CITY OF DOVER PLANNING COMMISSION
AGENDA
Monday, December 17, 2012 – 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 November 19, 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) Reminder: The next Planning Commission regular meeting is scheduled for Tuesday, January 22, 2013 at 7:00pm in the City Council Chambers.

3) Report on City Council actions

4) Update on other Planning activities

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

OLD BUSINESS

1) Requests for Extensions of Planning Commission Approval: None

2) Information on Revised Development Application:
   a) 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.

NEW BUSINESS

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

NEW DEVELOPMENT APPLICATION

1) 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.*

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: December 7, 2012 at 11:00am

CITY OF DOVER PLANNING COMMISSION
November 19, 2012

The Regular Meeting of the City of Dover Planning Commission was held on Monday, November 19, 2012 at 7:00 PM with Vice-Chairman Tolbert presiding. Members present were Mr. Shomo, Mr. Tolbert, Mr. Holt, Mr. Ambruso, Mrs. Still, Mr. Holden, Mr. Baldwin and Dr. Bobby Jones (Newly Appointed Member to replace Francis Nichols). Colonel Welsh was absent.

Staff members present were Mrs. Townshend, Ms. Cornwell, Mrs. Duca, and Ms. Metsch. Also present were Mr. David Braun, Mr. Nicholas Alessandro, Mr. Steven Turner, Mr. Brett Alexander, and Mr. Chris Nowalk. Speaking from the public was Councilman William Hare and Mr. Leroy Steadey.

Staff would note that Item #1: S-12-20 Rear Plaza Improvements at 22-24 West Loockerman Street under New Development Applications will be postponed until the next meeting due to the fact that the Historic District Commission has not reviewed the application.

APPROVAL OF AGENDA

Mr. Baldwin moved to approve the agenda as submitted, seconded by Mr. Shomo and the motion was unanimously carried 8-0 with Colonel Welsh absent.

Mrs. Still moved to approve the amended agenda, seconded by Dr. Bobby Jones and the motion unanimously carried 8-0 with Colonel Welsh absent.

APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES OF OCTOBER 15, 2012

Mrs. Still moved to approve the Planning Commission minutes of October 15, 2012, seconded by Dr. Bobby Jones and the motion unanimously carried 8-0 with Colonel Welsh absent.

COMMUNICATIONS & REPORTS

Mrs. Townshend stated that the Planning Commission Quarterly Workshop scheduled for tomorrow November 20, 2012 has been cancelled. Staff will work with Colonel Welsh to come up with a training agenda to use the Quarterly Workshops as an opportunity for training and would hope to implement that early in the next calendar year. The next Planning Commission regular meeting is scheduled for Monday, December 17, 2012 at 7:00 PM in the City Hall Council Chambers.

Mrs. Townshend provided an update on the regular City Council and Legislative and Finance Committee meetings held on November 13, 2012 (Due to Holiday held on a Tuesday).

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

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

OLD BUSINESS

C-12-06 Dover First Christian School at 647 Wyoming Avenue – Public Hearing and Continuation of the Review of a Conditional Use Site Plan to allow for the construction of a 4,000 SF school building and associated site improvements. The application also includes a Conditional Use to allow

for the temporary use of the existing hall within the church as the school. The property is zoned R-8 (One Family Residence Zone). The property is located on the north side of Wyoming Avenue east of New Burton Road and west of Woodford Drive. The owner of record is Seventh Day Adventist Church. Address: 647 Wyoming Avenue. Tax Parcel: ED-05-76.20-01-78.00-000. Council District 2. *Waiver Requests: Elimination of Sidewalk along New Burton Road, Elimination of Sidewalk along Konschak Avenue, Elimination of Upright Curbing, Reduction in Parking. At the meeting of September 17, 2012, the Planning Commission referred the application to the Architectural Review Oversight Subcommittee and tabled the application until the October meeting. At the meeting of October 15, 2012 after hearing the Architectural Review Oversight Subcommittee Report, the Planning Commission set a Public Hearing on the application for November 19, 2012.*

Representatives: Mr. David C. Braun, Braun Engineering and Surveying; and Mr. Nicholas Alessandro, Diamond State Pole Buildings.

Mrs. Townshend stated that this is the third meeting where you have discussed this application. In September, the Planning Commission reviewed the application and held a public hearing. The architecture of the building was referred to the Architectural Review Oversight Sub-Committee. A report was received from that Committee at the last meeting on October 16, 2012. In front of you this evening is a revised architecture that depicts a brick building which is consistent with the request of the Architectural Review Oversight Sub-Committee.

Mrs. Townshend further stated that last month, you will recall, the public hearing had been closed so there was no public testimony given on the application; however, there were a number of the members of the public who were there that were interested in speaking. At that time, after the discussion between the Planning Commission and the applicant, the Planning Commission voted to schedule a public hearing for this evening where the public would be able to have some say over the application and express their comments. This was advertised in accordance with our normal procedures with the property being posted for this evening.

Mrs. Townshend further stated that as a reminder, this is a Conditional Use application for a school at the Seventh Day Adventist Church that is a pre-school and kindergarten program. They have requested in addition to the Conditional Use a partial elimination of sidewalk along New Burton Road, a partial elimination of sidewalk along Konshack Avenue, combined parking spaces under the notion that you are not going to have people using the church and the school at the same time so they are looking to have combined spaces, and the elimination of curbing.

Mr. Braun stated that he would like to go over the sidewalk on New Burton Road and in order to do that he has some pictures that he would like to pass out at this time. (Photo copies to each Planning Commissioner; see application file). The *Zoning Ordinance* includes four (4) possible criteria for considering the waiver of installation of sidewalk along a road in conjunction with a development application. This site meets three (3) of those four (4) criterias. The first is that the property is isolated with respect to sidewalks primarily along New Burton Road as there is no other sidewalk in the area that this would connect to. The second is that the proposed use would not generate or attract additional pedestrian trips. Everyone anticipated to come to this site would be in vehicles. You typically do not have children walking to a pre-school type of facility of this nature from the neighborhood. The third and the reason for handing out the pictures is that the physical characteristics of the property make it difficult and impractical to install sidewalks. If you look at these pictures looking from the

intersection of Wyoming Avenue and New Burton Road looking up New Burton Road, a typical sidewalk would be a nominal distance of three (3) to five (5) feet off of the edge of the pavement and five (5) feet wide going up along the edge of the road. In this instance, there is a six (6) to eight (8) foot shoulder depending on the area on New Burton Road next to the travel lane and immediately after the edge of pavement for the shoulder there starts a ditch and the ditch is roughly eight (8) feet wide from top to top. At the top of the ditch, there is a pole line that runs down through the property where there are about four (4) more poles near the top of the ditch and in the middle of the property there are three (3) existing trees immediately behind that pole line. With the possibility of having to install sidewalk in this area, they would have to install culvert in this ditch, fill it in, and put the sidewalk over the culvert. Another possibility would be if you want to keep it closer to the road would be to take those trees out and move the other trees that have been shown on the Plan further back into the site. The most likely scenario in doing it would actually be to put the sidewalk back behind the trees which puts the sidewalk twenty-five (25) feet or more onto the property in the area of these trees. He is unsure if this would require an easement to the City or how it would be done; however, as a public sidewalk there would need to be something done in order to provide that path through the property.

There were no questions raised from any Planning Commission members at this time.

Mr. Alessandro stated that he would like to reiterate that the Planning Commission members have the drawings of the proposed exterior as being brick and asphalt roof to match the existing church. He would like to bring up one more point as there seems to be a lot of new faces here. The church felt so strongly about building the school that they are doing everything they can to have an attractive addition to the residential neighborhood. They are a part of the neighborhood and not excluded from it and a lot of the people that attend the church care very much about the neighborhood that they are in. It is very important for them to blend in and have an attractive addition.

Mr. Tolbert opened a public hearing.

Mr. William Hare – 23 Woodburn Circle and City Council Representative for the 2nd District – Stated that he was here on behalf of numerous residents (9 people stood in the audience). A copy of our correspondence was sent earlier and there are a few questions that he would like to address. As was stated, there is a concern regarding the traffic on New Burton Road and Wyoming Avenue. If something can be done about this because it is already a major hazard not just with this development adding more traffic; however, currently with everyone in this district in that area it is a problem. It was stated earlier that it is a problem or hardship for the children to be bused an hour to school when this already happens with a lot a local districts. When they get out of kindergarten, what is going to happen next, is this going to be something that is going to come back asking for first grade, second grade or third grade or will they then go back to being bused somewhere else? Also, what is the maximum number of students that would be allowed? Is it thirty-seven (37), fifty (50) or one hundred (100)? Is there a limit of how many can be in this size of a structure? One of the concerns is the buffer between the neighborhood and the church and the school. After hearing Mr. Braun's presentation, he thinks that everyone understands the New Burton Road sidewalk and does not think that it is a problem. There was a stand of trees and shrubs between the church and property on Konshack Avenue. They went in and tore out all the shrubs and trees on the property that is not deeded to them. It was a very nice buffer that prevented noise and wind barrier. If there is going to be new shrubs and buffer put in until that issue is resolved as it is currently in litigation, how do you know where that buffer needs to be until you find out where the property line is? It has also been

mentioned regarding the building itself and if this going to be approved we hope that the Architectural Review Oversight Sub-Committee recommendations are followed. Also, that the safety issues regarding the traffic will be looked into and that if nothing else, it is approved on condition of this litigation and who owns what property there is cleared up and taken care of because until that happens, you do not know the property line. There was complete removal of trees and shrubs off of property that did not belong to the church.

Mr. Leo Steadey – 42 Konschack Avenue – Stated that he has resided in the Sherwood subdivision for thirty-five (35) years plus as well as most of the residents. The resident that borders the property has been there longer than he has been there which speaks for a lot for the community. We maintain this property and have been well supported by the City and we in response return to them what they give to us. We keep the place well maintained with our houses in good condition with the property in excellent condition. If in the event this program that is being presented is accepted by this Commission, he would request two (2) things. That the church, whatever they decide to put there, stays in the context of what their Sherwood subdivision has right now. He does not want a pole building. He knows what they are as he has built some before. He has been in them and has used them and it does not leave much to be desired. On the commercial side it would be okay; however, for residential he does not think so. If they are going to have that then at least meet the standards that we have, something that lives with us propertywise, setup-wise, and facilitywise. He does not have any problems with the church; they have been good neighbors to him and he has never had a problem with anyone over there. He has known for years about them cutting down the line of trees. With traffic at the intersection, he is glad he does not have to go down this way anymore in the morning as he is retired and does not have to go out onto the roadways. New Burton Road and Wyoming Avenue have had fatalities and numerous accidents. There is a congestion problem in that area as there is no control whatsoever for traffic inbounding north to Dover from south of them and people coming off of New Burton Road are shoving out onto this road. Safety should be taken into consideration for this situation. For the kids, if they are not going to go there then they are going to commute and will put more people in the area with more vehicles in the morning. If you do not live in this area, you want to go down there some morning and watch these guys try to get out it is extremely frustrating. Tempers get short as people do not want to be late for work and it just escalates from there.

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

Mr. Ambruso questioned Mr. Hare since he is basically the spokesperson for the group, would you say that subsequent to the changes that the church has been willing to make, do most people feel comfortable with this in their neighborhood? Responding to Mr. Ambruso, Mr. Hare stated that the first thing is that they don't want it there. However, putting that aside if it is going to be approved and is following the Architecture Review Oversight Sub-Committee's recommendations and the issue of the property line and the shrub and tree buffer that is supposed to go in is resolved before anything is done, they could live with that. The sidewalks along Konschack Avenue that is an issue; however, the ones on Woodford would still be required and a nice tree and bush buffer between everything along with the Architecture Review Oversight Sub-Committee recommendations. The traffic issue is going to always be there; however, this is just going to make it worse.

Mr. Ambruso questioned what the realistic figure as to how many children will be enrolled here and its maximum capacity. Responding to Mr. Ambruso, Mr. Braun stated that the maximum would be fifty (50) children.

Mr. Ambruso further questioned if they were happy with fifty (50) as a capacity? Responding to Mr. Ambruso, Mr. Braun stated that yes, that is why the building was sized the way that it is.

Mrs. Still questioned regarding the property line that is in contention, is that where the line of trees is depicted on the Plan? Responding to Mrs. Still, Mr. Braun stated that the land that is in contention is the triangle piece shown on the Plan from taking that line straight across and the triangle piece that goes next to the house to the north.

Mr. Tolbert questioned the ownership of the land, do you own the land that is in question and is it deeded to the church? Responding to Mr. Tolbert, Mr. Braun stated that the church feels that it is and has been questioned by others of whether it is or not.

Mr. Tolbert further questioned if this issue would be resolved? Responding to Mr. Tolbert, Mr. Braun stated that this matter is currently in litigation. He would ask because of the timing of what the church is trying to do with the school that if the Commission wants to put a condition of putting up some form of buffer along wherever the property line is, that the church would agree to do that once it is finalized as to where the line is by litigation rather than holding up the approval of the Conditional Use.

Mrs. Townshend stated that the question is what kind of impact would it have on the approvals and she believes that the setbacks of the building are nowhere near where the dispute is and if it is determined that they need to plant the buffer along this property line or wherever that property line is determined to be, those issues would be resolved during the Final Plan review.

Mr. Holden stated that there has been a lot of discussion over the exterior architecture of the building and we have received a new schematic. He is curious as to the source or who put together the all brick with asphalt shingles and is this now the position of the church that this is their proposal to build? Responding to Mr. Holden, Mr. Alessandro stated that yes it is, brick exterior with an asphalt roof that is the closest match to what the church has.

Mr. Holden further questioned if this followed the Architectural Review Oversight Sub-Committee's recommendations? Responding to Mr. Holden, Mr. Alessandro stated that there were just a few minor small details nothing of consequence.

Mr. Holden further questioned if the church was interested in making a request on any future changes to the number of students or grades that the school would entertain? Responding to Mr. Holden, Mr. Alessandro stated no.

Mr. Holt moved to approve C-12-06 Dover First Christian School located at 647 Wyoming Avenue with the Architectural Review Oversight Sub-Committee's new plans on architecture and to include that a tree buffer be placed between the school and New Burton Road along the north property line to also include all the waiver of requests and the DAC comments of record, seconded by Mr. Shomo.

Mr. Holden questioned if the motion followed Staff recommendations regarding the waivers or does it approve all the waiver requests? Responding to Mr. Holden, Mrs. Townshend stated that the motion was to approve the waivers.

Mr. Ambruso questioned the sidewalk along Konschak Avenue, how many feet is that? Responding to Mr. Ambruso, Mrs. Townshend stated that with the sidewalk along Konschak Avenue Staff recommend that the sidewalk be waived because it does not provide any meaningful purpose. They have proposed along Woodford Drive to provide sidewalk there that is not part of the waiver request.

Mr. Holden noted that the Staff recommendation was for denial of the waiver request for the sidewalk along New Burton Road. He recognizes the challenges there are and that it is an area where there is no sidewalk adjacent to. He recognizes the challenge of creating a sidewalk and entrance pathway in areas where there are none; however, there has to be someone who goes that way first. What is the path for potential reconsideration to include Staff's recommendation versus approving the waiver? Responding to Mr. Holden, Mrs. Townshend stated that if you would want to not approve the sidewalk waiver along New Burton Road you would need to make a motion to amend the motion on the floor.

Mr. Holden moved to amend the motion on the floor to include the Staff recommendation to deny the sidewalk waiver along New Burton Road, seconded by Mr. Shomo.

Mr. Holt questioned if they would be agreeing to try and put the sidewalk on New Burton Road? Responding to Mr. Holt, Mr. Tolbert stated that the first motion was for approval of all the waivers which would allow them to not construct the sidewalk on New Burton Road. Mr. Holden has made an amendment to require the sidewalk be constructed.

Mr. Ambruso stated that we are basically talking about constructing a sidewalk that goes nowhere.

Mrs. Townshend stated that Mr. Holden's motion would require the sidewalk. First, you vote on Mr. Holden's motion to amend and then you vote on the motion either as amended or the initial motion.

Mr. Ambruso stated that he thinks it is derelict to draw attention or promote sidewalks to have people walking in this area as it is such a dangerous area.

Mr. Holt stated that from looking at the pictures, the sidewalk would be impractical to construct along the roadway. It would be difficult to put in and would be expensive and the question would be where to put it as there are not many options there.

Mrs. Townshend stated that currently, you are on the motion to amend the initial motion. At this time a roll call was taken.

Nay (5), Yes (1), and there were two abstentions, Dr. Bobby Jones and Mr. Baldwin and Colonel Welsh absent.

Mrs. Townshend stated that the motion to amend failed so you are now back to the original motion.

The original motion carried 6-0 with Dr. Jones and Mr. Baldwin abstaining and Colonel Welsh absent.

NEW BUSINESS

Appointment to Architectural Review Oversight Subcommittee.

Mrs. Townshend stated that Mr. Nichols was serving on that committee and has now left the Planning Commission that now leaves a vacancy.

Dr. Jones recommended Mr. Holden be appointed to the Architectural Review Oversight Sub-Committee, seconded by Mr. Holt and the motion was unanimously carried 8-0 with Colonel Welsh absent.

NEW DEVELOPMENT APPLICATIONS

SB-12-02 Lands of First National Bank of Wyoming at 219 Beiser Boulevard – Public Hearing and Review of a Minor Subdivision to create two (2) parcels of land from the existing 3.78 acre ± parcel. The parcel will be subdivided into a 1.39 acre ± parcel and a 2.39 acre ± parcel. The property is zoned IPM (Industrial Park Manufacturing Zone). The property is located in the Enterprise Business Park and is on the west side of Beiser Boulevard. The owner of record is First National Bank of Wyoming. Address: 219-229 Beiser Boulevard. Tax Parcel: ED-05-076.15-01-03.08-000. Council District 1. *The previous Site Plan S-07-23 Office Buildings at Enterprise Business Park Lot 2 has expired.*

Representatives – Mr. Steven Turner, Atlantic Group, Surveying Company for the Subdivision.

Mrs. Harvey stated that the area of land to be subdivided into two (2) parcels zoned IPM in an area of that consists of commercial and administrative offices. The applicant has submitted a minor revision on the location of the property line which is still in compliance with the code. The revision request will not have any effects on the DAC Comments of record. The previous Site Plan application for the construction of two (2) office buildings that was granted conditional approval by the Planning Commission in May of 2007 has expired and the buildings have not been constructed. At this time, there are no other plans that have been submitted to the Planning Office for construction.

Mr. Turner stated that they have changed the new line of division slightly and wanted to make sure that this was approved before they went forward with it and it sounds like it was.

Mr. Holden questioned with regards to the existing water and sewer lines through the parcels that have easements, you are not aware of any issues with the proposed plans for the lines that pose an issue there? Responding to Mr. Holden, Mr. Turner stated not at this point, there were some plans submitted in the past so that the building and structures would have to stay outside of those areas which are the reason that we changed the line to accommodate the building.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak closed the public hearing.

Mr. Ambruso moved to approve SB-12-02 Lands of First National Bank of Wyoming located at 219 Beiser Boulevard to include all DAC Comments of record, seconded by Mr. Holt and the motion unanimously carried 8-0 with Colonel Welsh absent.

US-12-01 Dover Mall at 1365 North DuPont Highway: Comprehensive Signage Plan – Public Hearing and Review of a Unified Comprehensive Signage Plan application to permit the construction and implementation of signage for the Mall consisting of a pylon sign, wall signs for the anchor

tenants, and directional signage. The property is zoned SC-3 (Regional Shopping Center Zone) and is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 3 - Excellent Recharge Area. The property is located on the east side of North DuPont Highway south of Rustic Lane. The owner of record is Dover Mall, LLC. Address: 1365 North DuPont Highway. Tax Parcels: ED-05-057.00-01-14.00-000, ED-05-057.00-01-13.01-000, ED-05-057.00-01-13.02-000, ED-05-057.00-01-13.03-000, and ED-05-057.00-01-14.03-000. Council District 3.

Representative – Mr. Brett Alexander, Simon Property Group, Representative for Dover Mall.

Ms. Cornwell stated that the Dover Mall originally came in with a Comprehensive Sign Plan in 2001. Based on the last Site Plan Application for Dick's Sporting Goods, Staff recommended that they update the Plan to address additional signage needs for Dick's Sporting Goods and other changes to the Mall. The intent of the Plan is to address signage for the large complex. The Mall is proposing one (1) free standing pylon sign, eleven (11) existing directional signs, and multiple wall signs for the mall entrance and the large tenant spaces. There is currently one pylon sign that they are looking to update at the same location. Staff is proposing that they keep the same location with the sign area increasing slightly (for the pylon sign).

Ms. Cornwell further stated that the Plan includes eight (8) existing wall signs for Boscov's, two (2) existing wall signs for the cinema, four (4) existing, and one proposed wall sign for the JC Penney's, three (3) existing and one proposed wall sign for the mall entrance, two (2) proposed wall signs for the proposed Dick's Sporting Goods, eight (8) existing wall signs for Sears, six (6) existing and one proposed wall sign for Macy's, and one existing sign for the Old Navy Store. The Plan also includes the new pylon sign at the existing height which is forty-four (44) feet six (6) inches with a sign area increasing to three hundred fifty-eight (358) feet. The Plan also includes the ability for any future tenants with an exterior mall entrance to have one wall sign at seventy-five (75) square feet. This is in keeping with the wall sign that the Old Navy would have with the same sign area.

Ms. Cornwell further stated that Staff has made a number of recommendations which include that landscaping be provided at the base of the pylon sign and that the pylon sign be allowed to have more than three (3) tenant spaces on the sign. The other agencies reviewing this application have provided their comments.

Mr. Alexander stated that they agree with all Staff DAC Comments of record.

There were no questions raised from any Planning Commission members at this time.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak closed the public hearing.

Mrs. Still moved to approve US-12-01 Dover Mall located at 1365 North DuPont Highway: Comprehensive Signage Plan to include all of the DAC Comments of record, seconded by Mr. Holt and the motion was unanimously carried 8-0 with Colonel Welsh absent.

US-12-02 Redevelopment of Former Wal-Mart Site at 1574 North DuPont Highway: Comprehensive Signage Plan – Public Hearing and Review of a Unified Comprehensive Signage Plan application to permit the construction and implementation of signage for the proposed

redevelopment of the former Wal-Mart building consisting of two pylon signs and wall signs for the future tenants. The property is zoned C-4 (Highway Commercial Zone). The property is located on the west side of North DuPont Highway, north of Rustic Lane. The owner of the property is Onix Dover, LLC. Address: 1574 North DuPont Highway. Tax Parcel: ED-05-057.00-01-05.01-000. Council District 4.

Representative – Mr. Christopher Nowalk, Goldleaf Associates on behalf of the Property Owner, Onix Dover, LLC.

Ms. Cornwell stated that this site qualifies for a Unified Sign Plan as it has more than four hundred (400) feet of frontage on an Urban Principal Arterial which is North DuPont Highway. The Plan includes two free standing pylon signs and multiple wall signs for potential tenants. The first pylon sign is the south pylon sign proposed at 440 square feet in sign area. This would replace the existing pylon sign in almost the exact location which is at the intersection of North DuPont Highway and the access road leading into the site. This sign also includes the existing Sam's Club sign. They have an agreement to share signage as Sam's Club does not have actual frontage on North DuPont Highway. Staff is recommending that the pylon sign be narrowed from its proposed twenty feet in width to sixteen feet. This would reduce the sign area to 352 square feet which is more in keeping with the surrounding pylon signs.

Ms. Cornwell further stated that the second proposed pylon sign is the north pylon sign that would be 224 square feet in sign area and twenty-four (24) feet in height located in the middle of the property closer north when travelling on North DuPont Highway. Staff recommends that this pylon sign not be constructed until signage is needed for more than three (3) tenants on this site and that no tenant shall have signage on both of the pylon signs and that the maximum sign area for one tenant on the north pylon sign be set at 64 square feet.

Ms. Cornwell further stated that the wall signs proposed are for the first largest tenant to have four (4) wall signs with each additional tenant being permitted to have up to three (3) wall signs. Staff would request that there be a maximum of sixteen (16) wall signs to be placed on the building that would allow for multiple tenants.

Ms. Cornwell further stated that Staff is recommending that landscaping be provided at the bottom of the pylon sign and to allow for more than three (3) tenant spaces to be located on the pylon sign. The other agencies reviewing this application have provided their comments.

Mr. Nowalk stated that they agree with all the DAC Comments of record and have no objections.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak closed the public hearing.

Mr. Holden moved to approve US-12-02 Redevelopment of Former Wal-Mart Site located at 1574 North DuPont Highway: Comprehensive Signage Plan to include all Staff and DAC Comments of record, seconded by Mrs. Still and the motion was unanimously carried 8-0 with Colonel Welsh absent.

Meeting Adjourned at 8:01 PM

Sincerely,

Diane Metsch
Secretary

MEMORANDUM

Department of Planning & Inspections
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

DATE: December 7, 2012

TO: Planning Commission

FROM: Tracey Harvey
Planner

SUBJECT: S-12-15 DelTech Office of the President Building Addition: Revision to Building Addition Size

A Revision to the proposed Building Addition for the DelTech Office of the President is presented to the Planning Commission as an informational item.

During the Check Print Review, it was determined that the total overall square footage for the building additions to the DelTech Office of the President increased to 6,049 S.F. from the previously approved 6,029 S.F. by the Planning Commission on September 17, 2012. This is an increase of 20 S.F. This Revision results in an overall building size of 15,213 S.F. (original submission overall building size of 15,193 S.F.).

The difference in square footage is due to the refinement of the project design including the handicap accessibility improvements to the front entrance vestibule of the building. With this revision, the building continues to comply with the setback requirements, parking, lot coverage, and the other requirements as previously approved by the Planning Commission.

The Check Print Review of the Site Plan continues with the Planning Office and other Development Advisory Committee (DAC) agencies in order to achieve Final Plan approvals.

CITY OF DOVER
APPLICATIONS TO PLANNING COMMISSION
FOR SITE PLAN, SUBDIVISION, CONDITIONAL USE, AND REZONING

Schedule of APPLICATION DEADLINES, DEVELOPMENT ADVISORY COMMITTEE meeting dates, PLANNING COMMISSION meeting dates, and CITY COUNCIL PUBLIC HEARING dates for the year 2013.

Application Deadline - 4:00 P.M.	- January	4, 2013
Read At Council (**Rezonings Only**)	- January	28, 2013
D.A.C. Meeting (**STAFF ONLY)**	- January	30, 2013
D.A.C. Meeting (**APPLICANT**)	- February	6, 2013
Planning Commission Meeting - *(Tuesday due to Holiday on Monday)	-*February	19, 2013
Public Hearing - Council Action (**Rezonings**)	- March	11, 2013
Application Deadline - 4:00 P.M.	- February	1, 2013
Read At Council (**Rezonings Only)**	- February	25, 2013
D.A.C. Meeting (**STAFF ONLY**)	- February	27, 2013
D.A.C. Meeting (**APPLICANT**)	- March	6, 2013
Planning Commission Meeting	- March	18, 2013
Public Hearing - Council Action (**Rezonings**)	- April	8, 2013
Application Deadline - 4:00 P.M.	- March	1, 2013
Read At Council (**Rezonings Only**)	- March	25, 2013
D.A.C. Meeting (**STAFF ONLY**)	- March	27, 2013
D.A.C. Meeting (**APPLICANT**)	- April	3, 2013
Planning Commission Meeting	- April	15, 2013
Public Hearing - Council Action (**Rezonings**)	- May	13, 2013
Application Deadline - 4:00 P.M.	- April	5, 2013
Read At Council (**Rezonings Only**)	- April	22, 2013
D.A.C. Meeting (**STAFF ONLY**)	- May	1, 2013
D.A.C. Meeting (**APPLICANT**)	- May	8, 2013
Planning Commission Meeting	- May	20, 2013
Public Hearing - Council Action (**Rezonings)**	- June	10, 2013
Application Deadline - 4:00 P.M.	- May	3, 2013
Read At Council (**Rezonings Only**) - *(Tuesday due to Holiday on Monday)	- May	28, 2013
D.A.C. Meeting (**STAFF ONLY**)	- May	29, 2013
D.A.C. Meeting (**APPLICANT**)	- June	5, 2013
Planning Commission Meeting	- June	17, 2013
Public Hearing - Council Action (**Rezonings**)	- July	8, 2013
Application Deadline - 4:00 P.M.	- June	7, 2013
Read At Council (**Rezonings Only**)	- June	24, 2013
D.A.C. Meeting (**STAFF ONLY**)	- June	26, 2013
D.A.C. Meeting (**APPLICANT**)	- July	3, 2013
Planning Commission Meeting	- July	15, 2013
Public Hearing - Council Action (**Rezonings**)	- August	12, 2013

Application Deadline - 4:00 P.M.	- July 5, 2013
Read At Council (**Rezonings Only**)	- July 22, 2013
D.A.C. Meeting (**STAFF ONLY**)	- July 31, 2013
D.A.C. Meeting (**APPLICANT**)	- August 7, 2013
Planning Commission Meeting	- August 19, 2013
Public Hearing - Council Action (**Rezonings**)	- September 9, 2013
Application Deadline - 4:00 P.M.	- August 2, 2013
Read At Council (**Rezoning Only**)	- August 26, 2013
D.A.C. Meeting (**STAFF ONLY**)	- August 28, 2013
D.A.C. Meeting (**APPLICANT**)	- September 4, 2013
Planning Commission Meeting	- September 16, 2013
Public Hearing - Council Action (**Rezonings**)	- October 14, 2013
Application Deadline - 4:00 P.M.	- September 6, 2013
Read At Council (**Rezonings Only**)	- September 23, 2013
D.A.C. Meeting (**STAFF ONLY**)	- October 2, 2013
D.A.C. Meeting (**APPLICANT**)	- October 9, 2013
Planning Commission Meeting	- October 21, 2013
Public Hearing - Council Action (**Rezoning**) - *(Tuesday Due to Holiday)	- November 12, 2013
Application Deadline - 4:00 P.M.	- October 4, 2013
Read At Council (**Rezonings Only**)	- October 28, 2013
D.A.C. Meeting (**STAFF ONLY**)	- October 30, 2013
D.A.C. Meeting (**APPLICANT**)	- November 6, 2013
Planning Commission Meeting	- November 18, 2013
Public Hearing - Council Action (**Rezonings**)	- December 9, 2013
Application Deadline - 4:00 P.M.	- November 1, 2013
Read At Council (**Rezonings Only**)	- November 25, 2013
D.A.C. Meeting (**STAFF ONLY**)	- November 27, 2013
D.A.C. Meeting (**APPLICANT**)	- December 4, 2013
Planning Commission Meeting	- December 16, 2013
Public Hearing - Council Action (**Rezonings**)	- January 13, 2014
Rezoning Applications Deadline - 4:00 P.M.	- November 22, 2013
Other Application Types Deadline - 4:00 P.M.	- December 6, 2013
Read At Council (**Rezonings Only**)	- December 9, 2013
D.A.C. Meeting (**STAFF ONLY**) - *(Thursday due to Wednesday Holiday)	- January 2, 2014
D.A.C. Meeting (**APPLICANT**)	- January 8, 2014
Planning Commission Meeting - *(Tuesday due to Monday Holiday)	-*January 21, 2014
Public Hearing - Council Action (**Rezonings**)	- February 10, 2014

Planning Staff will advise applicant as to the Committee Meetings schedule if applicable.

For Information Contact: City of Dover
Department of Planning
15 Loockerman Plaza, Dover, DE 19901
(302) 736-7196 Phone (302) 736-4217 Fax
www.cityofdover.com E-mail: planning@cityofdover.com

City of Dover

DATA SHEET FOR SITE PLAN REVIEW

DEVELOPMENT ADVISORY COMMITTEE MEETING OF October 31, 2012

PLANNING COMMISSION MEETING OF November 19, 2012

Plan Title:	Rear Plaza Improvements at 22-24 West Loockerman Street S-12-20
Plan Type:	Site Plan Architectural Review Certification (HI-12-07)
Project Location:	South side of Building adjacent to North Street between South State Street and South Governors Avenue
Property Addresses:	22-24 West Loockerman Street
Tax Parcels:	ED-05-077.09-04-16.00-000
Owner:	Downtown Dover Partnership
Present Zoning:	C-2 (Central Commercial Zone) H (Historic District Zone)
Existing Uses: Proposed Uses:	Vacant Commercial Building with Multiple Tenant Spaces Same with landscaping and paving improvements
Site Area:	13,913 S.F.
Waiver Requested:	Tree Mitigation Plan

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: November 7, 2012

CITY OF DOVER PLANNING

APPLICATION: Rear Plaza Improvements at 22-24 West Loockerman Street

FILE #: S-12-20 REVIEWING AGENCY: City of Dover Planning

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

PLAN SUMMARY:

This application is for 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. *Application HI-12-07 is scheduled for review at the Historic District Commission Meeting on November 15, 2012.*

This project requires Site Plan Review and Architectural Review Certification.

PROJECT PROPOSAL:

The Site Plan proposes improvements to the currently asphalt paved area between the building (addressed as 22-24 West Loockerman Street) and North Street which is its southern property boundary. Improvements are proposed to consist of removal of the asphalt paving and replacement with a system of concrete and brick pavers along with landscape planting areas. Black metal fences are proposed along the west and east property lines. The fence on the west is five feet in height and the fence on the east is proposed at 42 inches (3.5 feet) in height. Another fence segment is proposed to screen the existing electrical equipment. The sidewalk along the North Street frontage of the property is scheduled for improvements (new brick and concrete surfaces) as part of the North Street Area Improvement Project (HI-11-05, C-11-07, S-12-04).

The overall project for the plaza improvement strives to follow the design and planning strategies outlined in the *Dover Transit Center Neighborhood Plan and Design Book.* The *Neighborhood Plan* suggested that this side of the building be enhanced with a more formal entrance and the screening of utilities to improve the aesthetics of the property and its appearance from North Street.

HISTORIC DISTRICT COMMISSION - REVIEW

The project site is located within the H (Historic District Zone). For the Rear Plaza Improvements project, the Historic District Commission will consider the application HI-12-07 on November 15, 2012 regarding an Architectural Review Certificate for the construction of the

plaza area. **The Historic District Commission will forward a recommendation on the Architectural Review Certificate to the Planning Commission.**

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*.

Zoning Review for C-2

For this property, the zoning is C-2 (Central Commercial Zone). Any tenants proposed to occupy the existing building must comply with the uses allowed in the C-2. These rear plaza improvements to the property would be considered a typical site improvement; however, due to the amount of site disturbance this Site Plan review process is required.

PARKING SUMMARY

This project does not involve construction of any buildings, but the parking requirements for the C-2 zoning district are provided for reference. Within the C-2 (Central Commercial Zone), there is not an off-street parking requirement for existing buildings and new buildings are required to provide 0.5 spaces per 300 S.F. of building floor area. This project does not propose construction of any off-street parking spaces but instead relies on public parking opportunities in the Downtown area such as on-street parking and public parking lots. The project is proposing to construct a concrete surfaced area capable of serving as a loading space with access from the property's depressed curb entrance (curb cut) along North Street. This loading space is an area consisting of 12'3" by 60 feet.

Bicycle Parking

The bicycle parking requirement is one bicycle parking space for every twenty parking spaces. Since this site does not include any off-street parking, there is not a bicycle parking requirement.

SITE CONSIDERATIONS

Access to this property is from West North Street which is a City maintained street segment. The curb and sidewalk across the property's frontage will be depressed allowing for vehicular access to the loading space and pedestrian access to the plaza area at the rear of the building. The project does not include the need for upright curbing.

Dumpsters

Design consideration needs to be given for placement of a Dumpster enclosure to serve the existing building. The plan does not show a location for storage of trash and recycling containers.

Sidewalks

The project site has existing paved area along the North Street frontage. This sidewalk area will be improved to consist of brick and concrete paving as part of the North Street Streetscape Improvements. The construction of the sidewalk must comply with the City of Dover Public Works standards. Coordination between this site improvement project and the Streetscape Project will be necessary. The applicant will be required to reconstruct the sidewalk and curb where site improvements/entrance changes are proposed.

Lighting
The plaza project does not identify any additional site lighting. If provided then the type of lighting that will be used needs to be shown on the plan. Lighting is located along North Street consistent with the existing fixtures used in the Downtown area.

Opaque Barrier Requirement
The *Zoning Ordinance* requires an opaque barrier between a residential use and a non-residential use (Article 5 Section 7.2). The buffering required is a six (6) feet high opaque barrier (fence, wall or berm) and a landscape screening component. This provision applies to the portion on the west side of the property where it adjoins the mixed-use building known as Loockerman Square which includes apartments. Previously, a lattice and wood screening fence was currently located in this area; it was removed following storm damage. With this plaza project, a five (5) foot black ornamental fence and a landscaped area is proposed along this boundary. Given the mixed use nature of properties in the Downtown area, Staff considers the fence and landscaping to comply with the intent of screening between the uses.

TREE PLANTING AND LANDSCAPE PLAN
The submitted plan presents a concept for planting several trees within the landscaped area on the west side of the plaza area. Based on the total property area of 13,913 S.F., a total of five trees are required. The plan appears to show three new trees to meet the requirement; two additional trees are required.

Request for Tree Mitigation
Article 5 §16.91(a) allows the Planning Commission to grant a waiver to allow for tree mitigation of the trees required to be planted to achieve the tree density requirements of the non-woodland areas of the site. The applicant is proposing to do offsite tree mitigation for two trees and has submitted a waiver request for Tree Mitigation noting that the size of the project area and the location of utilities will limit the available planting areas for trees on the site. The applicant has proposed planting the two trees on the nearby Loockerman Way Plaza property which is also owned by the Downtown Dover Partnership. The Planning Commission

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 Site Plan must comply with the provisions of *Zoning Ordinance*, Article 10 Section 2.5. Currently, the project is only presented in a graphical format. A Site Plan including the appropriate data column, plan drawing, and details must be provided.
   a) Add a note to the plan indicating the date and actions of the Historic District Commission review of the application.
   b) The plan must reflect any changes recommended by the Planning Commission.
   c) Review of the plan submitted to satisfy the code requirements (as noted above) may identify additional review comments.

2) The plan provides limited information on the projects' strategy for stormwater management. This may impact the parking lot and landscaping designs.

3) Indicate any existing or proposed easements related to utilities, etc.

4) West North Street is a City maintained road; therefore, work within the right-of-way is subject to City of Dover Department of Public Services – Public Works Division requirements. This includes construction of the site entrances (curb cuts) and sidewalk areas.

5) Provide location for Dumpster enclosure or method of storage for trash and recycling collection containers. These items should be compatible with the character of the Historic District.

6) Provide construction details for the following but not limited to: sidewalks ensuring accessibility, paving areas, dumpster enclosure ensuring architecture matches the building materials, lighting, fencing, benches, etc.

7) The following information must be provided on the plan as related to Tree Preservation and Planting Plan.
   a) Add two trees to meet the tree planting requirements. A total of five trees are required. A proposal for Tree Mitigation was submitted for review by the Planning Commission.
   b) The plan requirements as listed in *Zoning Ordinance,* Article 5 §16.8.
   c) Ensure that tree planting locations do not conflict with existing or proposed utilities.
   d) The selection of trees should incorporate trees well suited to the site conditions of an urban area.
   e) Clarify the surface treatment for the landscape areas as grass, mulch, etc.

8) The tree planting requirement shall be provided in accordance with the *Zoning Ordinance* unless a waiver is granted by the Planning Commission approving a Tree Mitigation Plan. A written waiver request and Tree Mitigation was submitted for consideration by the Planning Commission.

9) Coordination with the adjacent property owner regarding the installation of the screening fence for the electrical equipment will be necessary. Documentation of their concurrence with the installation and a maintenance agreement must be submitted.

10) The Historic District Commission is to provide a recommendation in regards to the Architectural Review Certificate for this project. They are scheduled to meet on November 15, 2012 to consider the application.

<u>RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:</u>

1) The Historic District Commission at their meeting of 11/15/2012 will take action to provide a Recommendation 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.

a. Planning Staff as part of the ARC 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*.

2) Recommendations on Waiver Request for Consideration of Tree Mitigation Plan: Staff recommends approval of the Tree Mitigation Plan thus allowing for a portion of the required tree plantings to be planted at an off-site location in the Downtown area also owned by the same property owner. Staff notes the limitations of the subject site due to the existing utility infrastructure.

3) Staff recommends the addition of a bicycle parking rack on the property to provide a parking location for this type of transportation mode. It will also help to avoid the impromptu chaining of bicycles to other site features like trees, fences, or signs. The bicycle parking rack should be black in finish color.

4) Staff recommends the following changes to the designed layout:
   a. For the west fence, the height of five feet must be limited to the area north of the front building façade of the Loockerman Square Building. This will help screen the service area of this adjacent building.
   b. For the west fence, the remaining length of fence from the building façade of the Loockerman Square Building continuing toward the street should be eliminated.
   c. Additional detail information is necessary to evaluate the design and placement of the east fence and utility screening fence.
   d. As the fencing approaches the North Street frontage, it must be evaluated for any visibility and sight distance compliance issues and connections with adjoining fences.

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) 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) 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, Historic District Commission, Planning Commission, or other commissions making recommendations in regards to the plan.

4) Construction and demolition will have an effect on the adjacent property owners and nearby streets. Any work requiring the closing or rerouting of employees, customers, owners 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.

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

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

7) The applicant shall be aware that Site Plan approval does not represent a Building Permit and associated construction activity permits. A Building Permit will be utilized as a tracking mechanism for Site Plan compliance. 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.

8) 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 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: OCTOBER 31, 2012

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **Rear Plaza Improvements ~ 22-24 W. Loockerman Street**

FILE #: **S-12-20**

REVIEWING AGENCY: **City of Dover**

CONTACT PERSON: **Steve Enss - Electric**
Jason A. Lyon - Water, Wastewater, Stormwater

CONTACT PHONE #: **302-736-7070**

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. 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.
2. 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.
3. Must maintain 10' clearance around all electrical equipment, unless pre-approved by the City of Dover Electric Engineering Department.

WATER / WASTEWATER / GROUNDS / SANITATION

1. None

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

1. Provide details for the proposed sidewalk and curbing for this project. Only approved materials are allowed within the City of Dover right-of-way, specifically, approved brick and concrete. Remove the colored concrete portion that lies within the right-of-way.

GENERAL

1. Submit a complete set of standard construction drawings with applicable details.
2. 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.
3. 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 is responsible to meet the Electric Service Handbook.

WATER / WASTEWATER

1. Owner is responsible to meet the requirements of the Water/Wastewater Handbook.

STORMWATER

1. Add grade elevations and flow directions to the plan to prove that positive drainage exists for the property.

STREETS / SANITATION / GROUNDS / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. The Current design does not meet the 10' clearance in front of the equipment. (Low shrubs) The fence must be totally removable or hinged to open for personnel access and allow air to travel through to cool the equipment.

WATER / WASTEWATER / STORMWATER / STREETS / GROUNDS

1. None.

SANITATION

1. The City of Dover will not offer trash service to this proposed project, the owner/developer shall be responsible for private trash service.

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: October 31, 2012

CITY OF DOVER FIRE MARSHAL

APPLICATION: Rear Plaza at 22-24 West Loockerman Street

FILE #: S-12-20 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:

No Comments.

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.

Any proposed building will be reviewed under an Occupancy type.

The City of Dover uses the 2009 NFPA Life Safety Code, 2009 IBC, latest editions of all other NFPA Codes and the 2009 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: October 31, 2012

D E L D O T

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APPLICATION: Rear Plaza Improvement at 22-24 West Loockerman Street
FILE#: S-12-20 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 has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- ADA compliant curb ramps and sidewalks should be installed along the site frontage.

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
OCTOBER 2012

APPLICATION: *Rear Plaza Improvements 22-24 West Loockerman Street*

FILE #: S-12-20

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 approval and/or issuing of construction permits for 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.

- ***The proposed site improvements are less than 5000 square feet, the site is therefore exempt from strormwater requirements.***

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

PLANNING OUR
CLIENT'S SUCCESS

November 9, 2012

Planning Commission Members
City of Dover
15 Loockerman Plaza.
Dover, DE 19901

RE: **TREE MITIGATION REQUEST – 22-24 WEST LOOCKERMAN**
Application S-12-20
Dover, Delaware
2011104.04

Dear Commission Members:

In accordance with the city of Dover's Zoning Ordinance article 5 sec. 16.62, which states *"On each property for which a tree preservation and planting plan is required by this section, existing trees may be retained and new trees shall be planted such that the lot shall attain or exceed a tree density of one tree per 3,000 square feet of lot area or fraction thereof. Trees needed to meet buffer requirements shall not be counted towards tree density. Trees required to be planted in parking areas as specified by the planning commission shall not be counted towards tree density."* Application S-12-20 which consists of the rehabilitation of the rear pavement area of the building located at 22-24 West Loockerman Street requires a total of five (5) trees to be planted within the 2500 square foot site area of disturbance. We have proposed a total of three (3) trees to be planted on site and are requesting a tree mitigation waiver be granted for the two (2) additional trees not included as part of our application.

Pursuant to of the city of Dover zoning ordinance Article 5 sec. 16.91, a waiver may be sought from the provisions of sec 16.62 and tree mitigation can be considered. We are requesting this waiver due to the site limitation of both space and existing utility locations below the ground on the subject parcel. The City's electric department requires a ten foot separation between its utilities and any tree plantings. Given the limitations of the site regarding the width of the property in question, planting the additional trees may be problematic given the relative location of the City's infrastructure. We are requesting that the two additional trees be planted in the Loockerman Way project area directly west of the building. This property is currently owned and operated by the applicant and they have agreed to the additional plantings.

Thank you for your consideration on this matter. Please feel free to call our office with any questions regarding this matter.

Sincerely,

BECKER MORGAN GROUP, INC.

Jonathan N. H. Street
Civil Designer

jns/

Cc: William Neaton, DDP

201110400-bz-PC-tree mitigation.doc

BECKER MORGAN GROUP, INC.

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