CITY OF DOVER PLANNING COMMISSION
AGENDA
Tuesday, January 22, 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 December 17, 2012

COMMUNICATIONS & REPORTS

1) An Audio/Web Conference entitled "Zoning for Small-Scale Businesses" will be held on January 16, 2013 from 4:00pm-5:30pm at the Dover Public Library, Meeting Room. The session is co-sponsored by the Delaware Chapter of the American Planning Organization (APA) and the City of Dover Planning Office.

2) Information on Institute for Public Administration (IPA) of the University of Delaware – Planning Training Series for 2013

3) Reminder: The next Planning Commission regular meeting is scheduled for Tuesday, February 19, 2013 at 7:00pm in the City Council Chambers.

4) Reminder: The next Planning Commission Quarterly Workshop is scheduled for Wednesday, February 20, 2013 at 4:00pm in the City Hall Conference Room.

5) Report on City Council actions

6) Update on other Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

NEW BUSINESS

NEW DEVELOPMENT APPLICATION

1) SB-13-01 Lands of 1151-1155 Walker Road, LLC – Public Hearing and Review of a Minor Subdivision to create two (2) parcels of land from the existing 1.779 acre ± parcel. The parcel will be subdivided into a 1.196 acre ± parcel and a 0.6594 acre ± parcel. The property is zoned IO (Institutional and Office Zone). The property is located on the north side of Walker Road west of Saulsbury Road. The property owner is the 1151-1155 Walker Road, LLC. The equitable owner of one parcel is Dover Interfaith Mission for Housing Inc.

Addresses: 1151-1155 Walker Road. Tax Parcel: ED-05-067.18-01-79.00-000. Council District 4. *Waiver Request: Subdivision Waiver of Requirement for Lot Frontage on a Public Street*

2) S-13-01 7-Eleven at 127 South DuPont Highway – Public Hearing and Review of a Site Plan to allow for the construction of a 2,590 SF retail building with gas pumps and associated site improvements. The property is zoned C-4 (Highway Commercial Zone). The property is located at the northeast corner of South DuPont Highway/Route 13 and East Loockerman Street. The owner of record is Lin Properties, LLC. Address: 127 South DuPont Highway. Tax Parcel: ED-05-077.06-01-61.00-000. Council District 2. *Waivers Requested: Reduction in Arterial Street Buffer and Tree Mitigation. This application is also associated with a Board of Adjustment application V-13-01 regarding setbacks.*

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: January 11, 2013 at 11:00am

CITY OF DOVER PLANNING COMMISSION
December 17, 2012

The Regular Meeting of the City of Dover Planning Commission was held on Monday, December 17, 2012 at 7:00 PM with Chairman Welsh presiding. Members present were Colonel Welsh, Mr. Shomo, Mr. Tolbert, Mrs. Still, Mr. Holden, Mr. Baldwin and Dr. Jones. Mr. Holt and Mr. Ambruso were absent.

Staff members present were Mrs. Townshend, Mrs. Melson-Williams, and Ms. Cornwell. Also present was Mr. Jonathon Street.

APPROVAL OF AGENDA

Mr. Tolbert moved to approve the agenda as submitted, seconded by Dr. Jones and the motion was unanimously carried 7-0 with Mr. Holt and Mr. Ambruso absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF NOVEMBER 19, 2012

Mrs. Still moved to approve the Planning Commission minutes of November 19, 2012, seconded by Mr. Shomo and the motion was unanimously carried 7-0 with Mr. Holt and Mr. Ambruso absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that there is an Audio Web Conference "Zoning for Small Scaled Businesses" to be held January 16, 2013 from 4:00 PM to 5:30 PM in the new meeting room of the Dover Public Library. It is co-sponsored by the Delaware Chapter of the American Planning Association and the City of Dover Planning Office.

Mrs. Townshend stated that the next Planning Commission regular meeting is scheduled for Tuesday, (due to the holiday) January 22, 2012 at 7:00 PM in the City Hall Council Chambers.

Mrs. Townshend provided an update on the regular City Council meeting held on November 26, 2012 and the regular City Council and Utility Committee meetings held on December 10, 2012.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

S-12-15 DelTech Office of the President Building Addition: Revision – Plan Revision to increase the total building addition size for project from 6,029 SF to 6,049 SF; an increase of 20 SF due to refinement of project design. Conditional Approval of the Site Development Plan was granted on September 17, 2012 by the Planning Commission to allow for the construction of building additions totaling 6,029 S.F. to the existing Office of the President/Administration Building and associated site improvements on the campus of Delaware Technical Community College: Terry Campus. The subject parcel of land is zoned IO (Institutional/Office Zone). The property is located on the west side of North DuPont Highway south of West Denneys Road and north of Scarborough Road. The owner of record is State of Delaware - Delaware Technical Community College. Address: 100 Campus Drive. Tax Parcel: ED-05-057.00-01-01.00-000. Council District 3.

Representatives: None

Mrs. Melson-Williams stated that this revision was discovered during the Check Print Review process which is the follow-up after the Planning Commission acts on an application. The Planning Commission considered this building addition project for Del-Tech back in September of this year. What was discovered during the Check Print Review was that due to the refinement of the project design, the building addition has increased in size from 6,029 square feet to 6,049 square feet. While it is a minor increase of twenty (20) square feet, it is an increase and Staff felt that you should be made aware of it.

Mrs. Melson-Williams further stated that basically, the main square footage increase occurs as related to some improvements they are planning for handicap accessibility into one of the main entrances to the building creating a larger vestibule in that area. The revision does not impact any of the building setback requirements, parking, or lot coverage elements that you previously considered with the application.

Dr. Jones questioned on the bottom of the agenda is she reading correctly under Item #2 that there is an increase of twenty (20) square feet; however, about the fifth line down it reads "construction of building additions totaling 6,029 square feet? Responding to Dr. Jones, Colonel Welsh stated that this was what was originally approved by the Planning Commission. What they are proposing after the Check Print process is to increase that square footage by twenty (20) square feet.

Note: As this was in an informational item, no specific action by the Planning Commission was required.

NEW BUSINESS

Meeting & Deadline Schedule for 2013 and Format and Schedule of Planning Commission Quarterly Workshops.

Mrs. Townshend stated that what Staff would like to talk about is the format and schedule for Quarterly Workshops. Staff was conducting Quarterly Workshops on a Tuesday at 4:00 PM after the regular Planning Commission meeting on Monday. The past several Quarterly Workshops that were scheduled had been cancelled. Staff has been talking about how we could make these workshops more of an educational opportunity. Staff also discussed if we want to keep these workshops on a Tuesday and if we want to keep them quarterly. Do we want to work with the Chairman to schedule them as needed possibly in advance of the Planning Commission meetings such as if the Planning Commission meets at 7:00 PM these meetings could be held at 5:00 PM with a small dinner such as sandwiches?

Colonel Welsh stated that the Quarterly Workshop years ago was his idea. It was very productive because what it did was provide them a time for them to talk off the record without talking about any upcoming applications; however, those that they had dealt with in the past. It was informally done at lunchtime where we had sandwiches; however, some of the Commission members started asking if we could do it later in the day as some had to work or did not want it to interfere with lunch hours. Once we changed the time to 4:00 PM, we went to a more structured training. His vote would be to keep it going the way that it is and provide some training. The subject that he would like to see covered so that everyone would have a clear understanding is the *Zoning Ordinance.* An educational review of the *Zoning Ordinance* for the Planning Commission would be very beneficial. He still likes the idea of

having the Quarterly Workshops; however, if we do not have anything to discuss then it can be cancelled.

Mrs. Townshend stated that the next Quarterly Workshop would be scheduled for February; however, would you want to do it in January? Staff could prepare an overview of the *Zoning Ordinance* with highlights and some of the areas that Staff is working on changing and what the Planning Commissions role with the *Zoning Ordinance* is. Colonel Welsh asked that they keep the Quarterly Workshop in February so that he could be a part of that discussion.

Dr. Jones questioned if there is a standard Tuesday for the meetings? Responding to Dr. Jones, Colonel Welsh stated that it is the Tuesday following the Planning Commission meeting. Mrs. Townshend further stated that due to the holiday, February's Quarterly Workshop would be held on a Wednesday.

Mrs. Townshend stated that the University of Delaware, Institute for Public Administration training for municipal officials should be starting up soon with their Planning Series in the spring time. With three (3) new members on the Commission, we will get this information out to you. Training is scheduled during the day; however, the City would pay for it. The information is very helpful in understanding the legal framework of the Planning Commission and Planning Office.

NEW DEVELOPMENT APPLICATION

S-12-20 Rear Plaza Improvements at 22-24 West Loockerman Street – Public Hearing and Review of a Site Plan and Architectural Review Certification to allow for the construction of a plaza area off the rear of the existing building adjacent to West North Street. The property is zoned C-2 (Central Commercial Zone) and is subject to H (Historic District Zone). The property is located on the south side of West Loockerman Street west of South State Street. The property owner is the Downtown Dover Partnership. Addresses: 22-24 West Loockerman Street. Tax Parcel: ED-05-077.09-04-16.00-000. Council District 4. *Waiver Request: Tree Mitigation Plan. Application HI-12-07 is scheduled to be reviewed by the Historic District Commission on December 13, 2012; it was postponed from the Historic District Commission meeting of November 15, 2012 due to lack of quorum.*

Representative – Mr. Jonathon Street, Becker Morgan Group.

Mrs. Townshend stated she and Mr. Holden would be leaving the room as Mr. Holden is employed by the engineering firm that is bringing this application forward and she is a member of the Downtown Dover Partnership, Board of Directors.

Mrs. Melson-Williams stated that on the Commissioner's desk this evening, there are two handouts with regards to this application. One is a revised graphic presentation of the project which is depicted on the two boards in the front of the room. The report that you found on your desks is the Architectural Review Report which is the recommendation report from the Historic District Commission for this application.

Mrs. Melson-Williams further stated that this evening you are considering the Site Development Plan along with the Architectural Review Certification for this project. This parcel of land fronts on both Loockerman Street and then extends to North Street. You will focus on the part of the property that is

immediately adjacent to North Street. The property and project was required to come through a Site Plan process because it is adjacent to a residentially used property and the site disturbance exceeded the threshold which brought it to this Commission. The project takes what is an asphalt paved portion of the site and then makes improvements to that area consisting of landscaping, a variety of paving materials, and fencing in this area.

Mrs. Melson-Williams further stated that one thing of note is the North Street frontage of the property where the sidewalk is located is part of the North Street area improvement project which is actively under construction. That project moved through the Historic District Commission and the Planning Commission a while ago and is under active construction.

Mrs. Melson-Williams further stated that with this project, we are not dealing with the building at this point as it is a vacant building. Should there become a tenant in this space, the tenant would have to comply with the requirements of the *Zoning Ordinance.* This project went through the Historic District Commission review with regards to their *Design Standards and Guidelines* for properties within the Historic District. The Historic District Commission met on December 13, 2012 and the report reflects their recommendation. At that meeting, all members of the Commission were present (that is a five (5) member body); however, two (2) of the members had to recuse themselves because of conflicts of interest. One in the case of a member serving on the Board of the Downtown Dover Partnership and the other case a Commission member was a property owner within 200 feet of the subject site which by their By-Laws, is a conflict of interest. The remaining three Commission members voted in the affirmative to recommending approval of the Architectural Review Certification for the project.

Mrs. Melson-Williams further stated that the project from its original submission to this revised submission made some changes to the overall patterning of the paving and the landscaping which is now just on the west side of the property. An earlier rendition had some additional landscaping closer to the building; however, due to its proximity with various utility structures, it had to be removed. The project as revised refined the heights of the ornamental fence that is proposed to flank the property to a height of three (3) feet for most of the length and then an increase in height to about five (5) or six (6) feet as the fence approaches the electrical and mechanical equipment that is in the area as a screening on the east side and then to screen what is the service and dumpster area of their adjoining neighbor to the west.

Mrs. Melson-Williams further stated that with regards to the Site Development Plan, Staff is dealing with the tree planting requirement with the site required to have five (5) trees. The applicant is requesting a waiver for the allowance for a Tree Mitigation Plan. They can accommodate three (3) trees on site; however, are seeking the Tree Mitigation Plan to plant two (2) of the required trees at an alternative site in the Downtown area that the Downtown Dover Partnership also owns, that being the Loockerman Way Plaza.

Mrs. Melson-Williams stated that there are a series of DAC comments from the Planning Office as part of the plan review as well as a number of recommendations as conditions of approval. Planning Staff recommends approval of the Architectural Review Certificate for the project. Some of the fencing suggestions they have taken into account with their revised submission. Staff also recommends approval of the Tree Mitigation Plan as proposed. Staff recommends the addition of a bicycle parking rack on the site. While an existing building does not require additional parking in the

C-2 zoning, Staff feels that it is an appropriate place to add a bicycle parking rack so that you do not end up with bicycles chained to trees or the fence which we do see in the Downtown area when that type of parking opportunity is not made available.

Mrs. Melson-Williams further stated other agencies providing comments include the Public Works Department, the Office of the Fire Marshal which had no comments regarding the site improvements, DelDOT who had no comments as this segment of North Street is not a State maintained road, and the Kent Conservation District where the project does not meet the thresholds where stormwater requirements are required.

Mr. Street stated that he would point out that they have done a few things based on the request of a potential tenant. One thing is the handicap space that will be provided in the back in addition to the possibility of a generator being installed in the back of the building. We provided a location for a dumpster pad and would anticipate putting the generator behind the dumpster pad. If the dumpster enclosure itself is built, it would screen it. If the dumpster enclosure itself is not required to be built, they would screen it using the same type of ornamental fencing.

Mr. Street further stated that for the fence on the neighboring parcel that is owned by Colonial Investment which was recently torn down, most of it during Hurricane Sandy, we have been in conversation with them to include this in our approval for both Historic District Commission and Planning Commission approval so that they do not have to go through this process just to continue the fence enclosing their dumpster area. We do accept all comments of the DAC Report.

Mr. Tolbert questioned with regards to the fencing that is not part of the project, will the action that we take involve this fencing even though it is not a part of your project? Responding to Mr. Tolbert, Mr. Street stated that it would be their hope that the fence would be built in conjunction with the project. On who pays for it and how it is built is yet to be determined; however, it would be in the same keeping with the aluminum style wrought iron fence.

Mr. Tolbert further stated that this is not part of their plan? Responding to Mr. Tolbert, Mrs. Melson-Williams stated that the concept for this is shown on this project and is the one that shoots perpendicular to the west. In order for the adjacent property owner to build that fence, it would require a Building Permit. Fences in the Historic District by the *Guidelines* are limited to a height of four (4) feet; however, by your reference this evening to that section of fence, you could allow for a height over four (4) feet. That would then not have to go back to the Historic District Commission should it go over four (4) feet in height. If you agree to that concept, it would save the neighboring parcel, should they choose to build that perpendicular section of fence, a step in the process.

Colonel Welsh questioned if the purpose of the fence is to basically cover a dumpster? Responding to Colonel Welsh, Mr. Street stated that this would be the dumpster area for this building.

Colonel Welsh further questioned what the height would need to be to cover the dumpster area as four (4) feet would not do it? Responding to Colonel Welsh, Mrs. Melson-Williams stated that it is basically anywhere from five (5) to seven (7) feet that would be the height of an enclosure; however, depends on the type of dumpster unit that is being utilized and whether it is private or City pick-up.

Mr. Street stated that he is certain that the height of this fence would be six (6) feet and is the same style that they have used on the North Street Project.

Mr. Baldwin questioned with regards to potential tenants for the building, you do not have one yet so is there a possibility that some type of signage would be required once a tenant occupies this building and if so, have you thought about the location? Responding to Mr. Baldwin, Mr. Street stated that he would think that this would be a separate application for signage.

Mrs. Melson-Williams stated that signage would require a Sign Permit application and typically can be approved by Staff. If there was a question regarding signage being in compliance with the *Standards and Guidelines* for the Historic District, it would be referred to the Historic District Commission for review and action and would not come to this body.

Mr. Tolbert stated that he did not hear anything regarding lighting, will it be dark in this parking lot? Responding to Mr. Tolbert, Mr. Street stated no, based on Staff recommendations we are providing a low level lit bollard. If you have been around the new Courthouse, for the Water Street parking lot where there is a path between State Street and the parking lot itself there are five (5) bollards that are three (3) feet in height that are lit. It is a very well lit area and we are proposing five (5) to seven (7) of those bollards from North Street back. North Street is also getting another row of lights that will have the acorn style street lights that are currently lit on the south side of North Street and once the north side is lit, it will spill off onto the property as well.

Colonel Welsh questioned that with regards to the possibility of a generator, would there be any requirement with regards to noise shielding since it is adjacent to a residential area? Responding to Colonel Welsh, Mrs. Melson-Williams stated that they would have to look at the provisions of the Noise Ordinance and if there is anything it may be related to the cycling of on and off. Typically, generators are an emergency function that may have a monthly or weekly start up for maintenance purposes.

Colonel Welsh opened a public hearing and after seeing no one wishing to speak closed the public hearing.

Mr. Tolbert moved to approve S-12-20 Rear Plaza Improvements at 22-24 West Loockerman Street Architectural Review Certification portion of the project as presented, seconded by Dr. Jones and the motion was unanimously carried 6-0 with Mr. Holt and Mr. Ambruso absent and Mr. Holden abstaining from the vote.

Mr. Tolbert moved to approve S-12-20 Rear Plaza Improvements at 22-24 West Loockerman Street Site Development Plan portion of the project as submitted and that approval is conditioned upon acceptance of all of the DAC recommendations and to include the waiver as requested for the Tree Mitigation Plan. The plan approval is to include acceptance of the concept for the fence to the adjoining building with the height that it would be sufficient to hide the dumpster, seconded by Mrs. Still and the motion was unanimously carried 6-0 with Mr. Ambruso and Mr. Holt absent and Mr. Holden abstaining from the vote.

Meeting Adjourned at 7:39 PM

Sincerely,

Diane Metsch

Diane Metsch
Secretary



PLANNING YOUR COMMUNITY'S FUTURE

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 101**).

Basic Information

Friday, January 25, 2013, from 9:00 a.m. to 12:00 noon
University of Delaware Paradee Center
69 Transportation Circle
Dover, Delaware

Registration fee: $50.00 / Registration deadline: January 18, 2012

Course Description and Details

This course will provide valuable information for all elected officials who have to consider and act upon comprehensive plans, land use and zoning matters, and other growth issues. Participation will also be important for planning and zoning commissioners, board of adjustment members, and others who take part in community planning and land-development matters.

Course Topics

Delaware Planning and Zoning Statutory Requirements
The Elements of a Comprehensive Plan
The Basics of Land Use Control
The Role of the Planning & Zoning Commissioner

Course Instructors

Edward O'Donnell, AICP
Policy Scientist and Instructor
Institute for Public Administration
University of Delaware

Linda Raab, AICP
Planning Consultant
Institute for Public Administration
University of Delaware

Max Walton, Esq.
Parnter
Connolly Bove Lodge & Hutz
Newark, Del.

Please register for this and other Local Government Training events online at
www.ipa.udel.edu/events.html

Note: Registration for this event can only be done online.



LAND-USE LAW AND REGULATION

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 102**).

Basic Information

Friday, February 22, 2012, from 9:00 a.m. to 12:00 noon
University of Delaware Paradee Center
69 Transportation Circle
Dover, Delaware

Registration fee: $50.00 / Registration deadline: February 15, 2012

Course Description and Details

This course focuses on land-use law. It begins a review of the basic principles governing land-use law. Topics include police power, delegation of authority, nuisances, due process, equal protection, just compensation, vagueness, and vested rights. Participants will then learn about Delaware court decisions affecting local land use.

Course Topics

Basic Terms and Concepts
A Summary of Tools
Zoning, Subdivision, and Site-Plan Review
Other Approaches to Land-Use Control

Course Instructors

Edward O'Donnell, AICP
Policy Scientist and Instructor
Institute for Public Administration
University of Delaware

Max Walton, Esq.
Parnter
Connolly Bove Lodge & Hutz
Newark, Del.

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Note: Registration for this event can only be done online.



LAND-USE AND DEVELOPMENT ADMINISTRATION

This session qualifies for certificate credit in the Academy for Excellence in Local Government Leadership, and the Delaware Planning Education Program (as **Planning 103**).

Basic Information

Friday, March 15, 2012, from 9:00 a.m. to 12:00 noon
University of Delaware Paradee Center
69 Transportation Circle
Dover, Delaware

Registration fee: $50.00 / Registration deadline: March 8, 2012

Course Description and Details

This is primarily a hand-on course designed to build the skills for administering and interpreting land-use regulations. Participants will be introduced to zoning, subdivision, and land-use codes and how they are linked to municipal comprehensive plans. In-class exercises will provide an opportunity for participants will analyze and interpret a land-use and development code to formulate answers to typical land-use administration questions and to review development plans.

Course Instructors

Linda Raab, AICP
Planning Consultant
Institute for Public Administration
University of Delaware

Ann Marie Townshend, AICP
Director of Planning and
Community Development
City of Dover

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City of Dover

DATA SHEET FOR MINOR SUBDIVISION PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF January 9, 2013

PLANNING COMMISSION MEETING OF January 22, 2013

Plan Title:	Lands of 1151-1155 Walker Road, LLC SB-13-01
Plan Type:	Minor Subdivision Plan
Property Location:	North side of Walker Road, west of Saulsbury Road
Tax Parcel Number:	ED-05-067.18-01-79.00-000
Owner: Equitable Owner:	1151 -1155 Walker Road, LLC c/o Franklin Everett Dover Interfaith Mission for Housing Inc.
Site Area:	1.779 ac +/-
Parcels to be created:	Lot 1: 0.6594 ac +/- Lot 2: 1.1196 ac +/-
Existing Sewer & Water:	Water: City of Dover Sewer: City of Dover
Zoning Classification:	IO (Institutional and Office Zone)
Waiver Requested:	Subdivision Waiver of Requirement for Lot Frontage on a Public Street

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

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

CITY OF DOVER PLANNING

APPLICATION: Lands of 1151-1155 Walker Road, LLC: Minor Subdivision

FILE #: SB-13-01 REVIEWING AGENCY: City of Dover Planning

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

PLAN SUMMARY

This Minor Subdivision Plan proposes to create two (2) parcels of land (Lot 1 and Lot 2) from the existing parcel of land consisting of 1.779 acres. This request will subdivide the land into two parcels consisting of 0.6594 acres and 1.1196 acres. The subject parcel of land is zoned IO (Institutional and Office Zone) and is located on the north side of Walker Road. The owner of record is 1151-1155 Walker Road, LLC. The equitable owner of one parcel is Dover Interfaith Mission for Housing Inc. Property Address: 1151-1155 Walker Road. Tax Parcel: ED-05-067.18-01-79.00-000. Waiver Request: Subdivision Waiver of Requirement for Lot Frontage on a Public Street.

The procedures for subdivision of land are found in the *Land Subdivision Regulations*. Planning Staff confirms this application as a Minor Subdivision with information provided regarding proposed (and existing easements) to address the existing building and site improvements. Therefore, the Planning Commission may find the application is subject to one public hearing and review for action by the Planning Commission followed by the administrative process to complete the Final Plat for recordation.

This subdivision of land and any future development or use of the parcels are subject to the requirements found in the City of Dover *Zoning Ordinance*, Article 3§10 and referenced sections outlined in the permitted uses for the IO (Institutional and Office Zone).

The following table highlights some of the design standard requirements for the IO (Institutional and Office Zone). NOTE: This chart is not an all-inclusive listing of the code requirements, but is provided as information on development requirements.

MINIMUM REQUIRED:	IO Institutional and Office Zone
Lot Configuration - width/depth (ft.)	50 ft./100 ft.
Front yard setback (ft.)	20 ft.

Side yard setback (ft.)	10 ft.
Rear yard setback (ft.)	15 or equal to bldg. Height
Side or rear yards which adjoins a residential zone (ft.)	30 ft.
Off-street parking spaces: Per 300 sq. ft. of floor area Per employee, (whichever is greater)	 1 1
Maximum Permitted: Building Height: Stories Feet	 10 stories 130 feet
Floor Area Ratio	4.0
Lot Coverage	85%

Previous Applications:
In May of 1999, the Planning Commission reviewed Application S-99-12 Cranberry Knoll Office Complex for the construction of two office buildings on 1.904 acres of land located on the northerly side of Walker Road. The first phase of construction involved a 7,500 S.F. 2.5 story building situated on the front of lot, and the second phase of construction involved the construction of a three (3) story 9,000 S. F. office building in the rear portion of the lot. The Planning Commission granted conditional plan approval on May 17, 1999 and the two buildings were constructed.

In May of 2011, the Planning Commission reviewed Application Z-11-04 for the rezoning of 1.904 acres owned by 1151-1155 Walker Road LLC from C-PO (Commercial/Professional Office Development District) to IO (Institutional and Office Zone). The Planning Commission recommended approval of the rezoning application on May 16, 2011 with Final approval of the rezoning on June 13, 2011 by City Council.

Site Considerations
For the Minor Subdivision Plan, the proposed parcels must be in compliance with the lot requirements of the *Zoning Ordinance.* The proposed lots appear to meet the setback and lot dimension requirements of parcels within the IO (Institutional and Office Zone) Zoning District with the exception of the lot frontage requirement.

The existing parcel will be subdivided into two parcels from the existing 1.779 acre ± parcel and identified as Lot 1 at 0.6594 acres and Lot 2 at 1.1196 acres. No physical changes to the property are proposed. Also individually, each building does not require a loading space. The equitable owner of Lot 2 is Dover Interfaith Mission for Housing and the office building is proposed to be utilized for Transitional Housing. The new use of the existing building will be subject to a separate review process.

Waiver Request: Subdivision Waiver of Requirement for Lot Frontage on a Public Street

The *Land Subdivision Regulations*, Article VI. Subdivision - General Requirement Design Standards, E. Lots states the following:

> E. Lots
> 5. All lots in a subdivision shall have frontage on a public street.

Also per *Zoning Ordinance,* Article 8 Section 1.1, a Building Permit cannot be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to a public street. The subdivision of Lot 2 (1.1196 acre lot) in the rear of the property results in a lot without frontage on a public street.

Land Subdivision Regulations, Article VII includes provisions for waivers to be considered by the Planning Commission who provides a recommendation to City Council for action. A written waiver request was submitted for consideration by the Planning Commission for the requirement of Lot Frontage on a Public Street due the location of the building. See attached letter. A cross access easement is proposed to provide permanent access to Lot 2 from Walker Road.

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 Plan will need to be updated to reflect any changes recommended or approvals by the Planning Commission and City Council including action taken regarding the subdivision waiver request.

2) The parking calculations need to be revised to reflect the requirements of the IO (Institutional and Office Zone) in the *Zoning Ordinance.*

3) In the Data Column:
    a) List the lot coverage percentage for each lot.
    b) It can be noted on the plan that the original development occurred under the provisions of the CPO (Commercial/Professional Office Development District) Zoning District.

4) The shared use of the cross easement and maintenance of the utilities needs to be noted on the Final Plan pending approval by the Planning Commission.
    a) A copy of the final Cross-easement and Maintenance Agreement document must be submitted to the Planning Office upon recordation.

5) Setback requirements need to be included on the Site Plan.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Recommendation on Waiver Request: Planning Staff recommends the following waiver request:
    a. Subdivision Waiver of Lot Frontage on a Public Street: Planning Staff recommends approval to waive the requirement to provide Lot Frontage on a Public Street for Lot 2. Staff finds that due to the location of the existing buildings and the existing layout of the property to achieve the Code required lot frontage on Walker Road (the public street) would create an irregular shaped lot and still require variances for setbacks. This proposal simplifies the parcel shapes and presents a series of proposed easements for access, utilities, parking and shared stormwater management facilities between the two lots.

ADVISORY COMMENTS TO THE APPLICANT:

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

2) Following Planning Commission approval of the Minor Subdivision 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 Final Plat may be submitted for final endorsement.

3) Upon final approval and endorsement, this Minor Subdivision Plan must be recorded at the Kent County Recorder of Deeds Office.

4) The applicant shall be aware that Minor Subdivision approval does not represent a Site Plan approval for development. A separate application process is required for Site Plan Review.

5) The applicant shall be aware that Minor Subdivision 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.

6) In order to establish a new or different use on either property created by this Minor Subdivision Plan such as the proposed use of the building on Lot 2 as Transitional Housing, a separate application review and approval process will be required in accordance with the provisions of the *Zoning Ordinance.*

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: JANUARY 2, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: Lands of 1151-1155 Walker Road, LLC

FILE #: SB-13-01

REVIEWING AGENCY: City of Dover Electric and Public Works Departments

CONTACT PERSON: Steve Enss - Electric
Jason A. Lyon – 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 Electric Department has no objection to Minor subdivision.

WATER

1. The size, type, and location of all proposed and existing water lines and valves must be shown on the plan.
2. Per the Water/Wastewater Handbook, provide calculations that prove the existing water supply is adequate for the domestic and irrigation demand of each building.
3. It is unlikely that the existing water service to 1151 and 1155 Walker Road is large enough to provide domestic, irrigation and fire service to both buildings. Per the Water/Wastewater Handbook, an eight-inch (8") main shall be installed to provide proper water service. The existing water service that provides water to both buildings shall be properly abandoned at the main as directed by the Department.
4. As fire service is required for the proposed Lot #2, the domestic service, fire main connection and valves must be clearly shown for said 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.
5. 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. Verify if the sanitary sewer lateral for 1161 Walker Road crosses into the property in question and connects to the existing sanitary sewer main. If so, an easement between both parties is required for the length of the lateral that crosses the 1151-1155 Walker Road property.
2. 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.
3. Sizing (flow) calculations must be submitted for all sanitary sewer laterals/mains (other than for single-family dwellings) showing that velocity and all other requirements are met.
4. The minimum size of all sanitary sewer laterals shall be six-inch (6").

STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

GENERAL

1. A private easement shall be recorded between the two (2) proposed parcels. This easement shall be an appropriate width to access both the existing sanitary sewer main and the required water main.
2. The final record 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 / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS / GENERAL

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. The lighting for both properties are billed to one customer.

WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

GENERAL

1. The Subdivision Plan 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: January 3, 2013

DELDOT

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APPLICATION: Lands of 1151-1155 Walker Road, LLC
FILE#: SB-13-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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

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

CITY & STATE CODE REQUIREMENTS:

1. The department will require the applicant to provide the proper forms, fees, and plans in order to be issued a Letter of No Objection (LONO) for the lot line adjustment.

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) 741-0047

ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
JANUARY 2013

APPLICATION: *Lands of 1151 & 1155 Walker Road*

FILE #: SB-13-01

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 the subdivision 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.

1. *Provide a note on the site plan indicating that both property owners' shall be equally responsible for the maintenance of the stormwater facility.*

2. *A detailed Sediment and Stormwater Management Plan must be approved by our office prior to any land disturbing activity (i.e. clearing, grading, filling, etc.) over 5000 square feet.*

HUDSON, JONES, JAYWORK & FISHER, LLC

225 South State Street, Dover, Delaware 19901
(302) 734-7401 · Fax (302) 734-5532
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995 North DuPont Blvd
Milford, DE 19963
(302) 839-1153

LEWES
18354 Coastal Highway
Lewes, DE 19958
(302) 645-7999

City of Dover Planning Commission/City Planner
Department of Planning & Inspections
City of Dover
P.O. Box 475
Dover, DE 19903

November 30th, 2012

Re: Waiver Request for Minor Subdivision Application
1151-1155 Walker Road

Dear Ladies and Gentlemen,

I represent the Dover Interfaith Mission for Housing, Inc. ("DIMH") and 1151-1155 Walker Road, LLC ("Walker Road" - Frank Everett, Managing Member) in seeking Minor Subdivision approval to divide Walker Road's existing 1.9040-acre parcel of land at 1151-1155 Walker Road (zoned "Institutional/Office" or "IO"), currently improved by two office buildings and a large parking lot (77 off-street parking spaces and 1 loading space) into two lots (a "front" lot and a "rear" lot), each containing one of the existing office buildings and approximately one-half of the existing parking lot. The front parcel would contain .7844 acres of land with its existing frontage and entrance on Walker Road; the back parcel would contain 1.1196 acres of land and have access to Walker Road via the existing entrance and access lane pursuant to a Cross-Easement and Joint Maintenance Agreement.

The subdivision of the one existing parcel into two will not involve any physical changes to the existing lands or to the exteriors of the existing improvements; the only change will be that a new property line running parallel to Walker Road will separate the existing parcel into two roughly equal lots, with the rear lot to be purchased by DIMH and converted to use as transitional housing for homeless men. A Cross-Easement and Joint Maintenance Agreement will be executed at final closing which will address the use and maintenance of the existing entrance and access lane from Walker Road, as well as the existing utility easements, drainage,

erosion, and sediment control facilities; and off-street parking and loading spaces.

Due to the manner in which the existing parcel must be subdivided to create two lots, each containing one building, and due to the simple nature of this minor subdivision proposal, DIMH and Walker Road are, pursuant to Article VII, Section A of Appendix A to the Dover Code ("Subdivisions --Special Provisions - Variance and Waiver") joining in requesting a waiver from the following provisions of the City Code:

1. Article 8, Section 1.1 of the City Zoning Ordinance and Article VI, Section E (5) of the City Subdivision Ordinance requiring frontage on a public road, as to the "rear" 1.1196 acre lot to be created by the proposed minor subdivision and purchased by DIMH.

2. Article 6, Section 4.13 and 4.2 of the City Zoning Ordinance requiring one off-street loading birth situated where actual loading and unloading activities are intended to occur, as to the "front" .7844 acre lot to be created by the proposed minor subdivision to be retained by Walker Road. (The existing off-street loading space currently serving the existing 1.9040 parcel will remain as currently located on the "rear" lot to be created by the minor subdivision and will be subject to a cross-easement agreement which will allow use of that loading berth, located on the "rear" parcel, by the "front" Walker Road parcel.)

3. A substantial portion of the technical and procedural requirements set out in Articles IV and V or the Subdivision Ordinance, in order to allow the Commission to review and make its determination on this application after a single duly-noticed public hearing to be held on January 22nd, 2013. The Commission and the City Council recently reviewed this property when it was re-zoned to "I/O" in 2011, and detailed plans, already approved by the City in connection therewith, are on file at the Department of Planning and Inspections office. Your applicant is submitting, with this application, a new "Minor Subdivision" plot showing the location of the proposed new property line, the location of the Cross-Easements for access, parking, utilities, drainage, erosion and sediment control, and setting out the required information concerning off-street parking, lot sizes, yard spaces, etc.

As noted above, the very simple nature of this minor subdivision request, involving no change to any of the existing physical improvements, but only dividing the existing single parcel into two parcels, would appear to justify waiver of the extensive, costly, and time-consuming technical and procedural requirements designed to address more substantial and complex subdivision applications.

Respectfully submitted,

John Terence Jaywork

City of Dover

DATA SHEET FOR SITE DEVELOPMENT PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF January 9, 2013

PLANNING COMMISSION MEETING January 22, 2013

Plan Title:	7-Eleven S-13-01
Plan Type:	Site Development Plan
Applicant:	7-Eleven
Owner:	Lin Properties, LLC
Project Engineer:	Harrison French & Associates, LTD
Location:	Northeast corner of South DuPont Highway and East Loockerman Street
Address:	127 South DuPont Highway
Tax Parcel:	ED-05-077.06-01-61.00-000
Site Area:	0.594 acres ± (25,875 SF ±)
Zoning:	C-4 (Highway Commercial Zone)
Present Use:	Vacant building (to be demolished)
Proposed Use:	Convenience Store with gas pumps
Building Area:	2,590 SF (proposed convenience store)
Sanitary Facilities:	City of Dover
Water Supply:	City of Dover
Waivers Requested:	Reduction in Arterial Street Buffer Tree Mitigation

Board of Adjustment Application: V-13-01

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

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

CITY OF DOVER PLANNING

APPLICATION: 7-Eleven at 127 South DuPont Highway

FILE #: S-13-01 REVIEWING AGENCY: City of Dover Planning Office

CONTACT PERSONS: Janelle M. Cornwell, AICP PHONE #: 302-736-7196

Staff notes that variances are required for the site as the structures are proposed to be located within the front and rear yard setbacks. The variance application is proposed to be heard by the Board of Adjustment at their meeting on January 16, 2013. If the requested variances are not granted or the application is postponed the Site Plan application will be removed from the Planning Commission agenda as the application cannot be heard without the variances or site redesign. (V-13-01)

PLAN SUMMARY

This is a Site Development Plan Review to permit the construction of a 2,590 SF building with four double sided gasoline pumps with a canopy. The property is zoned C-4 (Highway Commercial Zone). The property is located at the northeast corner of South DuPont Highway and East Loockerman Street. The owner of record is Lin Properties, LLC. Address is 127 South DuPont Highway. Tax Parcel: ED-05-077.06-01-61.00-000.

PARKING SUMMARY

The minimum parking requirement for this project is one and a half (1½) parking space for 300 S.F. of floor area or one parking space per employee, whichever is greater. Based on the size of the retail building of 2,590 S.F., a total of 13 parking spaces are required. The site is providing 14 parking spaces. The site exceeds the parking requirement; however, it does not exceed the maximum parking calculation of 25%.

Bicycle Parking

The minimum bicycle parking is one (1) bike space for every twenty (20) parking spaces. Based on the number of parking spaces at 14, a minimum of 1 bicycle parking space is required. The location of the bicycle parking is not identified on the plan.

BUILDING ARCHITECTURE

Architectural elevations are required to be submitted as a part of the Site Plan (*Zoning Ordinance,* Article 10 §2.54(o) and Article 5 §19). The submitted elevations reflect a one story building that will be a combination of fiber cement board and brick. The main element will be brick with the fiber cement board as a watertable feature and around the aluminum storefront windows. The building will have a green metal mansard roof. A tower element is proposed at

the corner of the building. The front of the building facing DuPont Highway will have an entrance with a green metal canopy over the doors. The entrance is located in the tower portion of the building. There are also three aluminum storefront window areas along this side of the building. The opposite side of the building (east elevation) will have an entrance with a larger aluminum storefront window system along with two small aluminum storefront windows on either side of the entrance. The side of the building facing East Loockerman Street will have the tower element that contains a small aluminum storefront window system with a green metal canopy over that and another larger aluminum storefront on the non-tower portion of the building. The north side of the building will have two areas of fiber cement board in size of the storefront window areas on the other sides of the building.

The canopy will be located on the east side of the site. The canopy over the gasoline pumps will have a flat roof with fiber cement board and brick around the posts of the canopy. The fiber cement board will be at the bottom of the supporting columns as a watertable feature with brick on the remaining upper portion of the supporting columns.

SITE CONSIDERATIONS

Site Circulation

The site will take access off of South DuPont Highway and East Loockerman Street along the rear cross access easement. There is an existing entrance off of South DuPont Highway near the intersection that will be closed as part of this application. The cross access easement that will serve as an entrance for the property off East Loockerman Street is a drive aisle that serves this site, the Edgehill Shopping Center and Where Pigs Fly.

Sidewalk

Sidewalk is required along all street frontages. Sidewalk is proposed along South DuPont Highway and East Loockerman Street. There are two sidewalk connections into the site; one connection from both streets.

Lighting

The location of lighting needs to be indicated on the plan. Adequate lighting needs to be provided throughout the site. The lighting should be deflected away from other properties. The design/style of the fixtures should be provided on the Site Detail Plan sheet.

Loading Space

A loading space is not required based on the size of the building.

Dumpster

Based on the size of the building, one (1) dumpster pad and enclosure is required for the site. The dumpster pad and enclosure are located on the side of the building closer to East Loockerman Street. The dumpster enclosure material shall be compatible with the architectural elements of the main building.

Curbing

The parking areas and access drives are required to be curbed (Article 6 §3.6). The plan is proposing curbing throughout the site. The plan is providing curbing around the entire building.

Waiver Request: Reduction in Arterial Street Buffer

South DuPont Highway (U.S Route 13) is considered as a principal arterial and requires a thirty (30) foot landscape buffer along the road frontage known as an Arterial Street Buffer. The buffer is measured from the edge of the right-of-way. This plan does not provide the required thirty (30) foot landscape buffer along South DuPont Highway. The plan proposes a nineteen and a half (19½) foot landscape buffer along South DuPont Highway. A written waiver for the reduction of the Arterial Street Buffer has been submitted to the Planning Office for consideration by the Planning Commission.

Waiver Request: Tree Planting and Landscape Plan

One (1) tree is required for every 3,000 SF of land area. The tree planting requirement is based on the non-woodland land area. Based on the total size of the parcel at 25,875 SF, a total of nine (9) trees are required. The plan lists that there are twelve (12) proposed trees to be planted on the site. Three (3) of the proposed trees are planted within the Arterial Street Buffer and shall not count towards the overall tree planting requirement. The trees include a mixture of deciduous and evergreen trees. The trees are located throughout the site with concentrations along the property lines. The plan meets the tree planting requirement.

Tree Mitigation

The applicant is proposing to do off site tree mitigation. The applicant is proposing to plant one (1) tree possibly two (2) trees off site within the City. The site currently provides the required number of trees; however, there are several trees that are located within ten (10) feet of underground utilities that will need to be relocated or eliminated. Article 5 § 16.91(a) allows the Planning Commission to grant a waiver to allow for tree mitigation. A waiver request to allow for tree mitigation has been submitted to the Planning Office for consideration by the Planning Commission.

The property is zoned C-4 and requires a ten (10) foot landscape strip along the street lines. This landscaped area is provided on the site along South DuPont Highway and East Loockerman Street. The trees planted within the landscape area along East Loockerman Street may count towards the tree planting requirement.

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) **Variances are required prior to the application being heard by the Planning Commission. The Board of Adjustment is scheduled to hear the request for the variances regarding the setbacks at their January 16, 2013 meeting. If the variances are not granted the Site Plan Application shall not move forward to the Planning Commission in its current design.**

2) The Arterial Street Buffer shall be constructed in accordance to the *Zoning Ordinance* unless a waiver is granted by the Planning Commission. A written waiver for the reduction of the Arterial Street Buffer has been submitted to the Planning Office for consideration by the Planning Commission.

3) Provide the following items in the Data Column:
   a) Revise the property address. A portion of the address is duplicated.
   b) Revise the rear yard setback to indicate 10 feet or equal to building height.
   c) Clarify the proposed height of the canopy. The data column indicates the canopy will be 22 feet tall; however, the plan sheets indicate that the canopy will be 17.5 feet.
   d) Indicate the calculation for parking spaces. (1½ parking spaces per 300 SF of floor area)
   e) Indicate the number of provided parking spaces. (14)
   f) Indicate the number of required bicycle parking spaces. (1 bicycle parking space per 20 parking spaces).
   g) Indicate the method of trash collection.
   h) Indicate the amount of existing impervious surface.
   i) Indicate the amount of proposed impervious surface.
   j) Provide a note stating that all signage is subject to a separate City of Dover permit process and is not approved with this Site Plan.
   k) Provide a note stating that the minimum lighting requirement is 1½ foot candles at grade.

4) Provide a Signage and Striping Plan or provide that information on a Plan Sheet. This includes location of stop signs, location of stop bars, crosswalks, directional arrows, fire lane markings, etc.

5) Provide a Record Plan Sheet (showing the right-of-way dedication).

6) Clarify the items to remain on the Demolition Plan Sheet.

7) Provide the following information in the Data Column on the Record Plan:
   a) Indicate the property owner's name.
   b) Indicate the tax parcel number of the property.
   c) Indicate the property address.
   d) Indicate any existing easements (cross access, utility, etc.).
   e) Indicate any proposed easements (cross access, utility, etc.).
   f) Provide an Owner's Certification.
   g) Provide an Engineer's Certification.

8) Indicate the locations of the fire hydrants and fire department connections on the appropriate plan sheet.

9) Provide adequate lighting throughout the site.

10) Provide a copy of the cross access easements for the property to access the property from the Shopping Center.

11) Indicate the location of the bicycle parking on the Plan Sheets.

12) Show the setbacks on all Plan Sheets.

13) Provide more detail of the cross access area and surrounding property on the Site Plan Sheet to help clarify site access and traffic circulation on this property and the adjoining property especially in the area of the gasoline pumps and canopy.

14) Indicate the adjacent property owners on the adjacent parcels of land on all Plan Sheets. Include the tax parcel number and zoning.

15) The Data Column will need to be updated prior to Final Approval with the following:
   a) Any changes recommended or approvals including any waivers granted by the Planning Commission.
   b) Any variances granted by the Board of Adjustment.

16) Revise the contact information for the City Fire Marshal on the Cover Sheet. The City's Fire Marshal is Dave Truax and his contact information is the same as the Building Inspector and Planning Office.

17) Revise the contact information for the City of Dover Water and Waste Water on the Cover Sheet. The contact person is no longer Scott Fowler.

18) Provide construction details for 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, fence, gates, handicap signage, bicycle parking, etc.

19) Revise the directions on architectural elevations. The west elevation is the north elevation; the north elevation is the west elevation, etc.

20) Revise the following items on the Landscape Plan Sheet:
   a) Remove the grading information for the top of curb and grade from the Plan Sheet.
   b) Replace the Red Oak trees as they are subject to diseases (Bacterial Leaf Scorch). The Willow Oak is an acceptable replacement for the Red Oak.
   c) Relocate the Yoshio Cherry tree. The tree is proposed to be planted within several feet of the water line.
   d) Provide a note on the plan stating that no trees shall be planted within ten (10) feet of any underground utilities.
   e) Revise the labels on the Plan Sheet. There are a number that are not legible as they overlap with other labels.
   f) Provide a tree calculation for the site. (1 tree per 3000 SF of land area)
   g) Indicate the number of required trees. (9)
   h) Indicate the number of trees proposed.
   i) Provide a Landscape Architect or Certified Nursery Professional Certification.
   j) Plant native species to the area groundcover and grasses to ensure survival.
   k) Provide a tree planting detail.
   l) Remove the note regarding palm tree planting in the General Landscape Notes.
   m) Provide three (3) additional trees to meet the tree planting requirement.

21) A City of Dover Business License is required for each engineer, architect, professional land surveyor, or landscape architect 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 engineer, architect, or professional surveyor shall be obtained prior to Final Site Plan Approval. Please contact the Planning and Inspections Department at 302-736-7010 with any questions.

22) Provide an Owner's Certification on the Cover Sheet.

23) Provide an Engineers Certification on the Cover Sheet.

24) Provide a construction easement for off-site improvements associated paving and curbing on the adjacent property.

25) Provide more details in the legend on the Site Plan Sheet. Items to include, but not limited to, items under the canopy, sidewalk, grass, asphalt, etc.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

1) Waivers Requested: The following is Staff recommendation regarding the waiver requested.
   a) Partial Elimination of Arterial Street Buffer: Staff recommends approval of the reduction of the Arterial Street Buffer along South DuPont Highway to a width of nineteen (19) feet. Staff notes there is currently no landscape buffer along South DuPont Highway and they are proposing to provide a nineteen and a half foot landscape buffer.

   b) Tree Mitigation: Staff recommends approval of the tree mitigation. The applicant is providing the required number of trees; however, several of the proposed trees may need to be removed or relocated due to their proximity to underground utilities. Staff notes the site is small and they are not able to count trees located within the Arterial Street Buffer. Staff recommends the applicant work with the City's Public Works Department on where tree(s) could be planted within the City. The trees should be purchased and planted by the applicant.

2) Staff recommends that any outside HVAC Equipment be designed to minimize the impact on adjacent property areas and residents, adequately screened from public view and the overall visible impact on the streetscape/complex. Indicate the location of the equipment and provide screening (landscaping or walls) around the equipment.

ADVISORY COMMENTS TO THE APPLICANT:

1) An As-Built Survey shall be required prior to the issuance of a Certificate of Occupancy. This is required as the building is proposed to be built (subject to variances) within six (6) inches of the setback lines and the canopy is being built within one (1) foot of the setback line.

2) The Planning Commission should act upon the waiver requests for the project 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) Other agencies and departments which participate in the Development Advisory Committee may provide additional comments related to their areas of expertise and code requirements.

4) The Record Plan for the project shall be recorded in the Kent County Recorder of Deeds Office prior to Final Site Development Plan approval.

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

6) Following Planning Commission approval of the Site Development 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 and the other commenting agencies. 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) The applicant/developer shall be aware that prior to any ground disturbing activities on the site the appropriate site inspections, Pre-Construction meeting and permits are required.

8) Construction may have an effect on the adjacent property owners and nearby travel lanes. Any work requiring the closing or rerouting of potential customers, residents, or visitors to adjacent properties should be coordinated as to offer the least amount of inconvenience to the adjacent property owners.

9) The applicant shall be aware that Site Development 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.

10) Staff notes that the existing pylon sign located near the corner of South DuPont Highway and East Loockerman Street is considered to be legal non-conforming with regards to setback from the right-of-way and is considered an abandoned sign. The sign shall be removed and any new signage shall comply with the current Sign Regulations of the *Zoning Ordinance*.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JANUARY 2, 2013

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: 7-11 at 127 South Dupont Highway

FILE #: S-13-01

REVIEWING AGENCY: City of Dover Electric and Public Works Departments

CONTACT PERSON: Steve Enss - Electric
Jason A. Lyon – 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 property corners must be staked.
2. Owner is responsible for locating all water, sewer, and storm sewer lines.
3. Owner is responsible for installing all conduits and equipment pads per the City of Dover Engineering Department specifications.
4. Owner is responsible for site and/or street lighting.
5. Meter locations will be determined by City of Dover Engineering Department.
6. Load sheets and AutoCAD compatible DXF or DWG diskettes of site plans, including driveways, are required prior to receiving approved electrical construction drawings.
7. **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.**
8. 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.
9. 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.
10. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.
11. 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.
12. 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 Public Works Department 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 (if applicable) 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. If applicable, provide a construction detail for the proposed restraining system for the fire main located within the buildings. The Public Works Department 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.
7. As per the City of Dover Water Wastewater Handbook no structures, including permanent signage, may be located within ten feet (10') of water utility infrastructure.
8. Per the Water/Wastewater Handbook, all water meters shall be installed outside, in a meter pit or vault, on the domestic water service, in a non-traffic bearing location (which includes vehicular, bicycle and pedestrian traffic).

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 Public Works Department 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, which includes 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. 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.
6. As per the City of Dover Water Wastewater Handbook no structures, including permanent signage, may be located within ten feet (10') of water utility infrastructure.
7. Per the Water/Wastewater Handbook, the minimum size for all sanitary sewer laterals shall be six-inches (6"). Revise the utility plan accordingly.

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. This must be included as a note on the plan.
2. Per the Water/Wastewater Handbook, no trees may be planted within ten feet (10') of water and wastewater utility infrastructure, please revise plans accordingly.
3. The final site plan must be submitted in a digital format compatible with AutoCAD 2010 (.dwg 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 / STREETS / GROUNDS

1. None

GENERAL

1. On sheet C2.0, under "General Grading Notes", number 3, please remove the following language, "All storm sewer structures placed in unpaved areas shall be 6 inches above finish grade, unless otherwise noted."

2. On sheet C0.0, please remove the "Verified By: Jason Lyon" block and revise the City of Dover Department of Water & Wastewater to the following: City of Dover, Department of Public Works, 15 Loockerman Plaza, Dover, DE, 19903, Jason A. Lyon, Civil Engineer, 302-736-7025, jlyon@dover.de.us.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. Print indicates that the electric service will come from an existing pole in the middle of the parking lot. Utilities may require relocation at owners expense.

WASTEWATER / STORMWATER / STREETS / GROUNDS

1. None.

WATER

1. Hydrant flow testing is currently only performed during the spring and fall. The applicant must call the Public Works Department directly to schedule these tests. This applies to both existing hydrants as well as those proposed for the site.

SANITATION

1. Currently, the solid waste on this site is not being serviced by the City of Dover, the owner/developer is responsible for securing proper solid waste removal by a private contractor.

GENERAL

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE:

CITY OF DOVER FIRE MARSHAL

APPLICATION: 7-Eleven at 127 S DuPont Hwy

FILE #: S-13-01 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:

Building is under 5000 square feet and does not require marked fire lanes.

Any gas fired HVAC equipment must be equipped with emergency cut off switches remotely located.

Address numbers of at least 12 inches in height must be placed on the street side of the building visible from the street.

Any natural or LP gas bottles, meters, values, regulators, etc., must have impact protection.

Full building and fire plan review is required.

Building cannot be occupied or construction or renovations started until completion of building and fire plan review.

All required means of egress shall have an exit discharge consisting of a non slip surface, and leading to and terminating at a public way.

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 Business Occupancy.

The City of Dover uses the 2012 NFPA Life Safety Code, 2009 IBC, latest editions of all other NFPA Codes and the 2012 Delaware State Fire Prevention Regulations.

The Dover Fire Department request that a 8 ½ X 11 copy of the floor plan and site plan be submitted to Station 1, attention Fire Chief, prior to the Certificate of Occupancy being issued.

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: January 3, 2013

DELDOT

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APPLICATION: 7-Eleven at 127 South DuPont Highway
FILE#: S-13-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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

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

CITY & STATE CODE REQUIREMENTS:

1. In order to be issued an entrance permit, the department will require the applicant to provide the proper forms, fees, and plans.

2. A Traffic Impact Study (TIS) will be required for this project, since the proposed development exceeds 50 VPH (Vehicle per Hour) or 400 VPD (Vehicle per Day). When the study is completed, DelDOT will review it and send the recommendations of the improvements to the City. The improvements contained in the study will be implemented by the developer per DelDOT's discretion. To set up a scoping meeting for this project, please contact Mr. Troy Brestel at (302) 760-2167 or via e-mail at Troy.Brestel@state.de.us.

3. Per Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access Adopted February 15, 2010, an 100-foot wide right-of-way (50-feet from the centerline) is required for a minor arterial. According to the Kent County Classification Maps, KCR 002 (North DuPont Hwy) is classified as a minor arterial road. If the existing right-of-way does not have the proper width along the frontage of the site, the department will require 50-feet of right-of-way dedication from the innermost edge of the through lane for public use.

4. The applicant must provide ADA compliant curb ramps along the frontage of the site.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- A pre-submittal meeting with the applicant is required for this project, since the proposed development generates more than 200 vehicles per day (VPD).

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) 741-0847

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
January 2013

APPLICATION: *7- Eleven 127 South DuPont Highway*

FILE #: S-13-01

REVIEWING AGENCY: *Kent Conservation District*

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

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

CITY AND STATE CODE REQUIREMENTS:

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

ADVISORY COMMENTS TO THE APPLICANT:

1. The site may be eligible for a quantity waiver based on the existing impervious. A waiver must be requested during the stormwater management review process. Quality requirements may apply to the site; this shall be determined during the required pre application meeting.
2. Green Technologies (bio retention, bio swales etc.) must be considered before traditional facilities can be considered.
3. The preferred methods of stormwater management are those practices that maximize the use of the natural features of a site, promote recharge and minimize the reliance on structural components.
4. It is recommended that the stormwater management 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.
6. Based on the site characteristics, a pre-application meeting will be required to discuss stormwater management and drainage for this site.

HFA ARCHITECTS ENGINEERS INTERIORS

HARRISON FRENCH & ASSOCIATES, LTD

January 10, 2013

Janelle M. Cornwell, AICP
Planner II
City of Dover
PO Box 475
Dover DE 19903

RE: Arterial Street Buffer Reduction & Tree Mitigation Request
7-11 Store #36474 (Site #1031135) HFA #12-12-00153
127 S. Dupont Highway

Dear Ms. Cornwell:

This letter is to request a reduction of the subject property's Arterial Street Buffer along its S. Dupont Highway frontage from 30 feet to 24 feet. In conjunction with this is a request to provide tree mitigation planting of one (1) required tree elsewhere, as determined by the Planning Commission, due to insufficient space on this site to plant all required trees.

The reduction in the Arterial Street Buffer is primarily a result of required DelDOT right-of-way dedication on S. Dupont Highway. Without the required dedication the Arterial Street Buffer requirement would not have to be reduced. Please also consider that this proposed redevelopment is increasing the total amount of green space on the site and provides a landscaped urban streetscape.

Thank you for your consideration and please contact me at kyle.burchard@hfa-ae.com or 703.489.9321 at any time with questions.

Best regards,

Kyle Burchard

Kyle Burchard, PE

809 Southwest A Street, Suite 201 Bentonville, Arkansas 72712 Phone 479.273.7780 Fax 479.273.9436
www.hfa-ae.com