPO will contact the Delaware Transit Corporation, or DART, to determine the viability of a route diversion.

With that exception, the MPO has no further comment.

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.

DATA SHEET FOR RECREATION PLAN REVIEW
Recreation Plan Revision of March 21, 2013

PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF April 8, 2013
Planning Commission Meeting of May 20, 2013

Plan Title: Woodmill Apartments

File Numbers: S-90-5 Mifflin Run Apartments
1989 Mifflin Run Apartments
1988 Woodmill Apartments

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

Location: South of Farmview Drive east of Mifflin Road

Tax Parcels: ED-05-076.10-02-07.01-000 (location of Active Recreation Area)
ED-05-076.10-02-56.00-000

Owner: Multiresidential–M, LLC c/o Vintage Properties, LLC

Site Area: 14.12862 +/- acres

Property Use: Residential Apartment Development

Number of Dwelling Units: Total - 258 units

Zoning Classification: RG-2 (General Residence Zone)

PROJECT SUMMARY

Woodmill Apartments are a multi-family residential development on two parcels totaling 14.12862 acres +/- of land. The subject property is located on the south side of Farmview Drive and east of Mifflin Road. The apartment complex consists of two (2) parcels of land with eight (8) apartment buildings with a total of 258 units. The property is zoned RG-2 (General Residence Zone). The use as garden apartments is a permitted use within the RG-2 zoning district.

At the time of original development of the apartment complex, Active Recreation Area was not required. The apartment complex was reviewed by the Planning Commission in 1988, 1989, and 1990. The swimming pool and clubhouse were added in 2000.

The requirement for Active Recreation Area under the current *Zoning Ordinance* is 275 SF per dwelling unit. Based on the 258 dwelling units, 70,950 SF (1.62879 ac. +/-) of Active

Recreation Area is required for the development. There is currently 55,295 SF of Active Recreation Area within the development. The current Active Recreation Area includes a 4,600 SF swimming pool, a 1,800 SF volleyball court, two tennis courts for a total of 13,804 SF, a 2,563 SF playground, and lawn area around the swimming pool, clubhouse, and volleyball and tennis courts.

CURRENT PROPOSAL for Active Recreation Plan #2 (dated March 21, 2013)

The Revised Plan indicates that 76,234 SF (1.75 ac. +/-) of land would be reserved as Active Recreation Area with the elimination of the tennis courts and by creating a park area on the west side of the property. The revision proposes the elimination of the tennis courts on the east side of the property. The clubhouse, swimming pool, and volleyball court on the east side of the property will remain. The revision includes the addition of a picnic table and horseshoe pit on the west side of the property. A play area that contains a playground is located in the area of the proposed horseshoe pit and picnic table. A large lawn area on the west side is central to the revised recreation area.

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 March 21, 2013) for the Revised Active Recreation Area to be constructed:

	Required	**Provided on Revised Plan**
Active Recreation Area (Article 5 §10.16)	275 S.F. per dwelling unit or 0.5 acre, greater thereof 258 DU = 70,950 S.F. (1.6288 ac) Requires 1.6288 acres	East: Clubhouse, swimming pool, volleyball court, West: lawn area, horseshoe pit, picnic table, and playground area Total of 1.75 acres
Active Recreation Amenities (Article 5 §10.15)	Accessibility	Distributed throughout the development. Accessible access to the community building, volleyball court, and swimming pool. The complex lacks sidewalks throughout the development.
Active Recreation Amenities (Article 5 §10.15)	Age Oriented to development	Clubhouse Playground Area Equipment Swimming pool Volleyball court Horseshoe pit Picnic Table
	Parking	Off-street parking provided for

		each dwelling unit on the parcels. There are 34 parking spaces located near the Clubhouse and swimming pool.
	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	Clubhouse and volleyball court are legal non-conforming as they are located within the 30 foot of the property line. The playground and swimming pool are in compliance with the setbacks as required. The other areas shall comply with the 30 foot setback.
	Landscaping	The Revised Active Recreation Plan shows woodland around the proposed area.

TREE PLANTING AND LANDSCAPE PLAN

The Plan continues maintain the existing woodland on the site. The site requires 206 trees to be planted on site based on overall area of the two parcels. The number of required trees is based on the non-woodland area of the property, giving credit for the woodland areas on the site. There are existing trees on the site; however, they are not shown on the plan.

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 to be constructed.

1) The proposed plan meets the area requirements for the Active Recreation Area. The plan is required to provide 1.6288 acres of Active Recreation Area and it is proposing 1.75 acres of Active Recreation Area.

2) Staff recommends approval of the existing Clubhouse, swimming pool, playground, and volleyball court with comments and conditions provided below.

3) Staff recommends approval of the proposed horseshoe pit and picnic table with park area on the west side of the property.

4) Staff recommends the addition of additional picnic tables and/or benches within the proposed Active Recreation Area on the west side of the property.

5) Staff recommends the addition of at least one grill within the proposed Active Recreation Area.

6) The following items should be included on the Plan to clarify the construction of the recreation area improvements:

a) Lawn areas shall be appropriate maintained for active recreation activities.
b) Indicate the square footage of the Clubhouse, swimming pool, volleyball court, playground, etc.
c) Provide bike racks near the Clubhouse.
d) Indicate the square footage of the required Active Recreation Area.
e) Indicate the square footage of the existing Active Recreation Area.
f) Indicate the square footage of the proposed Active Recreation Area.
g) Revise the location of the horseshoe pit to meet the 30 foot setback from the property lines.
h) Indicate the area in square feet and acreage of the two parcels.

7) Ensure barrier free access is provided at all sidewalks including the entrance to the clubhouse.

8) Provide access to the Active Recreation Area on the west side of the development.

9) Ensure barrier free access to the Active Recreation Area on the west side of the development.

10) Provide construction details including but not limited to: picnic table, horseshoe pit, etc.

11) Identify the existing trees on the Plan Sheet or Landscape Plan Sheet.

12) There shall be provisions which ensure that the common open space land (including active recreation area) shall continue as such and be properly managed and maintained.

13) 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.

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

15) Construction may have an effect on the existing Active Recreation Area. Any work requiring the closing or rerouting the existing amenities should be coordinated as to offer the least amount of inconvenience.

16) Staff notes that the Active Recreation Area will not be dedicated to the City of Dover. It will be the responsibility of the property owner to maintain the Active Recreation Area.

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 Recreation Area Plan* dated 3/21/2013
  **Plan Set Sheets are available as paper copies should Committee members desire this format. Contact the Planning Office at 736-7196.*

City of Dover

DATA SHEET FOR RECREATION PLAN REVIEW
Recreation Plan Revision of March 21, 2013

PARKS, RECREATION AND COMMUNITY ENHANCEMENT COMMITTEE
MEETING OF April 8, 2013
Planning Commission Meeting of May 20, 2013

Plan Title:	Woodmill Apartments
File Numbers:	S-90-5 Mifflin Run Apartments 1989 Mifflin Run Apartments 1988 Woodmill Apartments
Plan Type:	Planned Neighborhood Design Option **Revised Active Recreation Area Plan**
Location:	South of Farmview Drive east of Mifflin Road
Tax Parcels:	ED-05-076.10-02-07.01-000 (location of Active Recreation Area) ED-05-076.10-02-56.00-000
Owner:	Multiresidential–M, LLC c/o Vintage Properties, LLC
Site Area:	14.12862 +/- acres
Property Use:	Residential Apartment Development
Number of Dwelling Units:	Total - 258 units
Zoning Classification:	RG-2 (General Residence Zone)

PROJECT SUMMARY

Woodmill Apartments are a multi-family residential development on two parcels totaling 14.12862 acres +/- of land. The subject property is located on the south side of Farmview Drive and east of Mifflin Road. The apartment complex consists of two (2) parcels of land with eight (8) apartment buildings with a total of 258 units. The property is zoned RG-2 (General Residence Zone). The use as garden apartments is a permitted use within the RG-2 zoning district.

At the time of original development of the apartment complex, Active Recreation Area was not required. The apartment complex was reviewed by the Planning Commission in 1988, 1989, and 1990. The swimming pool and clubhouse were added in 2000.

The requirement for Active Recreation Area under the current *Zoning Ordinance* is 275 SF per dwelling unit. Based on the 258 dwelling units, 70,950 SF (1.62879 ac. +/-) of Active Recreation Area is required for the development. There is currently 55,295 SF of Active Recreation Area within the development. The current Active Recreation Area includes a 4,600 SF swimming pool, a 1,800 SF volleyball court, two tennis courts for a total of 13,804 SF, a 2,563 SF playground, and lawn area around the swimming pool, clubhouse, and volleyball and tennis courts.

CURRENT PROPOSAL for Active Recreation Plan #2 (dated March 21, 2013)

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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 March 21, 2013) for the Revised Active Recreation Area to be constructed:

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Active Recreation Area (Article 5 §10.16)	275 S.F. per dwelling unit or 0.5 acre, greater thereof 258 DU = 70,950 S.F. (1.6288 ac) Requires 1.6288 acres	East: Clubhouse, swimming pool, volleyball court, West: lawn area, horseshoe pit, picnic table, and playground area Total of 1.75 acres
Active Recreation Amenities (Article 5 §10.15)	Accessibility	Distributed throughout the development. Accessible access to the community building, volleyball court, and swimming pool. The complex lacks sidewalks throughout the development.
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		Picnic Table
	Parking	Off-street parking provided for each dwelling unit on the parcels. There are 34 parking spaces located near the Clubhouse and swimming pool.
	Setbacks: 30 feet from residential lots and 25 feet from right-of-way for street	Clubhouse and volleyball court are legal non-conforming as they are located within the 30 foot of the property line. The playground and swimming pool are in compliance with the setbacks as required. The other areas shall comply with the 30 foot setback.
	Landscaping	The Revised Active Recreation Plan shows woodland around the proposed area.

TREE PLANTING AND LANDSCAPE PLAN

The Plan continues maintain the existing woodland on the site. The site requires 206 trees to be planted on site based on overall area of the two parcels. The number of required trees is based on the non-woodland area of the property, giving credit for the woodland areas on the site. There are existing trees on the site; however, they are not shown on the plan.

STAFF RECOMMENDATIONS

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1) The proposed plan meets the area requirements for the Active Recreation Area. The plan is required to provide 1.6288 acres of Active Recreation Area and it is proposing 1.75 acres of Active Recreation Area.

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12) There shall be provisions which ensure that the common open space land (including active recreation area) shall continue as such and be properly managed and maintained.

13) 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.

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

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16) Staff notes that the Active Recreation Area will not be dedicated to the City of Dover. It will

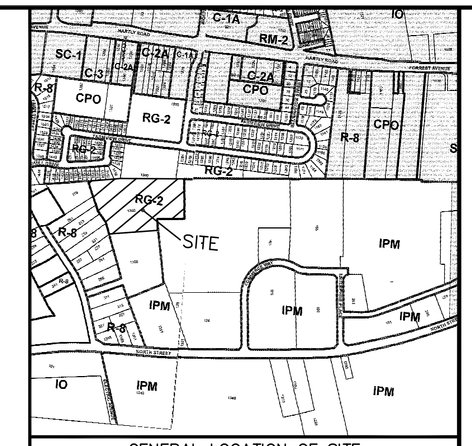
be the responsibility of the property owner to maintain the Active Recreation Area.

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 Recreation Area Plan* dated 3/21/2013
  **Plan Set Sheets are available as paper copies should Committee members desire this format. Contact the Planning Office at 736-7196.*





GENERAL LOCATION OF SITE
SCALE: 1"=1,000'

DATA COLUMN

1.	TAX MAP PARCEL NO.:	ED-05-076.10-02-07.01-000
2.	OWNER OF RECORD:	MULTIRESIDENTIAL-M, LLC C/O SOVEREIGN PROPERTY MANAGEMENT 102 LARCH CIRCLE, SUITE 101 NEWPORT, DE 19804
3.	EQUITABLE OWNER:	MULTIRESIDENTIAL-M, LLC C/O SOVEREIGN PROPERTY MANAGEMENT 102 LARCH CIRCLE, SUITE 101 NEWPORT, DE 19804
4.	EXISTING USE:	258 APARTMENTS

NORTHPOINT ENGINEERING
102 LARCH CIRCLE, SUITE 203
NEWPORT, DE 19804
TEL: 302-992-9881
FAX: 302-998-7354
EMAIL: npe@northpoint-eng.com

PLAN NORTH:

North

KEY MAP:

SEAL:

PROJECT:

WOODMILL APARTMENTS

CITY OF DOVER
KENT COUNTY, DELAWARE

SITE PLAN

SHEET:

ACTIVE RECREATION PLAN

NO. DATE REVISION

SCALE: 1" = 60'

0 30 60 120

DATE:

MARCH 21, 2013

PROJECT:

0999-MISC

SHEET:

1 OF 1

W:\0999 Misc\Mifflin Run Apartments\DWG\SITE PLAN.dwg Layout: Layout1 Printed: Thu 21-Mar-2013 - 10:01AM

OPEN SPACE
46,924± S.F.
(INCLUDES 2,560±
S.F. PLAYGROUND)
PLAYGROUND
GARAGE
APARTMENT BUILDING J
APARTMENT BUILDING I
APARTMENT BUILDING K
APARTMENT BUILDING H
APARTMENT BUILDING G
CLUBHOUSE
POOL
VOLLEYBALL
TENNIS COURTS
TENNIS COURTS
EIP
EIP
3,826± S.F. CLUBHOUSE
ACTIVE RECREATION AREA
55,295± S.F.
INLUDES:
4,620 ± S.F. POOL
1,800± S.F. VOLLEYBALL COU
13,800± S.F TENNIS COURTS

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF May 8, 2013

PLANNING COMMISSION MEETING OF May 20, 2013

Plan Title:	Family Dollar S-13-12
Plan Type:	Site Plan Architectural Review Certification (HI-13-02)
Property Location:	Southwest corner of West Loockerman Street and South New Street
Property Address:	300 West Loockerman Street
Tax Parcel:	ED-05-077.09-01-69.00-000
Owner:	Fisher/Grimes Partnership
Equitable Owner:	Chesapeake Group, LLC
Present Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)
Existing Use:	Vacant Commercial Building – former NAPA to be demolished
Proposed Use:	Retail Building
Site Area:	17,907.5 S.F. +/- (0.4111 ac.)
Building Area:	Existing – 10,929 S.F. (building to be demolished) Proposed – 8,316 S.F.
Impervious Areas:	Proposed – 95.1%
Waiver Requested:	Partial Elimination of Curbing

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 8, 2013

City of Dover Planning Office

APPLICATION: Family Dollar at 300 West Loockerman St

FILE #: S-13-12 REVIEWING AGENCY: City of Dover Planning

CONTACT PERSON: Janelle M. Cornwell, AICP PHONE #: (302) 736-7196

PLAN SUMMARY:

This Plan is for review of the Site Plan and Architectural Review Certificate for the construction of Family Dollar and site improvements. The application is to permit the construction of an 8,316 SF building. The existing building (former NAPA Auto Parts) is proposed for demolition. The project area consists of one parcel of land totaling 0.4111 acres ± of land zoned C-2 (Central Commercial Zone) and subject to the H (Historic District Zone). The property site is located at the southwest corner of West Loockerman Street and South New Street. The owner of record is Fisher/Grimes Partnership. The equitable owner is Chesapeake Group, LLC. The property address is 300 West Loockerman Street. Tax Parcel: ED-05-077.09-01-69.00-000.

This project requires Site Plan Review and Architectural Review Certification. The plan proposed to demolish the existing building and construct a new 8,316 SF commercial building. The new building is 63 feet wide along West Loockerman Street and 132 feet long along South New Street. The Site Plan sheet was updated to reflect the building change in the building size. Parking for the site is located between the building and South New Street and along the alley.

HISTORIC DISTRICT COMMISSION - RECOMMENDATION

For the Family Dollar project, the Historic District Commission considered the application HI-13-02 on March 21, 2013 regarding an Architectural Review Certificate for the demolition of the existing building, the construction of new building and other associated site improvements. The Historic District Commission recommended approval of the Architectural Review Certificate allowing the demolition of the existing building on the site subject to completion of recordation of the building and specific conditions (derived from Architectural Review Staff Report – Staff Comments & Recommendations #3 and 4). The Historic District Commission also recommended a brick wall to be placed near the intersection of West Loockerman Street and South New Street to screen the parking lot from West Loockerman Street. The Architectural elevations were revised after the Historic District Commission meeting to include the wall.

The Historic District Commission forwarded a recommendation on the Architectural Review Certificate to the Planning Commission, see the Architectural Review Recommendation Report.

- As part of their recommendation the Historic District Commission recommended approval of the demolition of the existing building with conditions including but not limited to: minor recordation be completed of the existing building, a timeframe established, stabilization of the site if the site is left vacant for an extended period of time, landscaping or fencing could be installed as part of site stabilization, and providing any information of environmental provisions related to demolition of the building.

- As part of their recommendation the Historic District Commission recommended approval of the Architectural Review Certification for the project to construction a new building based on plans submitted at the meeting. The Commission also recommended screening of the parking lot from West Loockerman Street with a low brick wall. This brick wall is shown on the architectural elevations, providing screening of the parking lot along South New Street by adding street trees in the sidewalk. They also recommend providing curbing between the parking lot and sidewalk.

Planning Staff as part of the Architectural Review Certificate application review process prepared a series of recommendations and review comments in regards to the Architectural Review Certification and compliance with the *Design Standards and Guidelines*.

The Planning Commission must act upon the Architectural Review Certification as part of any motion regarding this project, or as a separate motion if necessary. In taking this action, the Planning Commission is to consider the *Design Standards and Guidelines for the City of Dover Historic District Zone* for New Construction –found in Chapter 4 and Chapter 5 of the guidelines.

PARKING SUMMARY

In the C-2 (Central Commercial Zone) the parking requirement is 0.5 off street parking for every 300 SF of floor area for new construction. Based on the square footage of the building at 8,316 S.F., fourteen (14) parking spaces are required. The plan indicates sixteen (16) spaces on the plan including two (2) handicap parking spaces. The parking is located between the street (South New Street and alley) and the building. The minimum drive aisle for two way traffic is twenty (20) feet. The plan provides the minimum twenty (20) foot wide drive aisle.

Based on the location of the site within the Downtown Redevelopment Target Area the site is eligible for a 20% (3 parking spaces) reduction in off-street parking due to its proximity to mass transit, municipal parking and pedestrian accessibility. (*Zoning Ordinance,* Article 6 Section 3.9) The Planning Commission may grant up to a 50% waiver for parking. The plan also indicates sixteen (16) on-street parking spaces in the vicinity of the site.

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 one (1) bicycle parking

spaces is required. The location of the bicycle rack is located in the grass area in front of the brick wall at the corner of West Loockerman Street and South New Street. The number of parking spaces is not identified.

SITE CONSIDERATIONS

Entrance

The site has two points of ingress and one point of egress. The main entrance for the site is located off of South New Street. The entrance off of South New Street will be a full entrance with ingress and egress to the site. There is an entrance located off of the alley. Placed at an angle the entrance off the alley is an entrance only for traffic traveling eastbound. West Loockerman Street is a state maintained roads and South New Street is a City maintained street.

Dumpsters

Dumpsters for trash collection are required for the development of the site. Dumpster pads are required at the rate of one (1) for the first 8,000 SF of floor area and one (1) each additional 16,000 SF of floor area. (*Zoning Ordinance*, Article 5 Section 6.12) Based on the size of the building, two (2) dumpster pads are required. The plan provides for two (2) dumpster pads. The minimum dimensions for a dumpster pad is 12 feet deep and 12 feet wide. The size of the enclosure is based on collection type. The dumpster pads and enclosure is located on the south side of the building near the alley. The dumpster enclosure detail indicates that the proposed materials will match the proposed material of the building. The method of trash collection will be private. The applicant may reserve a dumpster pad on the site and would be required to construct it in the future if determined to be necessary by the Planning Director.

Loading Space

Loading spaces are required at the rate of one (1) for retail buildings between 8,000 SF to 25,000 SF of floor area and one (1) for each additional 25,000 SF of floor area. (*Zoning Ordinance*, Article 6 Section 4.23) Based on the size of the building one (1) loading space is required. The plan proposes a loading space off the rear of the building. The minimum size of a loading space is 12'x60'. The proposed loading space exceeds the minimum requirements. The loading space blocks three parking spaces. Consideration of timing of use of the loading spaces or size of the loading space should be done to ensure no conflicts with the three parking spaces.

Sidewalks

The site has existing sidewalks along the street frontage of West Loockerman Street and South New Street. The plan provides for handicapped accessible ramps at the points of intersection of the parking lot entrance/exit. The plan identifies several locations along the street frontages where the sidewalk will be disturbed during construction. The applicant will be required to reconstruct the sidewalk and curb where site improvements/entrance changes are proposed and remove all non-utilized curb cuts. The sidewalks along West Loockerman Street and South New Street are a combination of concrete and brick. The plan does not show a sidewalk along the building therefore access to the building is through the parking lot.

Lighting

Lighting is provided on the plan. A detail identifying the type of lighting that will be used needs to be on the plan.

Curbing- Waiver Requested

Article 6 § 3.6 (b) requires curbing is for all parking areas. The plan provides curbing around the parking islands and the east side of the drive aisle near South New Street. There is no curbing proposed along the parking spaces which line the east side of the building. The plan indicates parking bumpers will be located at the head end of the parking spaces. The Planning Commission may grant a waiver for the elimination of curbing to allow for drainage related to stormwater management area. A written waiver request for the elimination of curbing to allow for stormwater management has been submitted to the Planning Office for consideration by the Planning Commission.

BUILDING ARCHITECTURE (Drawings dated 3/4/13):

The submission Plan includes the requisite Architectural Elevation drawings. The drawings present views of all sides of the new building. The north side of the building along West Loockerman Street has the appearance of two storefronts. The west section of the front consists of three faux windows with EIFS behind, a brick watertable feature, with two types of siding. The east section of this façade is mainly brick, with an aluminum storefront window system with a canopy, siding over the storefront and metal coping at the top. The South New Street side of the building repeats the West Loockerman Street elevation and also has three additional sections. The three additional sections are near the back of the building. These three areas repeat the west side of the West Loockerman Street elevation consisting of faux window with EIFS behind, a brick watertable, with two types of siding. A door is located in between the two faux windows closer to the rear of the building. A brick column separates the three spaces and another brick column is at the edge of the building. The rear of the building facing the alley is concrete block with a door. There is also a brick watertable feature and a brick column at both ends of the building. The west side of the building is concrete block with a brick watertable feature with standing seam metal roof and brick columns at the corner and where the building meets the existing building to the west. Large expanses of blank wall are to be avoided. (*Zoning Ordinance,* Article 5 Section 1(1)(ii))

There is a three (3) foot brick wall proposed near the intersection of West Loockerman Street and South New Street. In front of the brick wall is a grass area. The maximum height of the wall in the Historic District is four (4) feet. The maximum height of a wall within the corner visibility is three (3) feet.

The awning may be located within the right-of-way. The placement of an awning within the right-of-way requires approval from the City Manager in accordance with Chapter 98-7. – Placement of canopies and awnings within the rights-of-way of the *Municipal Code*.

Dover Transit Center Neighborhood Plan and Design Book (January 14, 2011)

The *Neighborhood Plan* outlined a series of urban design guidelines and strategies to guide development within the Downtown Area including buildings, open space areas, roads, streetscapes, etc. The subject property is included in the study area and is located along one of the gateway streets into the Downtown area. Several of the key principles of expanding the density, character, and urban context for the Downtown include:

- Creating buildings that engage the street and provide a clear edge

- Concentrating parking at the center of blocks and away from the street edges
- Building on the history and character of existing architecture
- Creating vibrant and well-connected streetscapes

The *Neighborhood Plan* outlines more detailed design principles and standards for streets, parking, buildings, and open spaces. New construction in the Downtown provides an opportunity to implement these design principles and standards. A copy of the *Neighborhood Plan* is available in the Planning Office.

TREE PLANTING AND LANDSCAPE PLAN

The submitted plan includes the Landscaping details. Based on the 17,907 S.F. property, a total of six (6) trees are required. The plan proposes the planting of seven (7) new trees to meet the requirement. The proposed trees will be located on the east side of the site along the parking lot within the parking islands near the alley in the rear. The proposed trees are a mixture of deciduous trees. The mixture includes Serviceberry, Redmond Linden, Red Maple, and Green Vase Zelkova.

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) Curbing shall be constructed in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. A written waiver request has been submitted to the Planning Office for consideration by the Planning Commission.

2) Remove the striping of the parking space at the southeast corner of the building on all Plan Sheets.

3) The data column needs to be updated prior to Final Approval. Some of the items which need revising are as follows:
   a) Any changes recommended by the Planning Commission.
   b) Add a note to the Plan to provide information on any waivers granted by the Planning Commission.
   c) Revise the not regarding the Building Code. The City is using the 2009 ICC Code.
   d) Revise the building area to 8,316 SF.

4) Loockerman Street is a State maintained road: therefore, work within the right-of-way is subject to DelDOT requirements.

5) New Street is a City maintained road; therefore, work within the right-of-way is subject to City of Dover requirements.

6) Revise the construction detail for the lighting. The detail shall reflect the acorn style lighting fixture found in the downtown.

7) Indicate the location of utilities and utility connections on all Plan Sheets.

8) Provide a construction detail for the proposed bench.

9) Revise the Owner's Certification to remove the space in the lines.

10) Provide the following information on the Landscape Plan:
    a) Indicate the location of the utilities to ensure conflicts with tree plantings do not exist.

11) The following items should be clarified regarding the building's architectural design or the architectural design that need to be revised in order to confirm compliance.
    a) Clarify if the display windows on the West Loockerman Street frontage will be clear glass allowing visibility into the building's interior.
    b) The proper clearance height must be provided for the awnings. Additional approvals may be necessary for any awnings which extend over the property line into the street right-of-way.
    c) The west elevation (shown at the Historic District Commission) includes several gutter downspouts that cannot be implemented due to the location of the adjacent building to the west.
    d) With the building design, the height of the finished floor elevation in relation to the sidewalk and parking lot must be considered in order to achieve accessibility into the building. If additional building elements are required to achieve accessibility, they may require further review by the Historic District Commission.

12) A City of Dover Business License is required for each individual landscape architect professional engineer, or professional land surveyor doing business within the City. The City of Dover Business License application can be found on the city's website, www.cityofdover.com. A City of Dover Business License for each individual engineer, architect, or landscape architect shall be obtained prior to Final Site Plan Approval. Please contact the Planning and Inspections Department at 302-736-7010 with any questions.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Recommendation on Waiver Requested:
    a) Partial Elimination of Curbing: Staff recommends approval of the request for partial elimination of curbing as it is needed for stormwater management. Parking bumpers will be placed at each parking space.

2) The Historic District Commission at their meeting of 3/21/2013 took action to provide a Recommendation with conditions regarding the Architectural Review Certification (ARC) for the project including a series of comments. These comments/recommendations may be adopted by reference to the Architectural Review Recommendation Report when taking action on the Architectural Review Certification.

3) Staff has concerns with the layout of the building and the parking lot. Staff recommends the applicant request a waiver for the reduction in the number of parking spaces. The

project is eligible for up to a 50% reduction in the number of required of off-street parking spaces. The site could provide seven (7) parking spaces if the 50% waiver is granted.

a. The reorientation of the building and reconfiguration of the parking lot layout would address staff's concerns of the suburban design feel (like a strip shopping center of in-line tenants and adjacent parking lot) and not one that is responsive to the Downtown urban area around it.
b. The site is located within the Downtown and has pedestrian access, and is located near transit, and other parking options (municipal lots and on-street parking).
c. Reducing the number of on-site parking spaces or the reconfiguration to reduce conflicts between the vehicular and pedestrian traffic near the entry to the store.
d. Parking should be located interior to the site. The current placement does not enrich the pedestrian experience. The reorientation of the building and reconfiguration of the parking lot layout would address the placement of the parking lot between the building and street.
e. The reduction in the number of parking spaces would also address concerns with the dead end at the end of the parking lot near W. Loockerman Street as this has limited turnaround area especially if the parking lot is full.
f. The reorientation of the building and reconfiguration of the parking lot layout would also address staff's concerns regarding the parking circulation especially if the parking lot is full as well as potentially allowing for screening from the street.
g. There is no sidewalk between the building and parking spaces forcing pedestrians to walk behind the parked vehicles to access the building.

4) Staff recommends an additional bicycle rack to be placed along West Loockerman Street (the form of the bike rack to be reviewed by staff) or South New Street to allow for additional options for access to the site.

5) Staff recommends including a portion of the striped area off the alley into the parking island to the east.

6) Staff recommends reducing the size of the loading space or to limit delivery times to reduce conflict with three of the parking spaces along the alley.

7) Staff recommends that all sidewalk constructed be completed with brick to provide continuity of the brick sidewalk in the area and all unused curb cuts and depressed curbing along the street frontage (including the alley) must be replaced with upright curbing. The new or replacement sidewalk should continue to implement the sidewalk patterns of the streetscape improvements of the Downtown.

8) Staff recommends that shopping carts (if used at the site) be stored within the building as there is no exterior location to store the carts.

9) Staff recommends the installation of upright curbing along the existing depressed area along West Loockerman Street.

10) Staff recommends that any outside or roof HVAC Equipment be designed to minimize the impact on adjacent property owners, adequately screened from public view and the overall visible impact on the streetscape.

ADVISORY COMMENTS TO THE APPLICANT:

1) The Planning Commission must act upon the Architectural Review Certification as part of any motion to approve this project, or as a separate motion if necessary.

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

3) Staff notes that there does not appear to be adequate right-of-way to allow for on-street parking along South New Street and possibly West Loockerman Street.

4) Staff notes that there is a pavement and rehabilitation projects proposed to affect this segment of West Loockerman Street this summer. Coordination for the abandonment of utilities and curb work should be done with the appropriate agencies.

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

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

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

8) For building construction, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector for these requirements. The resolution of these items may impact the site design including such items as building setbacks from property line, building dimensions and height, building openings, and fire protection needs, etc.

9) Construction and demolition will have an effect on the adjacent property owners and nearby streets. Any work requiring the closing or rerouting of potential customers or visitors to the adjacent properties and streets shall be coordinated with the Planning Office and other City Staff as to offer the least amount of inconvenience. This shall include a street closure/construction activity plan addressing site protection, fencing, etc.

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

11) The applicant shall be aware that a Demolition Permit is required to proceed with any demolition activities on the property should Architectural Review Certification be granted for the demolition proposal. The Demolition Permit application must comply with the conditions of approval granted through the Architectural Review Certification process. A certificate of asbestos survey and abatement must be submitted with the Demolition Permit application.

12) The applicant should be aware of the potential for historic archaeological resources which may include previous building locations, wells, privies, etc. on these properties. The State Division of Historical & Cultural Affairs can provide technical assistance when dealing with archaeological resources including previous studies at the subject location.

13) The applicant should be aware of the potential for environmental issues from past uses of the property and its proximity to several known Brownfield sites.

14) 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. The Building Permit submission must comply with the conditions of approval of the Architectural Review Certification.

15) 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.

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: MAY 1, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Family Dollar at 300 W. Loockerman Street**

FILE #: **S-13-12**

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, including cleanouts.
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").

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. Provide a signage and striping plan that meets the requirements of the Delaware Manual on Uniform Traffic Control Devices (MUTCD).
2. Per Americans with Disabilities Act (ADA), the minimum width at a pinch point on a sidewalk shall be thirty-six inches (36"), please revise the plan accordingly.
3. The minimum drive aisle width is twelve-feet (12'), please provide dimensions of the existing drive aisles to justify the proposed on street parking within New Street.

GROUNDS

1. Please remove the grates that are proposed with the tree plantings along New Street.
2. The first iteration of the site plan / landscape plan depicts four (4) street trees; the revised site plan depicts three (3) street trees. Please clarify.

SANITATION

1. None.

GENERAL

1. All existing utilities shall be adjusted to final grade in accordance with current City of Dover requirements and practices. This must be included as a note on the plan.
2. The final site plan must be submitted in the following compatible digital formats:
   a. AutoCAD 2004 (.dwg format).
   b. Adobe Reader (.pdf format).

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC

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

WATER / WASTEWATER / STORMWATER / SANITATION / GROUNDS / GENERAL

1. None

STREETS

1. Provide a sight distance triangle to confirm proper clearance for a vehicle entering New Street.
2. The existing curb depression on Loockerman Street must be replaced with an upright curb that will match the adjacent curbing on Loockerman Street.
3. Add a note that the new curbing on New Street shall match the adjacent curbing.
4. Please extend the curbed island to the extents of the striped area near the alley access. This will minimize vehicles exiting onto the alley from the proposed parking lot.
5. Provide truck turning radius diagrams that prove the largest vehicle entering this site can maneuver safely both on the site and when it exits onto a public street.
6. The parking space proposed on the street must be twenty-feet (20') in length, with a four-foot (4') separation between each set of two (2) spaces, this will mirror the existing parking methodology in the downtown area.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None

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 may need to 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 available to this site. The developer is responsible for all costs associated with extending and providing service and capacity to the proposed development.

STORMWATER / STREETS / GROUNDS

1. None

SANITATION

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

GENERAL

1. The applicant is advised that depending upon the size of the existing water service and sanitary sewer lateral to be abandoned, flowable fill may be required.
2. 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: May 1, 2013

CITY OF DOVER FIRE MARSHAL

APPLICATION: Family Dollar Store 300 W Loockerman ST

FILE #: S-13-12 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: David Truax, Fire Marshal PHONE #: (302) 736-7011

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:

Fire lane requirements can be met with existing Loockerman and New streets provided trees and power lines do not interfere with access.

Any gas fired HVAC equipment must be equipped with emergency cutoff 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.

Sprinklers required in basement areas over 2500 sq.ft.

West wall running along adjoining property line shall be rated per Building Code.
Show adjoining building on site drawing.

Project to be completed per approved Site Plan.

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 Mercantile 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: May 1, 2013

DELDOT

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APPLICATION: Family Dollar at 300 West Loockerman Street
FILE#: S-13-06 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:

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

- The applicant must provide ADA compliant curb ramps on Loockerman Street as part of this project. Also, an entrance permit from the DelDOT's Central District Office will be required if the curb ramps at the intersection of Loockerman Street and New Street will be upgraded as part of this project.

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
MAY 2013

APPLICATION: *Family Dollar West Loockerman*

FILE #: S-13-12

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.

ADVISORY COMMENTS TO THE APPLICANT:

1. The site may be eligible for a quantity stormwter management waiver. The plans show the removal of the existing building; this may reduce the amount of impervious that would be counted toward construction. The site must be designed for quality requirements.
2. Green Technologies (filter strips, 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 areas 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

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: May 1, 2013

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Family Dollar at 300 West Loockerman St.

FILE #: S 13-12 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: James J. Galvin, Jr. AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 5/20/2013
Project Review
S-13-12 Family Dollar at 300 West Loockerman St.

There are two areas of concern the MPO must look at in evaluating this proposal. The first is the considerations the MPO looks at for mobility; the streets, sidewalks, and bike facilities. This site is located in the center of the historic grid systems streets in Dover. Existing site has sidewalks available on the two Street frontages in the plans indicate the sidewalks will remain. The plans to indicate tree grates being installed to a comedy street trees along new Street. In their consideration, the city should ensure that those areas sidewalk offer sufficient room for larger users, like baby strollers or wheelchairs. The site is fully served by transit with more than one route using Queen Street, block to the east as their route. Route 109 passes by the site along Loockerman Street. Loockerman Street has been historic commercial center of Dover. As such, it has on street parking delineated in various places. The plans show access to the site at the farthest point South along new Street, likely the most appropriate place for commercial access. So from that point of view and without consideration of site layout, the proposal provides the services the MPO considers important.

There is a secondary of concern for the site the MPO must consider. The site was included in the Dover Transit Center Neighborhood Plan study area. The neighborhood plan make recommendations for streets in the study area, from West Street to South State Street and from Loockerman Street to South Street. The plan on page 33 states:

> "Buildings addressing the sidewalk and street create a walkable pedestrian character. Existing buildings in the study area along Loockerman and State Street's illustrate a well-defined edge. New buildings should be close to the street edge, allowing easy pedestrian access to the buildings."

The plan document sites in several places a preference for maintaining the historic character particularly of Loockerman Street. The plan diagram includes a building that addresses Loockerman Street and new Street directly on the corner. The current proposal includes minimally usable front parking along New Street.

Another land-use pattern identified in the neighborhood plan was to promote multi-story mixed-use buildings in the study area. Such a building was recently constructed on the corner of Loockerman and South Governors Street at the former Bayer Hotel site. A similar opportunity to promote the design concepts is available at the site. The developer should consider the potential of adding one or two stories, or more, of residences above the storefront.

The MPO's preference, as supported by the Dover Transit Center Neighborhood Plan, is to locate a multi-story building, containing Family Dollar and residences, to address the corner of Loockerman and New Streets and to extend along Loockerman Street to the fullest extent possible. The city of Dover offers parking exceptions for the Loockerman Street corridor. Doing so would fully utilize the on-street parking and provide at least the same amount of on-site parking as the original proposal.

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.

S-13-12

LARSON
ENGINEERING GROUP INC.
CIVIL ENGINEERING & LAND PLANNING

May 7, 2013

Ms. Anne Marie Townshend
City of Dover Planning
PO Box 475
Dover, DE 19901

RE: FAMILY DOLLAR CURBING WAIVER REQUEST

Dear Anne Marie:

This letter is to follow up the Department Advisory Committee comments we received for the above referenced project.

We would like to request a waiver of Article 6, Section 3.6.2 for the curbing requirement for the parking spaces along the eastern side of the building and parking spaces along the alley. The parking spaces along the building do not need curbing as the building will define the parking space. Parking bumpers are being provided to stop the vehicles from hitting the building. Curbing is not being provided for the parking spaces along the alley due to the flow of stormwater runoff. Again, parking bumpers will be used to define the parking space.

Please forward this request to the Planning Commission for their consideration.

Sincerely,

LARSON ENGINEERING GROUP, INC.

Douglas J. Liberman
Vice President

City of Dover

ARCHITECTURAL REVIEW REPORT
Recommendation Report of the Dover Historic District Commission
Meeting of March 21, 2013

Project Name:	Dover Family Dollar at 300 West Loockerman Street: Existing Building Demolition & New Construction
Location:	Southwest corner of West Loockerman Street and South New Street 300 West Loockerman Street
Tax Parcel:	ED-05-077.09-01-69.00-000
Property Owner:	Fisher/Grimes Partnership
Equitable Owner:	Chesapeake Group, LLC
Present Zoning:	C-2 Central Commercial Zone H - Historic District Overlay Zone
Present Use:	Vacant Building (Previous commercial uses) to be demolished
Proposed Use:	New Retail Building
File Number:	HI-13-02

PROJECT DESCRIPTION:
The Historic District Commission conducted a public hearing and took action to make a recommendation to the City of Dover Planning Commission for an Architectural Review Certificate to allow for Demolition of the existing commercial building 300 West Loockerman Street and for construction of a new 8,308 S.F. retail building and associated site improvements. The project requires a Site Plan review.

The subject property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Overlay Zone). The property is located on the southwest corner of West Loockerman Street and South New Street. The owner of record is the Fisher/Grimes Partnership and the equitable owner is Chesapeake Group, LLC. Address: 300 West Loockerman Street. Tax Parcel: ED-05-077.09-01-69.00-000. Council District 4.

RECOMMENDATION OF THE HISTORIC DISTRICT COMMISSION:
The application was considered at the March 21, 2013 meeting of the Historic District Commission. The following members were present: Chairman Dick Scrafford, Mr. Joe McDaniel, Mr. Terry Jackson, and Mr. George Fisher. Mr. Chazz Salkin was absent. The application was represented by Mr. Doug Liberman of Larson Engineering Group, Inc. and Conny Malmberg, Attorney at Young & Malmberg. Public testimony was received from Gary Patterson, Lou Colon, and Mike Harrington.

Action Taken by Historic District Commission:

The motion to recommend approval passed 4-0 of the members present. **The Historic District Commission recommends approval of the Architectural Review Certificate for application HI-13-02 Family Dollar at 300 West Loockerman Street allowing the demolition of the existing building on the site subject to completion of recordation of the building and the following conditions (derived from Architectural Review Staff Report – Staff Comments & Recommendations #3 and 4):**

- **The Historic District Commission deems that additional documentation/recordation of the existing building is appropriate. Some minor documentation/recordation of the existing building has occurred in the form of a series of exterior photographs included in the application submission.**

- **For demolition of the existing building, the following conditions are recommended pertaining to the building demolition. These conditions are presented in an effort to improve the project's compliance with the recommended guidelines for consideration of demolition in the *Design Standards and Guidelines* and other code provisions:**
    - **A specific timeframe for demolition activities, site stabilization, and redevelopment activities should be established.**
    - **All utilities must be properly capped and/or abandoned in accordance with City of Dover requirements.**
    - **The building footprint will need to be appropriately stabilized and brought to grade if project site construction is not progressing at the time of its demolition or if the site will be left vacant for an extended period of time. Other elements of landscaping, fencing, etc. could be required as part of the site stabilization.**
    - **Provide information on any environmental provisions related to demolition activities such as copies of any agency approvals/permits for regulated activities.**

The Historic District Commission recommended approval of the Architectural Review Certification for the project to construction a new building on the site as presented in the submission (and as depicted in the building elevations presented at the meeting) subject to the following comments and recommendations.

1. **Add screening of the parking lot from West Loockerman Street. Discussion at the meeting suggested a concept for a low brick wall subject to the height limitation of four (4) feet and the height limitations of the corner visibility area.**

2. **Add screening of the parking lot from South New Street by adding street trees in the sidewalk area.**

3. **Provide upright curbing for the parking lot.**

The following information was considered by the Historic District Commission in marking their recommendation including the initial recommendations made by Planning Staff in regards to the application. Discussion at the Historic District Commission meeting also included a presentation of the project including project history and project details, discussion of the building roof form, options for screening of parking lot from streets, curbing of parking lot, the rear elevation of the building, downspout drainage, and windows on Loockerman Street. The public testimony heard at the Public Hearing noted support of the project by the Downtown Dover Partnership based on its economic development and employment potential and discussion on the dimensions of the parking lot.

Property Information

This building is located within a National Register Historic District, specifically the Victorian Dover Historic District. Provided below is the building summary from the building inventory listing found within the National Register nomination completed for the Victorian Dover Historic District (nomination completed 1977-78).

> K-396.47 300 West Loockerman Street – 1950's, 1-story, yellow brick, commercial edifice; designed as an auto display and sales center with circular showroom and service wings.

The property is located within H (Historic District zone) as established by the City of Dover.

A series of historic maps was reviewed by Planning Staff for preliminary information on this block of Loockerman Street. The *1868 Beers Map* published by Pomeroy & Beers shows only the established street grid of Loockerman Street and Queen Street to North Street surrounding this block; no buildings or ownership are noted on the map. By 1885, the *1885 Bird's Eye View of Dover* shows this block on the south side of Loockerman Street between Queen Street and New Street developed with multiple buildings. The *1887 Map of the Town of Dover* by W.R. Roe depicts the subject site as the Dover Machine Works with a series of other buildings (possibly residential) to the west in the center of the block fronting Loockerman Street.

The series of *Sanborn Fire Insurance Maps* is also a reference source for information on the series of buildings which occupied this property over time. The 1885-1910 Maps series show this corner property as Dover Machine Works with several buildings utilized as a blacksmith shop, paint shop, foundry, machine shop, and office. Then by 1910 the western side of the property also includes a one story "Moving Pictures" building and a cobbler building. On the 1919 Map the eastern buildings are utilized as auto storage, a blacksmith shop and storage and on the west side of the property the "moving pictures" building has disappeared leaving a barber shop. The 1929 Map shows the property used as an auto junk yard with the eastern buildings as auto storage, auto repair, office and storage. Sometime between 1929 and 1951 the property is redeveloped with the construction of a new building for auto sales and services; this building is the current building form with the curved element at the corner. Photo documentation from the 1960s shows this building as a Volkswagen dealership with the circular corner of the building having large storefront display windows for the showroom and an Art Deco style flat canopy wrapping the corner. Additional research using other primary and secondary source documents would provide more information on the history of the property and buildings.

Later, the exterior of the building was renovated reducing the size of the display windows, adding a curved watertable, converting the canopy to a mansard style roof, and other door and

window changes. The building was utilized most recently as a retail building (NAPA Store selling automotive parts and products). However, the building is now vacant and is registered as part of the City's Vacant Building program.

PROPOSAL (Site Plan Set, Photographs, and Elevation Drawing of 2/15/13)
The applicant has supplied a Site Plan Set dated 2/14-15/2013 consisting of a Cover Sheet, Existing Conditions Plan, and Site Plan showing the existing building and conditions and the proposed new building with site improvements. A series of photographs of the existing building and its surroundings were submitted. A sheet dated 2/15/2013 showing all four elevations of the proposed new building was provided. The project is described below:

1. Demolition of Existing Building: The project involves the demolition of the existing one story masonry (brick and block) building on the property.

2. New Building: The project proposes construction of a new one story 8,308 S.F. retail building. The building is sited on the west side of the property. The elevations of the building which face West Loockerman Street and South New Street are divided into three sections with different architectural details and finishes for each section. The main entrance to the building faces South New Street in the section located closest to West Loockerman Street. The building elevation facing the alley, yet visible from South New Street, is a large block (masonry) wall with a brick watertable. The west elevation is a block wall that will be partially visible as it extends beyond the adjacent building. The exterior finishes consist of brick, a storefront window system, siding (horizontal and shake-style formats), EFIS, concrete masonry, and other detailing. A parapet wall system extends at a variety of heights to conceal the low sloping standing seam metal roof.

3. Site Improvements: The siting of the building on the west side of the property creates a setback of 30-40 feet from South New Street. The plan proposes a ten (10) space parking lot in this area between the street and the building. No screening mechanism is shown for the parking lot; only a sidewalk area separates the parking lot drive aisle from the street. Adjacent to the alley in the southern portion of the lot is a loading area, dumpsters, and five additional parking spaces.

4. Landscaping: The site has a small landscape area with one tree at the corner of West Loockerman Street and South New Street. Several small island areas are planted with trees along the southern property line with the alley.

See attached site plan drawings and series of elevations of the proposed new building which detail information on building forms, locations, and material choices.

Review of DESIGN STANDARDS AND GUIDELINES
The subject property is located in the Dover Historic District Zone within the Loockeman Historic Context. The Loockerman Historic Context is described on pages 2-7 through 2-8. Location within the Dover Historic District Zone requires proposals for specific types of construction activities such as new construction, additions to existing buildings, exterior renovations, and demolition of buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted "if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district." In accordance with *Zoning Ordinance,* Article 10 §3.2, the Historic District Commission will provide a recommendation to the Planning Commission regarding the project's compliance with the architectural review standards.

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. For the demolition of the existing mid-twentieth century building on the site, the review considerations are those associated with "Demolition." For the new retail building, the applicable review considerations are those associated with "New Construction." Information on standards for materials, landscaping, site amenities, and parking lots can also be found in Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings.

Demolition

The *Design Standards and Guidelines* gives guidance to the Historic District Commission by listing specific criteria to be evaluated when considering applications for the demolition of buildings (or portions of buildings) in the historic district. (Chapter 4: pages 4-10 to 4-12) These guidelines are summarized below (see *Design Standards and Guidelines* for the complete text).

1. Determine the financial implications of maintaining a property versus demolition.

2. Regardless of economic issues the relative significance of the individual buildings slated for demolition should be evaluated.

3. In development related applications the City should review the schematic plans for the new structures to weigh the virtues of the new structure versus what exists.

4. Determine the extent of adequate recordation of a property the applicant would be required to complete if demolition were approved.

5. Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context.

New Construction

The *Design Standards and Guidelines* for New Construction (Chapter 4: pages 4-1 through 4-8) provide the design criteria and development guidelines. The guidelines specify the following individual considerations for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification:

- Style
- Scale *(building to reflect dominant cornice and roof height of adjacent buildings)*
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows and doors *(size, relationship, spacing of)*

- Absolute Size *(compare overall size of new building)*
- Massing *(relationship of solid-to-void)*
- Orientation *(location of primary façade)*
- Proportions *(comparison of height to width of building and elements)*
- Materials
- Forms *(shape of building and roof to be complementary)*
- Siting *(location of building on lot and in relation to street)*
    - *The siting of new construction in the Loockerman historic context should conform to the building line of adjacent buildings, to reinforce the sense of the "wall" of buildings, especially along Loockerman Street. New commercial buildings should occupy the full width of their lot at the street line. Free-standing "object" buildings that do not conform to the street and lot lines should not be permitted in the Loockerman historic context. Where a commercial building is built adjacent to a vacant lot, it should be built with a party wall in anticipation of subsequent new construction being built adjacent and up to the property line. Probably the single most damaging siting of a commercial building is towards the rear of a lot, with parking between the building and the street. (DS&G, Page 4-6)*
- High density/ large-scale construction

The proposed project must also be reviewed for compliance with the requirements established by the *Zoning Ordinance*. The requirements include items such as setbacks from property lines, lot coverage, height, etc. in addition to site elements of parking, dumpsters, and tree planting. This proposal for building appears to conform to the bulk requirements of the C-2 Zoning District including setbacks, building height, and floor area ratio.

Dover Transit Center Neighborhood Plan and Design Book (January 14, 2011)

The *Neighborhood Plan* outlined a series of urban design guidelines and strategies to guide development within the Downtown Area including buildings, open space areas, roads, streetscapes, etc. The subject property is included in the study area and is located along one of the gateway streets into the Downtown area. Several of the key principles of expanding the density, character, and urban context for the Downtown include:

- Creating buildings that engage the street and provide a clear edge
- Concentrating parking at the center of blocks and away from the street edges
- Building on the history and character of existing architecture
- Creating vibrant and well-connected streetscapes

The *Neighborhood Plan* outlines more detailed design principles and standards for streets, parking, buildings, and open spaces. New construction in the Downtown provides an opportunity to implement these design principles and standards. A copy of the *Neighborhood Plan* is available in the Planning Office.

STAFF COMMENTS AND RECOMMENDATIONS

The following are the Staff comments and recommendations for this application regarding project activities and an Architectural Review Certificate.

1) The *Design Standards and Guidelines* outline specific criteria to be evaluated in considering demolition applications (page 4-10 and 4-12).

a) The application's Request for Demolition (letter dated 2/14/13) contains statements on the reasoning for demolition of the existing Building. Additional information may be received at the Historic District Commission meeting from the applicant's presentation and during the public hearing.

2) Staff notes that opportunities for adaptive reuse of the existing building or portions of the existing building should be considered. There are tax credit programs and other grants, incentives, or loan programs that may assist in the project costs.
   a) The circular form of the building at the street corner intersection is a unique feature of the building that presents an engaging first floor element to the streetscape. Historic photographs exist of the mid-twentieth century architectural details of this building element.
   b) It is Staff's observation that the exterior finishes of original building have been changed by the renovation activities of the late twentieth century. It is unclear if any of the original detailing of the canopy or wall/window pattern still exists under the cladding or could be recreated.

3) The Historic District Commission could require additional documentation/recordation of the existing building if deemed appropriate. Staff notes that some minor documentation/recordation of the existing building has occurred in the form of a series of exterior photographs included in the application submission.

4) If approval for demolition of the building is granted, Staff recommends the following conditions pertaining to the building demolition. These conditions are presented in an effort to improve the project's compliance with the recommended guidelines for consideration of demolition in the *Design Standards and Guidelines* and other code provisions:
   a) A specific timeframe for demolition activities, site stabilization, and redevelopment activities should be established.
   b) All utilities must be properly capped and/or abandoned in accordance with City of Dover requirements.
   c) The building footprint will need to be appropriately stabilized and brought to grade if project site construction is not progressing at the time of its demolition or if the site will be left vacant for an extended period of time. Other elements of landscaping, fencing, etc. could be required as part of the site stabilization.
   d) Provide information on any environmental provisions related to demolition activities such as copies of any agency approvals/permits for regulated activities.

5) Regarding the proposal for site construction, Staff recommends the Architectural Review Certificate be denied for the project finding that the siting of the building does not comply with the Design Standards and Guidelines and the design principles for development in the Downtown area as outlined in the Neighborhood Plan.
   a) The application could be deferred to allow submission of an alternative site plan design which revises the building location and parking lot layout.
   b) The proposed building does not create a 'building wall' along the South New Street frontage or extend the full length along West Loockerman Street appearing to lack orientation to the street. The distance that the building is setback from the street does not improve the pedestrian experience. The setback distance is equal in width to many buildings fronting on Loockerman Street.

c) The surface parking should not located between the building and the street but rather be located interior to the parcel such as off the alley and screened from South New Street.
d) The location of the building and proposed site layout has a suburban design feel (like a strip shopping center of in-line tenants and adjacent parking lot) and not one that is responsive to the Downtown urban area around it.
e) The submission does not clearly provide information on the integration of the proposed building in the streetscape in order to assess its compatibility.
f) Related to the accommodation of parking on the site, the project is eligible for consideration of a waiver request for parking reduction by the Planning Commission that could potentially set the parking requirement at seven (7) spaces for the new building.

6) The following conditions regarding the site improvements are recommended for compliance.
   a) The parking lot is recommended to be screened from the street. The current site layout precludes the ability to implement any type of screening along the South New Street frontage.
   b) All unused curb cuts and depressed curing along the street frontage must be replaced with upright curbing and new sidewalk which continue to implement the format of the brick strip area and concrete areas. The new or replacement sidewalk should continue to implement the sidewalk patterns of the streetscape improvements of the Downtown.

7) The following items should be clarified regarding the building's architectural design or the architectural design that need to be revised in order to confirm compliance.
   a) Clarify the proposed elevation design. The Elevation Sheet (black & white linework drawing) dated 2/15/2013 is different than the color rendering drawing (forwarded to staff) dated 3/4/2013.
   b) Clarify if the display windows on the West Loockerman Street frontage will be clear glass allowing visibility into the building's interior.
   c) The proper clearance height must be provided for the awnings. Additional approvals may be necessary for any awnings which extend over the property line into the street right-of-way.
   d) It appears that the parking spaces conflict with door locations on the South New Street frontage of the building.
   e) The parking lot (alley) elevation wall of the building as designed presented a very large blank wall. This must be revised to include additional detailing beyond the brick watertable element.
   f) The west elevation includes several gutter downspouts that cannot be implemented due to the location of the adjacent building to the west.
   g) The applicant should be aware of the implications regarding the type of construction for the building.
   h) With the building design, the height of the finished floor elevation in relation to the sidewalk and parking lot must be considered in order to achieve accessibility into the building. If additional building elements are required to achieve accessibility, they may require further review by the Historic District Commission.

8) Some of the site improvements/amenities were not specifically described with the application information.
   a) Light fixtures/poles utilized along the streetscape should continue style of the lighting used in the Downtown Loockerman Street areas.

b) Identify the materials for the landscaped areas including surfaces (grass, mulch, stone), bicycle parking rack, etc.
c) Identify areas where the sidewalks or portions of the sidewalks will be constructed of brick strip will be implemented. The use of brick paving materials for sidewalk construction is a key feature found throughout the Historic District area and in areas of the Downtown with streetscape improvements.
    i) The brick strip should be implemented in the areas of West Loockerman Street and South New Street were the existing curb cuts will be removed.
    ii) The City's standards for sidewalk format must be met.

9) Any revisions or changes in the identified materials or refinement of the building design may be subject to further review by the Historic District Commission.

ADVISORY COMMENTS:

1) Additional evaluation and review of the project site may be necessary due to the potential for environmental contamination due to previous uses of the property and/or the site's potential participation in any environmental remediation program.

2) This site development plan for this project is also subject to the application and review process for Site Development Plan (Article 10 §2 of the *Zoning Ordinance*) before the Planning Commission. Note: Additional technical items for compliance with the Zoning Ordinance and other regulations may be identified during the Site Plan Process. Review comments pertaining specifically to the Site Plan set will be issued at that time.

3) The proposed landscaping including tree plantings should be completed with species appropriate to the site conditions of an urban area. Consultation with the City's arborist regarding the tree species selected is recommended especially regarding any new street trees.

4) The applicant should be aware of the potential for historic archaeological resources which may include previous building locations, wells, privies, etc. on this property. The State Division of Historical & Cultural Affairs can provide technical assistance when dealing with archaeological resources including previous studies at the subject location.

5) For building construction, the requirements of the building code and fire code must be complied with. Consult with the Chief Building Inspector and Office of the Fire Marshal for these requirements. The resolution of these items can impact the site design or building exterior finishes or design in some instances.

6) In the event, that major changes and revisions to the building design and materials or site plan occur in the finalization of the site plan and/or construction drawings contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.

7) The applicant shall be aware that a Demolition Permit is required to proceed with any demolition activities on the property should Architectural Review Certification be granted for the demolition proposal. The Demolition Permit application must comply with the conditions of approval granted through the Architectural Review Certification process. A certificate of

asbestos survey and abatement must be submitted with the Demolition Permit application.

8) The applicant shall be aware that Building Permits are required to proceed with any construction activities on the property. The permit applications must comply with the approvals granted through the Architectural Review Certification process.

9) The applicant shall be aware that a Sign Permit is required to proceed with the placement of signage on the property. Compliance with the sign regulations will be reviewed with the Sign Permit application. Any depiction of signage on these plans is considered conceptual and approval of the plans does not constitute approval of the signage.

Historic District Commission Action on March 21, 2013

The Historic District Commission considered the proposal and provided a recommendation to the Planning Commission in regards to the Architectural Review Certification for the demolition of the existing building and the project site development plan. The recommendation reflected consideration of the *Design Standards and Guidelines.* The specific conditions of the recommendation are noted in the Report under the heading "Recommendation of the Historic District Commission."

MINNICH ENGINEERING & LAND PLANNING INC.

250A Camden Wyoming Avenue ~ Camden, DE 19934
Phone (302) 697-2239 ~ Fax (302) 697-2293 ~ Email krminnich@comcast.net

May 8, 2013

City of Dover Planning Commission
15 East Loockerman Street
Dover, DE 19901

RE: File # S-11-07
Weston Drive Mini Storage

To Whom It May Concern:

On behalf of Henry Mast, we hereby request a one (1) year extension to the Site Plan approval granted by the City of Dover Planning Commission on May 16, 2011. We are in the process of finalizing the project construction documents and expect to resubmit to the permitting agencies in the near future.

Please let me know if you have any questions concerning the request. Feel free to contact me at (302) 697-2239.

Sincerely,

Kevin R. Minnich
Professional Engineer

S-13-05 Lands of KGH Development Corporation at 625 South State Street – Continuation of the Review of an Site Plan for the expansion of the existing parking lot for an additional 130 parking spaces located at 625 South State Street and 100 Scull Terrace. The property is zoned IO (Institutional and Office Zone) and a portion of the property is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 1 – Wellhead Protection Area and Tier 3 – Excellent Recharge Area. The property is located east side of South State Street in the block between South Street and Hope Street. The owners of record are KGH Development Corporation and Central DE Surgery Center. Addresses: 625 South State Street, 100 Scull Terrace, and 150 Scull Terrace. Tax Parcel: ED-05-077.13-01-51.00-000. Council District 2. *Waiver Requested: Partial Elimination of Curbing and Consideration of Joint Parking Facilities.*

- At the April 15, 2013 meeting the Planning Commission began consideration of Application S-13-05 and held a Public Hearing. The Public Hearing was closed at that time. Then the Planning Commission voted to postpone the application for 30 days until the May 20, 2013 meeting of the Planning Commission. See April 15, 2013 Meeting Minutes.

- The information on the application was provided in the packets for the April 15, 2013 meeting. Copies of this information remain as part of your meeting packet.

- If you have questions or required additional copies of the materials, please contact Planning Staff at 736-7196.

Resolution

Whereas, Diane Metsch *was designated to serve as Secretary of the City of Dover Planning Commission on April 16, 2001 and has served with diligence and distinction in this capacity; and,*

Whereas, Diane Metsch *as part of her duties and responsibilities as Secretary kept minutes of Planning Commission meetings and Quarterly Workshops as a record of the Commission's activities; and,*

Whereas, Diane Metsch *assisted the processing of applications filed for review, the preparation of information packets for each Planning Commission Meeting in hard copy and electronic formats, and maintained and distributed correspondence for the Planning Commission; and,*

Whereas, Diane Metsch *completed her service as Secretary to the City of Dover Planning Commission on December 17, 2012.*

Now Therefore Be It Resolved That*, the City of Dover Planning Commission does hereby express its sincere appreciation to* ***Diane Metsch*** *for her service to the City of Dover Planning Commission, and extends its very best wishes to* ***Diane Metsch*** *for a bright and prosperous future.*

Col. Robert D. Welsh	Ann Marie Townshend, AICP
Chairman	City Planner